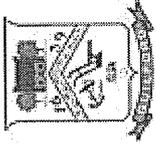
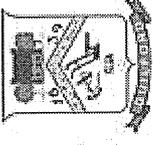


Zoning Regulations
of the
Town of Guilford
and
Amendments



The Town of

Guilford, Connecticut



Zoning Amendments

Approved: July 20, 2004
Effective Date: August 12, 2004

At its regular meeting on July 20, 2005 the Guilford Planning and Zoning Commission approved the following amendment to the Zoning Code:

Proposed Amendments to the Zoning Code Regarding Development Program Areas A and B

1. Amend Article XI Planned Residential Developments, 273-83 D (2) (b) to read; "In Zones R-1, R-2, R-3, R-4, R-5, R-6, and R-7, the net square-foot land area of the PRD . . . , and delete R-8 line in Table."
2. Amend Article XI Planned Residential Development, 273-83 D (2) (c) to read; "In Zone R-8, the net square-foot land area of the PRD . . ."
3. Amend 273-100. Special permit for planned residential development, B. as follows; "B. PRD application. Zones R-1, R-2, R-3, R-4, R-5, R-6, and R-7. The application for a special permit for a planned residential development (PRD) located in the above zones shall be . . ."
4. Amend 273-100. Special permit for planned residential development, C. as follows; "C. Commission action. Zones R-1, R-2, R-3, R-4, R-5, R-6, and R-7. The following procedures are applicable for consideration of special permit application for planned residential development (PRD) located in the above zones:"
5. Amend 273-100. Special permit for planned residential development, D. as follows; "D. PRD Application, Zone R-8. Zone R-8 is established under these regulations in recognition of the lack of community services, severe limitations for land development and presence of important conservation resources. The additional procedures and requirements hereinafter specified are necessary in connection with PRD's located in the R-8 Zone.
 - (1) Notice of intent; preapplication. No application for a special permit for a planned residential development (PRD) in the R-8 zone shall be made to the Commission . . ."
 - (2) Authorized application. Upon completion of procedures specified in Subsection D(2), application for special permit for a PRD in the R-8 Zone may be made and shall be acted upon in the same manner as provided for all other zones under Subsections B and C of this section.
6. Amend 273-101. Certificate of zoning compliance for planned residential development. D. as follows; "D. Commission action. The following procedures are applicable for consideration of applications for a certificate of zoning compliance for a planned residential development in all zones;"

273:86.1 & 273:119.1 & 273:126.1

(Amendment - 07.20.05 - Areas A and B)

AMENDMENTS TO THE ZONING CODE

Approved; February 16, 2005
Effective Date; February 25, 2005

At its regular meeting on February 16, 2005 the Guilford Planning and Zoning Commission approved the following amendment to the Zoning Code:

Delete § 273-60 M. Temporary signs, political.

~~M. Temporary signs, political. In addition to the requirements of Subsection I, signs shall also conform to the following standards:~~

- ~~(1) Political signs advertising candidates for elected office or promoting positions on ballot issues shall not exceed four square feet in area, shall not extend more than five feet above ground level and shall not exceed four feet in any one dimension. Said signs shall not be erected more than 14 days prior to the election and shall be removed within two days following the election. No more than two signs per lot shall be allowed.~~

This amendment is approved based upon a finding that it conforms with the 2002 Plan of Conservation and Development. The amendment is effective on February 25, 2005.
273: 68.1

Amendment - 02.16.05 - Delete 273-60 M "Temporary signs, political"
(02/28/05)



Approved; February 16, 2005
Effective Date; February 25, 2005

At its regular meeting on February 16, 2005 the Guilford Planning and Zoning Commission approved the following amendment to the Zoning Code:

Amend 273.22. Additional use requirements and standards. B. to read as follows;

- "B. Rooms-to-let. Rooms-to-let in a dwelling unit, as defined in § 273-2, is an additional use for which a ~~certificate of zoning compliance~~ *Special Permit in conformance with Article X* is required."

This amendment is approved based upon a finding that it conforms with the 2002 Plan of Conservation and Development. The amendment is effective on February 25, 2005.
273: 42.2

Amendment - 02.16.05 - 273-22 B "Rooms-to-let"
(02/28/05)



Approved; February 16, 2005

Effective Date; February 25, 2005

At its regular meeting on February 16, 2005 the Guilford Planning and Zoning Commission approved the following amendment to the Zoning Code:

Add to 273-20, Table 2B, Permitted Uses in Commercial, Marine Recreation and Industrial Districts, a new use as follows;

49. *Facilities for "Motor Vehicles in Livery Service" as defined in C.G.S. Chapter 244b, Sec. 13b-101, with not more than 10 such vehicles on the lot. Said vehicles shall be garaged indoors. No outdoor vehicle washing, or major vehicle maintenance and repair is permitted. Said use shall be by Special Permit and must be served by a collector road or state highway as defined in 273.28. This use is to be allowed (SP) in the I-2 zone.

This amendment is approved based upon a finding that it conforms with the 2002 Plan of Conservation and Development. The amendment is effective on February 25, 2005.

273: 40.1

Amendment - 02.16.05 - 273-20 "Livery Service"
(02/28/05)



Approved; February 16, 2005
Effective Date; February 25, 2005

At its regular meeting on February 16, 2005 the Guilford Planning and Zoning Commission approved the following amendment to the Zoning Code:

Revise § 273-19 Apartment accessory to single-family dwelling, A. General to read as follows;

"A. General. The following shall apply to the provision of an apartment dwelling unit (see 273-2B for the definition of "dwelling unit") accessory to a single-family dwelling by special permit in the R-1, R-3, R-4, R-5, R-6, R-7, and R-8 Districts. Accessory apartments may be located within the dwelling unit or an addition thereto, or may be located in a detached accessory building or an addition thereto. Accessory apartments are allowed in order to provide a housing type that is more affordable than the single-family home."

"B. Conditions. The following conditions shall be met;

(1) *For applications for an apartment in a single-family dwelling*, the single-family dwelling unit shall have existed for a period of at least five years prior to application for the apartment dwelling unit, as evidenced by the issuance of a certificate of occupancy for the dwelling or a date when the completed dwelling was on the Grand List of the Town.

(1a) For applications for an apartment in a detached accessory building, the accessory building shall have existed for a period of at least ten years prior to application for the apartment dwelling unit, as evidenced by a date when the building was on the Grand List of the Town, or other evidence of date of construction acceptable to the Commission.

(6) The apartment dwelling unit has a minimum floor area of 400 sq. ft. and a maximum area of 1000 sq. ft. For the purposes of this Section, floor area shall be measured as the interior spaces to be used for the dwelling unit. Basements accessible from the interior of the accessory apartment shall be counted toward the maximum floor area allowed. Additions encompassing exterior spaces such as decks and balconies shall be shown on the special permit application.

(11) For apartments proposed in detached accessory buildings, the resulting building shall maintain, to the maximum extent possible, the appearance of the original building. Said buildings shall look like an accessory building such as a garage, barn, carriage house or shed and not have the appearance of a

single family dwelling.”

This amendment is approved based upon a finding that it conforms with the 2002 Plan of Conservation and Development. The amendment is effective on February 25, 2005.

273: 26.1

Amendment - 02.16.05 - 273-19 “Acc. Apts 10-yr.”
(02/28/05)



Approved; October 6, 2004
Effective Date; October 15, 2004

At its regular meeting on October 6, 2004 the Guilford Planning and Zoning Commission ~~deleted~~ the following amendment to the Zoning Code:

Deleted § 273-131. Nonconforming Buildings.

~~No building, existing as of the effective date of this regulation, which is noneonforming with respect to maximum building size, maximum coverage, or maximum floor area may expand except by special permit, and no such expansion shall exceed 5% of the total floor area of the building.~~

This amendment is approved based upon a finding that it conforms with the 2002 Plan of Conservation and Development and is consistent with the purposes and intent of the Shopping Center Zone District. This amendment is effective on October 15, 2004. (Pg 273:143.2)



At its regular meeting on October 06, 1999, the Guilford Planning and Zoning Commission took the following action:

“§ 272-10 A. Public hearing signs.

For any application where a public hearing is held, the applicant shall erect a sign on the subject property. Said sign shall be legible from the adjacent public street, shall describe the type of application and provide the time and place of the public hearing. Said sign shall be not more than 16 square feet, be professionally lettered with black letters and white background on weather-proof material, be erected at least 14 days prior to the hearing and be removed within two (2) days after the hearing’s conclusion. Where a proposed subdivision has frontage on two public streets, a sign shall be erected on each of these streets.”

This amendment is effective on November 17, 1999.



At its regular meeting on April 19, 2000, the Guilford Planning and Zoning Commission took the following action:

Notice to adjoining property owners

Amend Zoning Code as follows;

Amend § 273-100. B. by adding the following:

“6 The application shall include the names and addresses of the current property owners within 500 feet of the proposed PRD as indicated in the Guilford Assessor’s records. The applicant shall notify by certified mail all property owners so identified of the pending public hearing. Said notification shall have been mailed at least 14 days prior to the hearing. Proof

of certified mail notification shall be submitted to the Commission prior to the public hearing.

These amendments are adopted based upon a finding that they are in conformance with the Comprehensive Plan. They are effective on April 26, 2000.

At its regular meeting on April 19, 2000, the Guilford Planning and Zoning Commission took the following action:

Notice to adjoining property owners

Amend Zoning Code as follows;

Amend § 273-109. B. to read;

“B. For petitions concerning the Zoning Map, three copies of a map shall be submitted, drawn to a scale of not less than 200 feet to the inch, covering the area of the proposed change and all areas in the town within 500 feet of the proposed change and showing for such area the existing property lines and the names and addresses of the current property owners as indicated in the Guilford Assessor’s records. The **applicant** shall notify by mail all property owners identified in this Subsection B of the pending public hearing. Said notification shall have been mailed at least 14 days prior to the hearing. **Proof of certified mail notification shall be submitted to the Commission prior to the public hearing.**

These amendments are adopted based upon a finding that they are in conformance with the Comprehensive Plan. They are effective on April 26, 2000.

At its regular meeting on May 06, 1998, the Guilford Planning and Zoning Commission took the following action;

VOTED: That the Guilford Planning and Zoning Commission approve an amendment to the Zoning Code as follows;

Amend § 273-14. Nonconforming buildings and structures. A. as follows;

“A. No nonconforming building or other structure shall be enlarged, extended, constructed, reconstructed or altered if the result would be an increase or an extension of the nonconformity. Where a building or structure is nonconforming with respect to a setback or setbacks an increase in the building’s height which does not conform with the required setback shall constitute such an extension of the nonconformity.”

This amendment is approved based upon a finding that it conforms with the Comprehensive Plan of Development and Conservation.

This amendment is effective on May 13, 1998.

Proposed Amendment to Zoning Code

Proposed by the Guilford Housing Partnership

Amend § 273-19. Apartment accessory to single-family dwelling. as follows;

§ 273-19 B. (6) to read; "The apartment dwelling unit has a minimum floor area (see § 273-2b for the definition of "floor area") of 400 square feet and otherwise has a floor area that does not exceed 1200 square feet or 1/2 of the floor area of the single-family dwelling prior to provision of the apartment, whichever is less."

At its regular meeting on March 01, 2000, the Guilford Planning and Zoning Commission took the following action:

VOTED: That the Guilford Planning and Zoning Commission approve an amendment to the Zoning Code as follows;

Amend § 273-19. Apartment Accessory to single-family dwellings by revising § 273-19B. (1) to read as follows:

- (1) The single-family dwelling unit or accessory building existed for a period of at least five years prior to application for the apartment dwelling unit, as evidenced by the date of issuance of a certificate of occupancy for the dwelling or a date when the completed dwelling or accessory building was on the Grand List of the Town of Guilford. **[Amended 5-8-1996]**

This amendment is approved based upon a finding that it conforms with the Comprehensive Plan.

This amendment is effective on March 08, 2000.

At its regular meeting on January 07, 1998, the Guilford Planning and Zoning Commission took the following action:

VOTED: That the Guilford Planning and Zoning Commission adopt the following amendments to "Zoning Chapter 273 from the Code of the Town of Guilford";

- 1. Amend 273-20. Commercial, marine recreation and industrial districts. Table 2B Permitted Uses in Commercial, Marine Recreation and Industrial Districts as follows;
Add Use #46. *Filling, excavation, dredging, grading or substantial removal of trees. P for all zones. Note that the * means approval of a site plan is required. (Pg. 27338)
- 2. Amend 273-75 m. (2) as follows:
"In Commercial, Marine Recreation, and Industrial Districts, the area required for setback from a residential district boundary line (See Table 3, Line #9) shall be suitably landscaped with evergreen shrubs or trees, or such evergreens in combination with embankments, fences, and/or walls, so as to provide a transition from such Districts to the Residential District. Suitable natural terrain and existing trees and shrubs shall be preserved and shall be augmented with new evergreens and other vegetation, if existing vegetation does not include an adequate screen during all seasons between the districts. If the setback or other buffer zone does not provide an adequate screen of evergreens, the industrial or commercial edge of the setback shall be landscaped to create an all season screen. Unless otherwise approved by the Commission pursuant to Article X, the setback area specified in Table 3, Line #9 shall contain no off-street parking, loading spaces, or driveways. Where new landscaping is required, the Commission shall require the posting of a bond in order to guarantee the survival of the plantings during their grow -in period." (Pg. 27374)

- 3. Amend 273-96. Certificate of zoning compliance as follows:
"No building or other structure or part thereof shall be constructed, reconstructed, enlarged, extended, moved or structurally altered, nor shall any lot, building, or other structure be changed in use, including filling, excavation, dredging, grading, or substantial removal of trees upon any lot in a Commercial or Industrial Zone, until an application for a certificate of zoning

compliance has been approved by the Zoning Enforcement Officer...;" (Pg. 27400)

These amendments are adopted based on a finding that they conform with the Plan of Development and Conservation and that they will facilitate higher quality land development in commercial and industrial districts.

These amendments are effective on January 14, 1998.



At its regular meeting on January 21, 1998, the Guilford Planning and Zoning Commission took the following action:

VOTED: That the Guilford Planning and Zoning Commission adopt the following amendments to "Zoning Chapter 273 from the Code of the Town of Guilford";

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1. Amend §273-20, Table 2B Permitted Uses in Commercial, Marine Recreation and Industrial Districts, by adding a new item as follows;

"47. *Building, and landscape contractor's facilities including yards with vehicle and material storage." "P" in C-4, I-1, and I-2 Districts.

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2. Amend §273-19 Apartment accessory to single-family dwelling as follows:

Add to C. (1.);

(d) A list, by name and address, of all property owners of record (according to the records of the Town Assessor) for all owners of property abutting or across the street from the applicant's lot.

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3. Amend §273-109. amendments as follows;

In line 5 of subsection "B" after "names", add "and addresses"

Add; "The Commission shall notify by mail all property owners identified in subsection "B" of the pending Public Hearing, said notification shall have been mailed at least 14 days prior to the Hearing."

These amendments are adopted based on a finding that they conform with the Plan of Development and Conservation.

These amendments are effective on January 28, 1998.



Corrections to Zoning Chapter 273 From The Code of The Town of Guilford.

1. "§273-20 Commercial, marine recreation and industrial districts. Table 2B Permitted uses in Commercial, marine recreational and Industrial Districts"; Use #42. * Structures containing dwelling units, subject to requirements of §273-49, "Add "SP" under C-2.
2. "§273-49 Dwelling units in Commercial District C-2 and C-3", correct first sentence to read "Structures containing

commercial use and dwelling units may be allowed by Special Permit in the C-2 and C-3 Districts, provided that they meet the following standards."

3. "§273-16 Residential districts, Table 2A Permitted uses in residential Districts", delete from use #6. * Dwellings single family, and not more than 1 such dwelling per lot" the "*" indicating that approval of a site plan is required.

These corrections are effective on April 01, 1998.c

At its regular meeting on November 15, 2000 the Guilford Planning and Zoning Commission took the following action:

Voted: that the Guilford Planning and Zoning Commission amend the Zoning Code as follows;

Amend § 273-20 by adding the following:

"D. Maximum building size. In any C-2, C-3, C-4, C-D or I-2 zone located on the north side of the Boston Post Road between the intersection of the Boston Post Road and Long Hill Road on the east and the Branford border on the west, or on the south side of the Boston Post Road between the intersection of the Boston Post Road and Dunk Rock Road on the east and the Branford border on the west, the following building sizes shall apply:

1. No building used for retail purposes (other than stores that sell primarily farm products or antiques) larger than 15,000 square feet total floor area is allowed.
2. No other type of building larger than 50,000 square feet total floor area is allowed except by Special Permit approved in accordance with Article X and in no case shall any building larger than 75,000 square feet total floor area be allowed.

E. Uses prohibited. In any C-2, C-3, C-4, C-D or I-2 zone located on the north side of the Boston Post Road between the intersection of the Boston Post Road and Long Hill Road on the east and the eastern border of the WEDOZ, or on the south side of the Boston Post Road between the intersection of the Boston Post Road and Dunk Rock Road on the east and the eastern border of the WEDOZ, automotive service uses (i.e. motor vehicle repair; motor vehicle filling stations; motor vehicle washing establishments; retail sales and/or storage of new or used motor vehicles including motorcycles, trucks, trailers or farm equipment, and the rental thereof) are prohibited."

Amend § 273-93. E. (3) (WEDOZ) as follows:

"Business and professional offices, research and light manufacturing and distribution uses are strongly preferred within the WEDOZ. Retail stores, restaurants and automotive service uses (i.e. motor vehicle repair; Motor vehicle filling stations; motor vehicle washing establishments; retail sales and/or storage of new or used motor vehicles including motorcycles, trucks, trailers or farm equipment, and the rental thereof) are only permitted on commercially zoned sites of twenty-five acres or more and under exceptional circumstances where the highest quality of architectural and site design are displayed."

These amendments to § 273-20 and § 273-93 E. (3.) are to be reviewed by the Planning and Zoning Commission by July 01, 2001 upon completion of a study by the Planning and Zoning Commission of the Boston Post Road west area.

The effective date of the above amendments is November 23, 2000.

At its regular meeting on February 02, 2000, the Guilford Planning and Zoning Commission took the following action:

VOTED: That the Guilford Planning and Zoning Commission approve an amendment to the Zoning Code as follows;

Amend § 273-27. A. to addfrom the common "rear or" side lot line....

This amendment is approved based upon a finding that it conforms with the Comprehensive Plan.

This amendment is effective on February 09, 2000.

At its regular meeting on May 06, 1998, the Guilford Planning and Zoning Commission took the following action:

VOTED: That the Guilford Planning and Zoning Commission adopt the following amendments to "Zoning Chapter 273 from the Code of the Town of Guilford";

1. Amend § 273-38. Residential accessory uses, buildings and structures. F. Parking and storage of commercial vehicles as follows;

F. Parking and storage of commercial vehicles. No commercial vehicle with a capacity of more than 1 1/2 tons shall be kept in a residential zone, except that commercial vehicles with a capacity of more than 1 1/2 tons may be kept on a farm when engaged in farming activities or functions. On lots of more than 4 acres one commercial vehicle of greater than 1 1/2 tons may be allowed by Special Permit when said vehicle can be suitably housed and or located so as not to be visible off the lot or from any street and when the vehicle's use will have no injurious impact on surrounding properties. No more than one commercial vehicle of any allowable size, when kept in residential zone, may be parked or stored in such a manner as to be visible from any lot (other than the lot on which it is located) or from any street. The provisions of this subsection shall not apply to the parking of school buses or public utility emergency service vehicles, limited to not more than one such vehicle per lot.

The above amendment was petitioned by John Chasse.

2. Amend § 273-14. Nonconforming buildings and structures. A. as follows;

"A. No nonconforming building or other structure shall be enlarged, extended, constructed, reconstructed or altered if the result would be an increase or an extension of the nonconformity. Where a building or structure is nonconforming with respect to a setback or setbacks an increase in the height of the building which does not conform with the required setback shall constitute such an extension of the nonconformity"

At its regular meeting on April 07, 1999, the Guilford Planning and Zoning Commission took the following action:

VOTED: That the Guilford Planning and Zoning Commission approve an amendment to the Zoning Code as follows;

§ 273-47. Site Maintenance; temporary display of merchandise.

1. Amend fourth (4th) sentence to read "Temporary displays of merchandise for sale on sidewalks or other areas of the site immediately adjoining a retail outlet may be approved by the Commission, provided that the following conditions are met:"

2. Add the following;

"G. Only products customarily sold at the retail outlet may be displayed."

This amendment is effective on April 14, 1999. This amendment is approved based upon a finding that the change is necessary to further the purposes and intent of the Town to insure that commercial sites are maintained in a manner consistent with the Town's character.

At its regular meeting on November 03, 1999, the Guilford Planning and Zoning Commission took the following action:

1. Amend ARTICLE VII, Signs; add to § 273-58;

"C. Trademark buildings shall be considered as signs and are not allowed. A trademark building is a building, which by virtue of its architectural style identifies the owner or occupant of the building. The architectural style may be trademarked or be so distinctive as to be generally associated with the particular owner or occupant. Buildings whose architecture is itself an advertising image, detract from the coherent and distinctive identity of the Town of Guilford. Franchise businesses may be allowed only if their buildings are designed to harmonize with the historic and distinctive character of the Town."

2. Amend § 273-20. Commercial, marine recreation and industrial districts, the following:

"D. Trademark buildings are not permitted in any district in Guilford. A trademark building is a building, which by virtue of its architectural style identifies the owner or occupant of the building. The architectural style may be trademarked or be so distinctive as to be generally associated with the particular owner or occupant. Buildings whose architecture is itself an advertising image, detract from the coherent and distinctive identity of the Town of Guilford. Franchise businesses may be allowed only if their buildings are designed to harmonize with the historic and distinctive character of the Town."

These amendments are effective November 10, 1999

At its regular meeting on August 16, 2000 the Guilford Planning and Zoning Commission took the following action:

VOTED: That the Guilford Planning and Zoning Commission approve a petition from Robert Richard, Committee to Save Guilford Shoreline, to amend § 273-83.; Delete § 273-83. D (3) and amend § 273-83. D (4) (a) to eliminate reference to § 273-83. D (3).

This application is approved, based upon a finding that it conforms with the Zoning Code of the Town. This amendment is effective August 31, 2000.

At its regular meeting on February 18, 1998, the Guilford Planning and Zoning Commission took the Following Action:

VOTED: That the Guilford Planning and Zoning Commission adopt the following amendments to "Zoning Chapter 273 from the Code of the Town of Guilford";

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1. Amend §273-91. Coastal site plan requirements under Public Act No. 79-535 as follows;

"D. Visual access. In reviewing applications under this section, the Commission shall take into consideration the impact of the proposed activity or use on visual access to the coastal resources. Waterfront property shall be developed so that the design and the relationship of the development to the waterfront, as viewed from the water, is consistent with a waterfront setting.

- a. Buildings and structures shall be located in such a way as to maintain views of the water from the nearest public street to the greatest extent possible, but at a minimum shall provide one straight-line uninterrupted, rectangular view lane per property whose width is not less than the required (minimum) side yard width for the principal structure in the district in which the property is located. Said view lane shall be located within the side yard of the property.
- b. At the end of streets that end at the waterfront, a straight line uninterrupted view lane to the water shall be preserved whose width is at least 75% of the existing street right-of-way.
- c. There shall be no buildings or other permanent obstruction placed in view lanes. No obstruction by fences, shrubbery or trees or other landscape features higher than four feet shall be placed in view lanes between the water and nearest public street. All major shade trees must have their lowest branches at least six feet above the ground at the time of installation and be maintained in that manner. Any fences placed within view lanes shall be "see-through". Protective (see-through) fences or railings which are part of a public pedestrian walkway which are in, or pass through, a view lane may be built to a height not to exceed four feet. Existing trees and shrubbery within view lanes may be maintained in their present position, but in the spirit of the Plan of Conservation and Development and the requirements of this section, it is hoped that property owners will trim existing trees and shrubbery to the maximum extent possible. The replacement of existing trees and shrubbery shall be in conformance with the requirements of this section.
- d. Where two or more lots are combined to form one building lot, the Commission may, in its discretion, increase the width of the required view lane.
- e. For those situations in which the particular juxtaposition of the lot, water, and public road would make providing a view lane serve no useful purpose for passersby on the public road, or in which the lot is of such a size that the distance from the public way to the water is so large that no appreciable view of the water would be provided, the Commission, in its discretion, may waive the view way requirements of this section.

- f. Setbacks for Coastal Resources: See Section 273-35 of this Code.

This amendment is effective on March 04, 1998.

May 22, 2000
For Discussion

Proposed Zoning Code amendments Re: site plan applications

1. Amend § 273-96 D. (1) to read;

"(1) When the premises are ready for use or occupancy, the applicant shall submit to the Zoning Enforcement Officer an as-built plot plan, prepared by a registered land surveyor demonstrating that the building or other structure is in compliance with the requirements of these regulations."

2. Amend § 273-97 B. (2) the last sentence to read;

"The site plan shall be prepared by a professional engineer, architect, land surveyor and/or landscaper architect licensed to practice in the State of Connecticut and as required by law, and shall be based upon an A-2 survey."

3. Amend § 273-97 B. (2) (b) to read as follows;

“(b) When more than one sheet is used to show the layout features of a site plan, a master or composite sheet shall be provided at an appropriate scale.”

4. Amend § 273-97 C. Procedure (1) to read as follows;

“(1) The Commission may request the applicant to submit such additional information that the Commission deems necessary in order to decide on the suitability of the site plan. Upon written request by the applicant, the Commission, by majority vote, may determine that certain information required to be submitted under B above may be deferred for later consideration or need not be submitted if found unnecessary to reach a decision on the suitability of the site plan and compliance with these regulations. Unless such a waiver has been drafted, the application shall be deemed incomplete and denied.”

At its regular meeting on August 02, 2000, the Guilford Planning and Zoning Commission approved amendments to the Zoning Code as follows;

1. Amend § 273-97 B. (2) the last sentence to read;

“The site plan shall be prepared by a professional engineer, architect, land surveyor and/or landscaper architect licensed to practice in the State of Connecticut and as required by law, and shall be based upon an A-2 survey.”

2. Amend § 273-97 B. (2) (b) to read as follows;

“(b) When more than one sheet is used to show the layout features of a site plan, a master or composite sheet shall be provided at an appropriate scale.”

3. Amend § 273-97 C. Procedure (1) to read as follows;

“(1) The Commission may request the applicant to submit such additional information that the Commission deems necessary in order to decide on the suitability of the site plan. Upon written request by the applicant, the Commission, by majority vote, may determine that certain information required to be submitted under B above may be deferred for later consideration or need not be submitted if found unnecessary to reach a decision on the suitability of the site plan and compliance with these regulations. Unless such a waiver has been drafted, the application shall be deemed incomplete and denied.”

These amendments are approved based upon a finding that they will improve the administration and enforcement of the Zoning Code insuring a more efficient and equitable treatment of applications.

These amendments are effective on August 17, 2000

At its regular meeting on October 20, 1999, the Guilford Planning and Zoning Commission took the following action:

1. Amend § 273-97. Site plan approval by adding the following;

"F. Expiration. An approved site plan shall expire in accordance with Section 8-3 (i) and (j) of the Connecticut General Statutes.

2. Amend § 273-101. Certificate of zoning compliance for planned residential development by adding the following;

"I. Expiration. An approved certificate of zoning compliance for planned residential development shall expire in accordance with Section 8-26c. of the Connecticut General Statutes. When a certificate of zoning compliance for planned residential development becomes null and void pursuant to this section, the special permit for planned residential development issued pursuant to § 273-100 shall also become null and void."

These amendments are effective October 27, 1999.

At its regular meeting on April 19, 2000, the Guilford Planning and Zoning Commission took the following action:

Notice to adjoining property owners

Amend Zoning Code as follows;

Amend § 273-99. B. to read;

"B. Hearing and decision. After receipt of a completed application, the Commission shall hold a public hearing on the application. The applicant shall notify by certified mail all property owners identified in A. (1) (e) of this section of the pending public hearing. Said notification shall have been mailed at least 14 days prior to the hearing. Proof of certified mail notification shall be submitted to the Commission prior to the public hearing. Upon completion of the public hearing the Commission shall decide thereon and shall give notice of its decision as required by law. The Commission may approve, approve with conditions or deny approval of the special permit."

These amendments are adopted based upon a finding that they are in conformance with the Comprehensive Plan. They are effective on April 26, 2000

At its regular meeting on October 06, 1999, the Guilford Planning and Zoning Commission took the following action:

Amend §273-99. Special permit procedure as follows;

1. Add to A. (1);
"(e) the names and addresses of the current property owners as indicated in the Guilford Assessor's records for all adjoining property owners."
2. Amend B. to read;
"Hearing and decision. After receipt of a completed application, the Commission shall hold a public hearing on the application. The Commission shall notify by mail all property owners identified in A. (1) (e) of this section of the pending public hearing. Said notification shall have been mailed at least 14 days prior to the hearing. Upon completion of the public hearing the Commission shall decide thereon and give notice of its decision as required by law. The Commission may approve, approve with conditions or deny approval of the special permit."

3. Add to ARTICLE XIII, Administration a new section as follows;

"§ 273-101 A. Public hearing signs.

For any application where a public hearing is held, the applicant shall erect a sign on the subject property. Said sign shall be legible from the adjacent public street, shall describe the type of application and provide the time and place of the public hearing.

Said sign shall be not more than 16 square feet, be professionally lettered with black letters and white background on weather-proof material, be erected at least 14 days prior to the hearing and be removed within two (2) days after the hearing's conclusion."

These amendments are effective on November 17, 1999.

At its regular meeting on October 06, 1999, the Guilford Planning and Zoning Commission took the following action:

Amend §273-99. Special permit procedure as follows;

- 1. Add to A. (1);
"(e) the names and addresses of the current property owners as indicated in the Guilford Assessor's records for all adjoining property owners."
- 2. Amend B. to read;

"Hearing and decision. After receipt of a completed application, the Commission shall hold a public hearing on the application. The Commission shall notify by mail all property owners identified in A. (1) (e) of this section of the pending public hearing. Said notification shall have been mailed at least 14 days prior to the hearing. Upon completion of the public hearing the Commission shall decide thereon and give notice of its decision as required by law. The Commission may approve, approve with conditions or deny approval of the special permit."

- 3. Add to ARTICLE XIII, Administration a new section as follows;

"§ 273-101 A. Public hearing signs.

For any application where a public hearing is held, the applicant shall erect a sign on the subject property. Said sign shall be legible from the adjacent public street, shall describe the type of application and provide the time and place of the public hearing. Said sign shall be not more than 16 square feet, be professionally lettered with black letters and white background on weather-proof material, be erected at least 14 days prior to the hearing and be removed within two (2) days after the hearing's conclusion."

These amendments are effective on November 17, 1999.

At its regular meeting on August 05, 1999, the Guilford Planning and Zoning commission took the following action;

Correction to Zoning Chapter 273 from the Code of the Town of Guilford.

VOTED: That the Guilford Planning and Zoning Commission adopt the following correction to "Zoning Chapter 273 from the Code of the Town of Guilford";

- 1. Correct Table 3 Area, Location and Bulk Standards, Item #4. Height., by moving the Asterisk "1" to the column "R-8".

This correction is effective on August 05, 1998.

Zoning Amendments

At its regular meeting on May 03, 2000, the Guilford Planning and Zoning Commission took the following action:

1. From Table 3 Area, Location and Bulk Standards Line #5; Delete entire line and substitute the following;
- “5. Setback from street line. (See § 273-28)”
2. Delete § 273-28 and substitute the following;

“§ 273-28. Setbacks from street line.

- A. Any new building, addition or other structure shall be set back the required minimum distance in feet from the established street line as shown below;

Street Line Setbacks Residential Districts

Zone District

Type of Road	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8
Scenic Road	25	25	35	50	50	50	50	50
State Highway	30	30	35	50	50	50	50	50
Collector Road	25	25	30	50	50	50	50	50
Other Roads	15	15	20	20	25	30	30	30

Street Line Setbacks Commercial/Industrial Districts

Zone District

Type of Road	C-1	C-2	C-2M	C-3	C-4	MR-1	I-1	I-2
State Highway	75	75	75	75	75	75	75	75
Collector Road	30	50	50	50	50	50	50	50
Other Road	5	20	20	20	20	20	50	50

- B. When any building or other structure is to be constructed on a lot bounded on both sides by one or more consecutive lots with existing structures thereon, one or more of which are non-conforming as to streetline setbacks, and when said structures are within 200 feet of the proposed structure, the minimum streetline setback may be the required distance as set fourth in A. above or the average setback of the adjoining structures, whichever is less.

Road List

Scenic Roads

- Clapboard Hill Road
- Great Hill Road (from Hemlock Road to Cooks Lane)
- Moose Hill Road (from Route 146 to Peddlers Road)
- County Road
- Elm Street
- Beaverhead Road
- West Street

Collector Roads

- Little Meadow Road
- Long Hill Road
- West Lake Avenue
- Goose Lane
- Nut Plains Road
- North Madison Road
- Flat Meadow Road
- Stepstone Hill Road
- New England Road
- Squaw Lane
- Podunk Road (from Squaw Lane to Clapboard Hill Road)
- Soundview Road

State Highway

- Route 77 (Durham Road/Church Street/Whitfield Street)
- Route 146 (Leetes Island Road/Boston Street)
- Route 1 (Boston Post Road)
- Route 80

C. No building or other structure on any interior lot in an R-5, R-6, R-7 or R-8 District shall be any closer than 20 feet to any private vehicular right of way and, in an R-1, R-2, R-3 or R-4 District, closer than 10 feet to any private vehicular right of way”.

D. In open space subdivisions (see § 272-21 of Subdivision of Land, Code of the Town of Guilford) the street line setback shall be in accordance with the R-3 district standard unless otherwise determined by the Commission.

These amendments are effective on May 11, 2000.



December 11, 2000

Effective; December 21, 2000

Adopted;

Amendment to Town of Guilford Zoning Code to Create a New Zone District Known as Post Road Village Zone District (PV)

Article XVI
Post Road Village Zone District (PV)

273-112. Purpose.

The PV District is a commercial zoning district designed to permit a variety of small-scale commercial uses. The District should establish a sense of entry to Guilford, and foster preservation of historic properties and development that emphasizes traditional building form with consistent signage, landscaping, and building design. It should further foster site planning that encourages pedestrian amenities and streetscape treatments compatible with the Town’s planning and design guidelines established for the District.

273-113. Permitted Uses

The following uses are permitted in the PV District;

Zoning Amendments

1. Retail stores
2. Business and professional offices
3. Financial institutions
4. Dwelling units not to exceed a density of 8 (eight) dwelling units per acre.
5. Personal service establishments.
6. Restaurants excluding drive thru services.
7. Buildings, uses and facilities of the Town, State or Federal Government.
8. Retail clothes cleaning and or laundering establishments.
9. Lodging establishments (by Special Permit in accordance with 273-118).
10. Entertainment facilities, including movie theatres (restricted to not more than 2 screens or 400 seats) and playhouses.
11. Places of worship (by Special Permit in accordance with 273-118).
12. Recreational facilities including gymnasiums, and physical fitness establishments, and studios for dance, musical and theatrical instruction (not to exceed 10,000 sq. ft.)
13. Schools including day-care facilities.
14. Funeral Homes
15. Long and short term health care facilities
16. Non-profit facilities including museums
17. Artist studios, galleries, and other establishments where art or crafts merchandise is displayed or sold.

No use may be expanded, altered or created except in conformance with Article IX, Site Plan Review. In addition no use may be expanded, altered or created except in accordance with Article IXX, Design Review.

273-114. Area. Location and Bulk Standards

The following area, location and bulk standards apply in the PV District (see Table 3 for definitions);

Lot area.	10,000 sq. ft.
Lot shape	80 ft.
Lot frontage	80 ft.
Height	35 ft
Setback from streetline	minimum – 20 ft. maximum – 30 ft.

(no building or other structure shall be located any closer to the streetline than the minimum setback nor any further from the streetline than the maximum setback. Where, in a multi-building development, one or more buildings meet the maximum building setback, other buildings may be allowed which do not, subject to review and approval of a Site Plan Application.)

Setback from rear property line	10 ft. (see also 273-26 through 273-31)
Setback from side property line	10 ft.

Setback from residential district boundary line 20 ft.

Lot coverage 25% (up to 35% with Special Permit in accordance with 273-118)

Total floor area 50% (up to 65% with Special Permit in accordance with 273-118)

Maximum impervious surface

75% (the total coverage by impervious surfaces, including buildings, driveways and parking shall not exceed this percentage of the lot area) Where a building or site is non-conforming with respect to this standard, this non-conformity shall not prevent building expansion when in conformance with the other standards of this Section.

Maximum building size no building or other structure shall exceed a total area of 20,000 sq. ft (25,000 sq.ft. with Special Permit in accordance with 273-118)

no freestanding retail building shall exceed 15,000 sq.ft. and no single retail store use in a multi-tenant building shall exceed 15,000 sq. ft.

273-115. Sign Requirements

Sign requirements in the PV District shall be in accordance with the standards for the C-1 District.

273-116 Parking Standards

Parking requirements in the PV District shall be in accordance with Article VI except that for retail stores, 4 spaces per 1000 sq. ft. of gross leasable area shall be required and for office uses, 3 spaces per 1000 sq.ft. of gross leasable area shall be required. For retail buildings larger than 5000 sq. ft. there shall be a maximum of 4 spaces per 1000 sq. ft. of gross leasable area except where there is a demonstrated need for additional spaces.

273-117. Non-Conforming Buildings

No building, existing as of the effective date of this regulation, which is non-conforming with respect to maximum building size, maximum coverage, or maximum floor area may expand except by Special Permit in accordance with 273-118 and no such expansion shall exceed 5% of the total floor area of the building.

273-118. Special Permit Criteria

As described in this section, certain activities are authorized by Special Permit. These activities must conform with this Section and with Article X of the Zoning Code. In considering applications for Special Permits under this Section, the Commission shall consider how the application meets the criteria specified below, and as recommended by the Design Review Committee. The Commission may approve a Special Permit only when the application meets the eight mandatory criteria as well as two optional criteria.

All applications must meet the following mandatory criteria:

1. plans must be in conformance with the design criteria specified in Planning and Design Guidelines Route 1 East Boston Post Road, dated August 2000, prepared by ICON Architecture and Community Planning Solutions (see pages 6-13, Design Principles and Design Guidelines) as recommended by the Design Review Committee.
2. plans must provide for architecture of the highest quality (if applicable), as recommended by the Design Review Committee ; such architecture must go above and beyond the criteria contained in Planning and Design Guidelines Route 1 East Boston Post Road.
3. plans must provide for outstanding landscape treatments compatible with the local environment and New England landscape traditions as recommended by the Design Review Committee; such plans may include the planting of large trees and the preservation of existing natural topography and mature trees.
4. plans must provide for effective screening of parking areas from public view.
5. plans must provide for effective screening of utilities and site infrastructure (air-conditioning units, dumpsters, etc.).
6. plans must provide for superior methods of stormwater management such as the creation of on-site ponds, or wetlands or other practices which are in conformance with the Connecticut Department of Environmental Protection Model Stormwater Management practice.
7. plans should provide for innovative lighting, and energy conserving or light pollution reducing lighting designs.
8. for sites that include historic buildings listed in the Survey of the Historic Architecture of Guilford, Connecticut (the 1981-82 version or as amended) prepared by the The Guilford Preservation Alliance, plans must provide for the preservation and appropriate rehabilitation of these buildings.

In addition, applications must meet at least two of the optional criteria below:

1. the plan results in the preservation and enhancement of significant natural topography or scenic vistas,
2. the plan includes reduced parking areas (with fewer spaces than existing conditions and/or fewer than required by this Code) and subordination of parking to buildings and landscaped areas.
3. the plans provides for a reduction in the number of curb cuts on the Boston Post Road.
4. the plan provides for new or increased access to shared parking with nearby parking areas.
5. the plan provides for superior driveway, parking lot or walkway materials, such as brick or stone walkways, granite curbs, or the innovative use of other materials such as pavers, textured surfaces, etc.
6. the plan provides for significant enhancement of pedestrian activity (above and beyond the standard requirement for public sidewalks) such as connections between neighboring properties, or provision of pedestrian crossing along walkways, through parking areas and between properties; or which may include facilities and amenities for the use and enjoyment of alternative forms of transportation including public transit or bicycles.
7. the plan includes the creation of a public space of unusual merit as recommended by the Design Review Committee.
8. the proposed project seems capable of making a significant and positive contribution to Town's quality of life or the proposed project seems likely to have a significant new positive fiscal impact on the Town's budget, especially in relation to the costs of municipal services.
9. the plan for the building incorporates innovative technologies for energy conservation.
10. the plan utilizes advanced on-site wastewater treatment systems.

Adopted:

December 17, 2001

Effective: December 28, 2001

Amendments to Zoning Code Re; Rt. 1 West

1. Delete 273-20 D. Maximum building size. [Note; Should actually be 273-20 E.]
2. Delete 273-20 E. Uses prohibited. [Note; Should actually be 273-20 F.]
3. Delete 273-11 Westside Economic Development Overlay Zone

4. Delete 273-93 Westside Economic Development Overlay Zone
5. Add to 273-14, "except as provided in 273-197, 273-117, 273-124, and 273-131.
6. Amend Article II by adding a new section as follows;

"273-11. Maximum Area of Office Space

Within the area encompassed by the following Zone Districts, there shall be no more than 650,000 sq.ft of office space constructed after the effective date of this amendment: MU/C1, MU/C2, MU/C3, TS2, PV2, C-4 West, and SCW."

7. Amend Article II by adding a new section as follows;
 - "273-11 Motor Vehicle Fuel Sales
 - Within the area encompassed by the following Zone Districts, there shall be no more than 1 motor vehicle fuel sales facility: TS2 and PV2."
 - 8. Amend 273-75 M (2), the first sentence to read "In any C, I, PV, TS, or MU/C zone district, the area required for setback from a residential district boundary line shall be suitably landscaped with evergreen shrubs or trees, or such evergreens in combination with embankments, fences and/or walls, so as to provide a transition from such districts to the residential district."
 - 9. Amend 273-97, as follows;
 - From B.(2), delete line [16]
 - In B.(3) change title to read "architectural and landscape plans."
 - In B.(3) add the following: "landscape plans. Landscape plans in accordance with the following requirements shall be submitted with all site plan applications.

Purpose. The landscaping provisions of this Code are intended to preserve and enhance the character, appearance and beauty of the Town, to preserve property values, and to accomplish transition between areas of unlike character. Further, these standards are intended to reduce excessive heat, glare and accumulation of dust; to provide privacy from noise and visual intrusion; and to control erosion of the soil and excessive run-off of storm water and avoid depletion and pollution of water resources.

General Requirements

- Any portion of a developed lot which is not used for the location of buildings, structures, outside storage areas, off street parking and loading areas, sidewalks or other paved areas, shall be landscaped in accordance with a landscaping plan. Any area of the site not being disturbed by grading, filling, excavation or other construction shall generally be left in its natural or pre-developed condition, unless landscaping is necessary in order to accomplish the purposes of this Section.
- Landscaping, trees and plants required by this Code shall be planted in a growing condition according to accepted horticultural practice and shall be maintained in a healthy growing condition. Any landscaping which is not so maintained shall be replaced by the property owner during the next planting season.
- Any screening, fence or wall including plant material approved under this Section shall be maintained by the property owner in good condition throughout the period of the use on the lot.
- All landscaping located adjacent to parking areas, loading areas, or driveways shall be properly protected from damage by vehicles by barriers, curbs, or other means.
- To the maximum extent possible, existing trees, vegetation, and site features such as stone walls, boulders, or rock outcroppings shall be retained and protected. Existing healthy mature plant materials, especially trees, shall be preserved.
- For all new landscaping, an ample variety and quantity of ornamental plants shall be provided, with a few dominant types chosen to create unity and subordinate types interspersed for accent. Variety should be achieved with respect to seasonal changes, species selected, texture, color and size at maturity. The use of native plant species indigenous to the region is encouraged.
- Landscaping shall serve to integrate the proposed development to the site, with particular consideration for natural topography and existing vegetation. Where the terrain is uneven, parking areas may be developed at different levels.
- Landscape composition shall be complimentary to scale and style of the existing and proposed buildings.
- The natural or pre-development condition of a site may be altered to allow for wildlife habitat enhancement or agricultural use when approved by the Commission.

Front Landscaped Areas Each lot shall be provided with a landscaped area extending the length of the street frontage along the interior side of the front lot line, except where driveway exits and entrances are located or where sidewalks are required. The width of the front landscaped area shall be determined by the minimum and maximum setback requirements of the Zone District. The planting of street trees is strongly encouraged at locations determined by the Commission with the intent of providing street canopy and shading of parking areas. The purpose of the front landscaping is to enhance the appearance of the use of the lot, but not to screen the use from view. The maximum number of street trees shall be planted consistent with the ultimate size of the particular tree species. At a minimum, street trees shall have a caliper of 2 1/2 to 3 inches.

Parking Lot Landscaping All parking lots shall be landscaped with ground cover, low vegetation, and trees. The purpose of parking lot landscaping is to reduce the negative impact of large parking areas both visually and environmentally. Islands shall be created to provide safe and efficient channelization of pedestrian and vehicular traffic and to separate major access ways through the parking areas. Provisions shall be made to provide walks and other amenities for pedestrians. Interior landscaping shall be positioned so as to enhance the visual qualities of the site and to break up large expanses of parking. A standard of one island for every 10 parking spaces should be used for design purposes. No more than 15 spaces in a row or four rows across shall be permitted without an intervening interior landscape area.

A landscaped area shall be provided along the perimeter of any parking area. This landscaped area shall have a minimum dimension of 5 feet and shall be planted with ground cover, and trees. At a minimum all trees shall have a ½ inch to 3 inch caliper.

The Landscape Plan The landscape plan herein required shall be prepared by a landscape architect or other suitable professional. It shall contain the following information;

- Location and description of existing vegetation and proposals to protect it during and after construction
- Location and description of existing natural features, including large boulders, rock outcroppings and water features to be incorporated into the site design
- Location and spacing of proposed new plant materials, including types of materials identified by botanical and common names
- A list of plant materials to be used including size in diameter and height at installation and at maturity; a planting schedule for all plant materials
- Proposed treatment of ground surfaces
- Methods of protecting landscaping from vehicles
- Location and description of the area to remain in natural or pre-development state and the amount of said area as a percentage of the total lot.
- A plan to insure that plant materials are maintained and/or replaced in the event the plant materials do not survive.

Maximum Landscape Area Requirement. Certain zones have a maximum landscape area requirement. The purpose of these provisions is to insure that a fixed percentage of a site is preserved in a natural or pre-development state. This natural state includes agricultural use. Any other treatment of the undeveloped portion of the site is considered landscaped and must conform to the requirements of this Section.

Requirement for Surety. The Planning and Zoning Commission may require the posting of a bond or other surety to insure the completion of the provisions of the Section.

Amendment to Town of Guilford Zoning Code to Create a New Zone District Known as Mixed Use/Conservation 1 Zone District (MU/C1)

Article XXI
Mixed Use/Conservation 1 Zone District (MU/C1)

273-181. Purpose

The MU/C1 District is a zone district designed to permit low intensity office and research uses and certain types of residential use. It is intended to preserve large amounts of open space and to protect wetlands, steep slopes and other environmentally sensitive lands. The District should promote buildings with high architectural standards with consistent signage, landscaping, and design. It is intended to be an attractive, coherent environment that blends permitted uses and provides substantial property tax and other economic benefits to the Town and the Region.

273-182. Permitted Uses

The following uses are permitted in the MU/C1 District;

1. Offices
2. Research Facilities and Laboratories (excluding manufacturing)
3. Financial Institutions
4. Lodging Facilities Including Conference Centers
5. Educational Facilities Including Day Care
6. Recreational Facilities
7. Senior Housing: Housing that (1) is designed and intended for the use of older persons where at least 80% of the occupied units are occupied by at least one person who is 55 years of age or older; (2) where the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent to operate as housing for older persons; and (3) complies with rules issued by the U.S. Secretary of Housing and Urban Development for verification of occupancy. This use may include multifamily units and detached, cluster or attached single-family units. The use may also include assisted living facilities, congregate living, and nursing homes. This use is allowed by Special Permit in accordance with 273-118. Within the MU/C1 Zone, not more than 25 % of the land area in the zone district may be developed for this use.
8. Retail stores when accessory to a permitted use and located in the same building as a permitted use, not to exceed 10% of the floor area of the primary permitted use.
9. Restaurants when accessory to a permitted use and located in the same building as a permitted use, not to exceed 10 % of the floor area of the permitted use except when part of a lodging facility/conference center.
10. Buildings, uses and facilities of the Town (excluding Public Works), State, or Federal Government.
11. Long and short term health care facilities
12. Places of worship

No use may be expanded, altered or created except in conformance with Article IX, Site Plan Review and Article IXX, Design Review. Site plans shall include a conceptual Master Plan for all contiguous property in the MU/C1 District under the applicant's or property owner's ownership or control and an analysis of the possible development of other property in the MU/C1 District and abutting properties to insure efficient and orderly development. This Master Plan shall include proposed buildings and their use, approximate building sizes, vehicular circulation systems, parking areas, and generalized landscaping plans including designation of land to remain undeveloped.

273-183. Area, Location and Bulk Standards

The following area, location and bulk standards apply in the MU/C1 District (see Table 3 for definitions);

Lot area	200,000 sq. ft. (5 acres)
Lot shape	200 ft.
Lot frontage	200 ft.
Setback from Rt. 1 Streetline	200 ft. (including buildings and parking areas)

Zoning Amendments

Setback from any other Streetline 75 ft.

Setback from rear property line 50 ft.

Setback from side property line 20 ft

Setback from residential district boundary line 100 ft.(with a wooded natural landscape) 150 ft. (with open or newly planted landscape) (Also see 273--75 M. (2)).

Total floor area 15%

Maximum impervious Surface 50% (the total coverage by impervious surfaces, including, but not limited to buildings, driveways, and parking areas s shall not exceed this percentage of the lot area)

Maximum building Size no building or other structure shall exceed a total floor area of 100,000 sq. ft.

Maximum density of Residential uses the maximum density of any residential use shall not exceed 6 dwelling units per acre

Maximum landscaped area within the pervious surface of any lot, not more than 50% of the pervious surface of said lot may be landscaped. (See 273-97 (3))

Maximum building height 40 ft.(see 273-2 for definition of height) Buildings of greater height may be allowed by Special Permit up to a maximum of 55 ft. when it is determined by the Commission that such additional height will have no adverse impact on adjoining property and when the architecture of the proposed building supports and enhances the purposes of the District.

273-184. Sign Requirements

Sign requirements in the MU/C1 Zone shall be in accordance with the standards for the C-3 Zone District

273-185. Parking Standards

Parking requirements in the MU/C1 District shall be in accordance with Article VI except that for office uses, 3 spaces per 1000 sq. ft. of gross leaseable area shall be required.

Amendment to Town of Guilford Zoning Code to Create a New Zone District Known as Mixed Use/Conservation 2 Zone

Zoning Amendments

District (MU/C2)

**Article XXII
Mixed Use/Conservation 2 Zone District (MU/C2)**

273-186. Purpose

The MU/C2 District is a zone district designed to permit low intensity office and research uses and to encourage certain types of residential uses. It is intended to preserve large amounts of open space and to protect wetlands, steep slopes and other environmentally sensitive lands. The District should promote buildings with high architectural standards with consistent signage, landscaping, and design. It is intended to be an attractive coherent environment that blends permitted uses and provides substantial property tax and other economic benefits to the Town and the Region.

273-187. Permitted Uses

The following uses are permitted in the MU/C2 District;

1. Offices
2. Research Facilities and Laboratories
3. Financial Institutions
4. Lodging Facilities Including Conference Centers
5. Educational Facilities Including Day Care
6. Recreational Facilities
7. Senior Housing: Housing that (1) is designed and intended for the use of older persons where at least 80% of the occupied units are occupied by at least one person who is 55 years of age or older; (2) where the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent to operate as housing for older persons; and (3) complies with rules issued by the U.S. Secretary of Housing and Urban Development for verification of occupancy. This use may include multifamily units and detached, cluster or attached single-family units. The use may also include assisted living facilities, congregate living, and nursing homes. This use is allowed by Special Permit in accordance with 273-118.
8. Retail stores when accessory to a permitted use and located in the same building as a permitted use, not to exceed 10% of the floor area of the primary permitted use.
9. Restaurants when accessory to a permitted use and located in the same building a permitted use, not to exceed 10% of the floor area of the permitted use except when part of a lodging facility/conference center.
10. Buildings, uses and facilities of the Town, State, or Federal Government
11. Long and short term health care facilities
12. Places of Worship
13. Printing and Publishing Establishments
14. Manufacturing, processing, assembling, or packaging of products or goods, excluding petroleum products, chemicals, and hazardous materials,

No use may be expanded, altered or created except in conformance with Article IX, Site Plan Review, and Article IXX, Design Review. Site plans shall include a conceptual Master Plan for all contiguous property in the MU/C2 District under the applicant's or property owner's ownership or control and an analysis of the possible development of other property in the MU/C2 District and abutting properties to insure efficient and orderly development. Said Master Plan shall include proposed buildings, their use and approximate size, vehicular circulation systems, parking areas and generalized landscaping plans including designation of land to remain undeveloped.

273-188. Area, Location and Bulk Standards

The following area, location and bulk standards apply in the MU/C2 District (see Table 3 for definitions);

Lot area 200,000 sq.ft. (5 acres)

Lot shape 200 ft.

Lot frontage 200 ft.

Setback from Rt. 1 Streetline 100 ft.

Setback from any Other Streetline 75 ft.

Setback from rear Property line 50 ft.

Setback from side Property line 20 ft.

Setback from residential District boundary line 75 ft. for any residential use 100 ft. for any non-residential use (see also 273-75 M (2))

Total floor area 15%

Maximum impervious Surface 50% (the total coverage by impervious surfaces, including buildings, driveways, and parking areas shall not exceed this percentage of the lot area.)

Maximum building Size no building or other structure shall exceed a total area of 100,000 sq.ft.

Maximum density of Residential uses the maximum density of any residential use shall not exceed 8 dwelling units per acre.

Maximum landscaped Area within the pervious surface of any lot, not more than 50% of the pervious surface of said lot may be landscaped. (See 273-97 (3))

Maximum building Height 40 ft. (see 273-2 for definition of height) Buildings of greater height may be allowed by Special Permit up to maximum of 55 ft. when it is determined by the Commission that such additional height will have no adverse impact on adjoining property and when the architecture of the proposed building supports and enhances the purposes of the District.

273-189. Requirements for Mixed Use Development

On any site larger than 20 acres, not more than 50% of the lot area shall be used for any single use except where the single use is residential.

273-190. Sign Requirements

Sign requirements in the MU/C2 Zone shall be in accordance with the standards for the C-3 Zone District

273-191. Parking Standards

Parking requirements in the MU/C2 District shall be in accordance with Article VI except that for office uses, 3 spaces per 1000 sq. ft. of gross leaseable area shall be required.

Amendment to Town of Guilford Zoning Code to Create a New Zone district Known as Transition and Service District 2 (TS2)

Article XXIII

Transition and Service District 2 (TS2)

273-192 Purpose

The TS2 District is a commercial zoning district designed to permit a wide variety of commercial uses to better serve the local community. It is intended to be an attractive, coherent environment with a consistent street edge, high quality and sufficient landscaping, reduced curb cuts and shared parking, and a mixture of types of land uses that blend with the adjacent residential and natural landscape

273-193 Permitted Uses

The following uses are permitted in the TS2 District;

1. Retail stores
2. Business and professional offices
3. Financial institutions (including drive-thru)
4. Dwelling units not to exceed a density of 6 dwelling units per acre
5. Personal service establishments
6. Restaurants (excluding drive thru service)
7. Buildings, uses and facilities of the Town
8. Retail clothes cleaning and or laundering establishments
9. Lodging establishments
10. Entertainment facilities including movie theatres (restricted to not more than 2 screens or 400 seats) and playhouses (excluding adult entertainment) (by Special Permit in accordance with 273-118)
11. Places of worship
12. Schools including day care facilities
13. Funeral homes
14. Long and short term health care facilities
15. Motor vehicle repair facilities (by Special Permit in accordance with 273-118) and not to exceed a total of three such facilities in the District
16. Non-profit facilities including museums
17. Motor Vehicle Fuel Sales (only in combination with convenience stores), not more than one such facility in the District (by Special Permit in accordance with 273-118)
18. Recreational facilities including gymnasiums, and physical fitness establishments, and studios for dance, musical and theatrical instruction.

- 19. Veterinary Clinics and Hospitals
- 20. Farms

No use may be expanded, altered or created except in conformance with Article IX, Site Plan Review and Article IXX, Design Review.

273-194 Area, Location and Bulk Standards

The following area, location and bulk standards apply in the TS2 District (see Table 3 for definitions);

Lot Area 20,000 sq. ft.

Lot Shape 100 ft.

Lot Frontage 100 ft.

Maximum building Height 35 ft (up to 40 ft. with Special Permit in accordance With 273-118) (see 272-2 for definition of height)

Setback from streetline 30 ft.

Setback from side and rear Property line 12 ft.

Setback from residential District boundary line 30 ft.

Lot coverage 25% (up to 35% with Special Permit in accordance With 273-118)

Total Floor Area 50% (up to 65% with Special Permit in accordance With 273-118)

Maximum Impervious Surface 65% (the total coverage by impervious surfaces, including buildings, driveways and parking areas shall not exceed this percentage of lot area)

Maximum Building Size no building or other structure shall exceed a total floor area of 30,000 sq. ft. (up to 50,000 sq.ft. with Special Permit in accordance with 273-118)

No single, related or integrated retail use shall exceed 25,000 sq. ft. cumulatively.

273-195 Sign Requirements

Sign requirements in the TS2 District shall be in accordance with standards for the C-3 District.

273-196 Parking Standards

Parking requirements in the TS2 District shall be in accordance with Article VI except that for retail stores, 4 spaces

per 1000 sq.ft. of gross leasable area shall be required and for office uses, 3 spaces per 1000 sq.ft. of gross leasable area shall be required. For retail buildings in excess of 5000 sq.ft. there shall be a maximum of 4 spaces per 1000 sq.ft. of gross leasable area except where there is a demonstrated need for additional spaces. Parking areas shall be designed with significant green space and landscaping between the road and the parking areas. Smaller parking areas with combined curb cuts serving multiple uses are also encouraged with buildings placed as close to the road as possible.

273-197 Non-Conforming Buildings

No building existing as of the effective date of this regulation, which is non-conforming with respect to maximum coverage or maximum floor area, may expand except by Special Permit in accordance with 273-118 and no such expansion shall exceed 5% of the total floor area of the building.

Amendment to Town of Guilford Zoning Code to Create a New Zone District Known as Post Road Village 2 District (PV2)

Article XXIV

Post Road Village 2 Zone District (PV2)

273-198 Purpose

The PV2 District is a commercial zoning district designed to permit a variety of small and medium scale commercial uses. The District should establish a sense of entry into Guilford and promote buildings with the high architectural standards, with consistent signage, landscaping, and design. It is intended to be an attractive, coherent environment that blends permitted uses.

273-199

The following uses are permitted in the PV2 District;

1. Retail stores
2. Business and professional offices
3. Financial institutions (including drive-thru)
4. Dwelling units not to exceed a density of 6 dwelling units per acre.
5. Personal service establishments
6. Restaurants (excluding drive-thru)
7. Buildings, uses and facilities of the Town, State and Federal Government
8. Retail clothes cleaning and or laundering establishments
9. Lodging establishments (by Special Permit in accordance with 273-118)
10. Entertainment facilities, including movie theatres (restricted to not more than 2 screens or 400 seats) and playhouses (by Special Permit in accordance with 273-118), excluding adult entertainment facilities.
11. Places of Worship (by Special Permit)
12. Recreational Facilities as defined in 273-113
13. Schools including day-care facilities
14. Funeral Homes
15. Long and short term health care facilities
16. Non-profit facilities including museums
17. Farms and Farm Markets
18. Artists studios, and workshops.
19. Motor vehicle fuel sales (only in combination with convenience stores), not more than one such facility in the District (by Special Permit in accordance with 273-118).

273-200. Area, Location and Bulk Standards

The following area, location and bulk standards apply in the PV2 District (see Table 3 for definitions);

Lot area 20,000 sq. ft.

Lot shape 100 ft.

Lot Frontage 100 ft.

Maximum building Height 40 ft. (see 272-2)

Setback from streetline 30 ft

Setback from side and rear Property line 12 ft.

Setback from residential District boundary line 30 ft.

Lot Coverage 25% (up to 35% with Special Permit in accordance With 273-118)

Total Floor Area 50% (up to 65% with Special Permit in accordance With 273-118)

Maximum Impervious Surface 65% (the total coverage by impervious surfaces, Including (but not limited to parking areas, buildings, and driveways shall not exceed this percentage of lot area)

Maximum Building Size No building or other structure shall exceed a total floor area of 30,000 sq.ft. except as modified below

Retail Use Area Limitation No single, related or integrated retail use shall exceed 20,000 sq. ft. cumulatively, except this limitation shall not apply to area devoted to outdoor display and sales of agricultural products.

For farm markets, no building shall exceed 50,000 sq.ft. and within said building the area devoted to retail sales shall not exceed 20,000 sq.ft.

273-201 Sign Requirements

Sign requirements in PV2 District shall be in accordance with standards for the C-3 District.

273-202 Parking Standards

Parking requirements in the PV2 District shall be in accordance with Article VI except that for retail stores, 4 spaces per 1000 sq.ft. of gross leasable area shall be required and for office uses, 3 spaces per 1000 sq.ft. of gross leasable area shall be required.

Amendment to Town of Guilford Zoning Code to Create a New Zone District Known as Shopping Center 2 Zone District (SC2)

Article XXV
Service Center West District (SCW)
 273-203 Purpose

The SCW District is a commercial zoning district designed to permit larger service facilities in the context of planned development. Facilities are to be designed to provide a variety of services in an attractive, planned environment with buildings of high architectural standards and landscape design.

273-204 Permitted Uses

The following uses are permitted in the SCW District;

1. Retail stores
2. Business and professional offices
3. Financial institutions (including drive-thru)
4. Personal service establishments
5. Restaurants (excluding drive-thru)
6. Retail clothes cleaning and laundering
7. Schools including day-care facilities
8. Facilities of the Town, State and Federal Government
9. Recreational Facilities
10. Non-profit facilities including museums
11. Entertainment facilities, including movie theatres (restricted to not more than 2 screens or 400 seats) and playhouses (by Special Permit in accordance with 273-118) excluding adult entertainment.
12. Short and long term health care facilities
13. Lodging establishments

No use may be expanded, altered or created except in conformance with Article IX Site Plan Review and Article IXX, Design Review. Site Plans shall include a conceptual Master Plan for all contiguous property in the SCW District under the applicant's or property owner's ownership or control and an analysis of the possible development of other property in the SCW District and abutting properties to insure efficient and orderly development. Said Master Plan shall include proposed buildings and their use, approximate building sizes, vehicular circulation systems, parking areas, and a generalized landscaping plan including a designation of land to remain undeveloped.

273-205 Area, Location and Bulk Standards

The following area, location and bulk standards apply in the SCW District (see Table 3 for definitions);

Lot Area	200,000 sq. ft.
Lot Shape	300 ft.
Lot Frontage	300 ft.
Setback from streetline	75 ft.
Setback from rear	
Property line	20 ft.
Setback from side	
Property line	15 ft.

Setback from Residential District Boundary Line 30 ft.

Maximum Height 40 ft. (see 273-2 for definition of height). Buildings of greater height may be allowed by Special Permit up to a maximum of 55 ft. when it is determined by the Commission that such additional height will have no adverse impact on adjoining property and when the architecture of the proposed building supports the purposes of the District.

Maximum Floor Area 25% (35% with Special Permit in accordance with 273-118)

Maximum Impervious Surface 50% (as defined in 273-200)

Maximum Building Size no building or other structure shall exceed a total floor area of 150,000 sq.ft. (up to 200,000 sq. ft. with Special Permit in accordance with 273-118)

No free standing retail building shall exceed 25,000 sq. ft and no single related or integrated retail store use shall exceed 25,000 sq. ft. cumulatively, except that one 40,000 sq. ft. retail facility may be allowed in this District. by Special Permit in accordance with 273-118.

273-206 Sign Requirements

Sign requirements in the SCW District shall be in accordance with the standards for the C-3 District.

273-207 Parking Standards

Parking requirements in the SCW District shall be accordance with Article VI except that for retail stores, 4 spaces per 1000 sq.ft of gross leasable area shall be required and for office uses, 3 spaces per 1000 sq. ft. of gross leasable area shall be required. For retail buildings in excess of 5000 sq.ft., there shall be a maximum of 4 spaces per 1000 sq. ft. of gross leasable area except where there is a demonstrated need for additional spaces.

Amendment to Town of Guilford Zoning Code to Create a New Zone District Known as C-4 West

Article XXVI
C-4 West (C-4W)

273-208 Purpose

The C-4 West Zone is a commercial district designed to permit automotive related uses and other retail, office and light manufacturing uses adjacent to the I-95, Exit 57 Interchange. The District should establish a sense of entry into Guilford and promote buildings with high architectural standards, with consistent signage, landscaping, and design. It is intended to be an attractive, coherent environment that blends permitted uses.

273-209 Permitted Uses

The following uses are permitted in the C-4 West District;

1. Retail Sales of Motor Vehicles
2. Motor Vehicle Repair Facilities
- Uses 1 & 2 shall be developed in accordance with the following standards;
 - a. all repair and service work shall be conducted entirely within an enclosed building.
 - b. the outdoor storage of wrecked vehicles shall be appropriately screened.
 - c. Within the motor vehicle display area, there shall be internal landscaping as recommended by the Design Review Committee and approved by the Commission.
3. Retail Stores
4. Business and Professional Offices
5. Manufacturing, processing, assembling or packaging of products or goods, excluding petroleum products, chemicals, and hazardous materials.

No use may be expanded, altered or created except in conformance with Article IX , Site Plan Review and Article IXX, Design Review.

273-210 Area, Location and Bulk Standards

Lot Area	20,000 sq.ft.
Lot Shape	100 ft.
Lot Frontage	100 ft.
Height	40 ft. (see 273-2 for definition of height)
Setback from Streetline	75 ft.
Setback from rear Property line	12 ft.
Setback from side Property line	12 ft.
Setback from residential District boundary line	30 ft.
Maximum Building Coverage	25%
Maximum floor area	50%
Maximum Impervious Surface	65% (see 273-200 for definition)

273-211 Sign Requirements

Sign requirements in the C-4 West District shall be accordance with the standards for the C-3 District.

273-212 Parking Standards

Parking requirements in the C-4 West District shall be in accordance with Article VI except that for retail stores, 4 spaces per 1000 sq. ft. of gross leasable area shall be required and for office uses, 3 spaces per 1000 sq.ft. of gross leasable area shall be required. For retail buildings in excess of 5000 sq.ft. there shall be a maximum of 4 spaces per 1000 sq. ft. of gross leasable area except where there is a demonstrated need for additional spaces.

Approved; December 18, 2002
Effective Date; December 27, 2002

At its regular meeting on December 18, 2002 the Guilford Planning and Zoning Commission approved the following amendments to the Zoning Code:

1. Amend Article XVI Post Road Village Zone District 273-114. L. Maximum Building Size: to read as follows;

- (1) No building or other structure shall exceed a total floor area of 20,000 feet (25,000 square feet with Special Permit in accordance with 273-118).
- (2) No freestanding retail building shall exceed 15,000 square feet in total floor area and no single related or integrated retail store use shall exceed 15,000 square feet cumulatively.

2. Amend Article XVII Transition and Service Zone District 273-121. L. Maximum Building Size: to read as follows;

- (1) No building or other structure shall exceed a total floor area of
30,000 square feet (up to 50,000 square feet with a Special Permit in accordance with 273-118).
- (2) No freestanding retail building shall exceed 25,000 square feet in total floor area and no single related or integrated retail store use shall exceed 25,000 square feet cumulatively.

3. Amend Article XVIII Shopping Center Zone District 273-128. L. Maximum Building Size: to read as follows;

- (1) No building or other structure shall exceed a total floor area of
150,000 square feet (up to 200,000 square feet with Special Permit in accordance with 273-118)
- (2) No freestanding retail building shall exceed 60,000 square feet in total floor area and no single related or integrated retail store use shall exceed 60,000 square feet cumulatively.

4. Amend 273-118. Special Permit Criteria as follows;

- Revise B (2) to read; "Plans will provide for high quality architecture as determined by the Commission based upon the recommendation of the Design Review Committee. The Design Review Committee will base its recommendation on the following criteria;
 1. The quality of architectural design.
 2. Compatibility of the design with indigenous architecture.
 3. Compatibility of materials, colors, architectural elements and details with indigenous architecture.
 4. Compatibility of scale and massing with traditional examples of indigenous architecture."
- Revise B (3) to read; "Landscape treatments should be compatible with the local environment and New England landscape traditions as recommended by the Design Review Committee; such plans shall include the planting of large trees and/or the preservation of existing natural topography and mature trees. Landscape plans must be prepared by a registered landscape architect or other qualified landscape designer.
- Revise B (4) to read; "Effective screening of parking areas from public view should be provided."
- Revise B (5) to read; "Effective screening of utilities and site infrastructure (air-conditioning units, dumpsters, etc.) should be provided."
- Revise B(6) to read; "State of the art methods of stormwater management such as the creation of on-site ponds, or wetlands or other practices, which are in conformance with the Connecticut Department of Environmental Protection Model Stormwater Management practice should be provided."
- Revise B(7) to read; "Lighting design should emphasize energy conservation and avoid light pollution. Lighting design should concentrate on ambient illumination of buildings, landscaping and walkways. Glare must be avoided and visibility of light sources should be minimized."
- Delete in B (8) "(the 1981-82 version or as amended)" and replace with "(1981-82)"
- Revise C (2) to read; "The plan provides for parking areas which are subordinated to buildings and landscaped areas with parking lots screened from view to the maximum extent possible."
- Revise C(7) to read; "The plan includes the creation of public space of unusual merit or includes unique or special design or landscape features as recommended by the Design Review Committee".

- Delete C (8)
- Delete C(10)
- Renumber C in accordance with above changes.

5. Amend 273-21 Commercial Design District (CD) by deleting 271-21 J. (1).

6. Amend 273-97 B. (3) (f) Landscape Plans [7] Requirement for surety, add the following; "The Commission may also require the posting of a bond to insure the maintenance and survival of newly planted landscape material. The amount of said maintenance bond shall not exceed 1/3rd the total cost of the material including installation and shall be for a period of not to exceed 3 years."

(Article XVI §273-114 L., Article XVII §273-121 L., Article XVIII §273-128, §273-118, §273-21, §273-97 B (3) (f) [7] 12/18/02)



Approved; March 3, 2004
Effective Date; March 12, 2004

At its regular meeting on March 3, 2004 the Guilford Planning and Zoning Commission approved the following amendment to the Zoning Code:

Amend § 273-19. Apartment accessory to single-family dwelling; add to B. (3) the following:

Either the single-family dwelling or the apartment dwelling unit is occupied by an owner of the premises. **For the purposes of this section, a dwelling unit shall be considered occupied by the owner when the unit is hit/her exclusive residence for at least (9) months of the year.** This provision shall not apply to a not-for-profit corporation exempt under Section 501(c)(3) of the Internal Revenue Code.

This amendment is approved based upon a finding that it conforms with the Plan of Conservation and Development 2002. This amendment is effective on March 12, 2004.



Approved; November 16, 2005
Effective Date; November 28, 2005

At its regular meeting on November 16, 2005 the Guilford Planning and Zoning Commission approved the following amendment to the Zoning Code:

Amendment to the Zoning Code Regarding Open Space Subdivisions

Add the following;

Article XXVII
Open Space Subdivisions

In accordance with the procedures and requirements hereinafter specified, the Commission may approve a Special Permit for an Open Space Subdivision. A Special Permit for an Open Space Subdivision authorizes an application for Subdivision in accordance with the Subdivision Code based on the plan approved pursuant to this Section.

273-213 Purpose

The purpose of this section is to provide a more flexible method for the development of subdivisions in order to preserve substantial areas of open space and protect important natural and historic resources as identified in the Plan of Conservation and Development, Growth Management Strategies, and the Plan for Open Space and Municipal Lands.

273-214 Applicability

Open Space Subdivision applications are permitted in any R-5, R-6, R-7, or R-8 Zone District.

273-215 Procedure

An Open Space Subdivision Special Permit application shall be prepared in a form determined by the Commission and accompanied by six copies of a plan with sufficient information to, in the judgment of the Commission determine the merits of the Open Space plan concept. The plan shall generally conform with Article III (272-23) of the Subdivision Code, shall contain the following specific information, and conform with the following requirements;

- The plan shall have a minimum scale of one inch equal to 100 feet.
 - The boundary map of the property shall meet the standards of an A-2 survey.
 - Any inland wetland boundaries as defined by Guilford's Inland Wetlands Regulations shall be shown and approved by the Inland Wetlands Commission.
- 273:161
- Contour intervals shall be a minimum of two feet and be based on aerial or field survey.
 - Any open space proposed shall show the relationship of the proposed open space to other open space located on adjacent or nearby property.
 - For the purpose of assessing lot feasibility in the open space plan, actual field testing including at least two deep test pits and at least one percolation test in both the primary and reserve septic system areas of each lot shall be provided.

273-216 Public Hearing and Notification Requirements

A Public Hearing shall be held in accordance with Connecticut law and this Code. In addition, the applicant shall provide notice of the public hearing to adjoining property owners at least 14 days prior to the hearing and provide the Commission with evidence that such notice was provided.

273-217 Criteria for Approval

The Commission may approve an Open Space Subdivision Special Permit application when the Commission finds that there will be a significant community benefit resulting from the open space subdivision, such as finding that the open space preserved will;

- Protect important natural resources.
- Protect scenic resources.
- Contribute to an overall open space system for the neighborhood or Town and will not result in small or fragmented open space parcels that do not provide community benefits.
- Preserve areas along Town or State roads that will protect rural appearance or character.
- Contribute to establishment of an open space corridor or greenway or interconnection of existing open spaces.
- Provide for public access to other open space.
- Provide for potential recreation areas.

273-218 Methods for Determining Maximum Number of Lots in an Open Space Subdivision

Two alternative methods for establishing the maximum number of lots in an Open Space Subdivision are available to the applicant. The method for making this determination is the choice of the applicant.

Option A; Two Plan Approach

The maximum number of lots is determined by the preparation of a standard subdivision plan by the applicant. The standard plan shall be prepared in accordance with the design standards of the Subdivision Code based on the zoning standards prescribed in the Zoning Code for the Zone District in which the property is located. The feasibility of each lot in this standard plan shall be based on actual field testing, including a least one deep test pit and one percolation test per lot. The location of the open space required by the Subdivision Code shall be shown on the plan.

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Option B; Density Multiplier Approach

The maximum number of lots is determined according to the following:

Maximum Residential Density. No Open Space Subdivision proposed using this approach shall exceed either the following maximum number of lots per acre of total area or the following maximum number of lots per acre of developable area as defined below whichever is less and any calculation resulting in a fractional remainder will be rounded down to the next lower whole number;

District	Total Area	Developable Area
R-5	0.50	0.70
R-6	0.35	0.50
R-7	0.25	0.35
R-8	0.15	0.20

For purposes of this Section, "Developable Area" is defined as land on a parcel proposed as an Open Space Subdivision exclusive of;

- Inland wetland or watercourse areas as defined by the Inland Wetlands and Watercourses Regulations of the Town of Guilford.
- Areas within the "A", "AE", or "V" flood zone as depicted on the Flood Hazard Boundary Map or the Flood Insurance Rate Map.
- Naturally occurring slopes of land in excess of 25 percent (10 feet vertical in less than 40 feet horizontal).
- Areas subject to easements or permanent restrictions that prohibit building or development.

273-219 Standards for Open Space Subdivisions

Open Space Subdivisions shall conform with the following criteria:

Open Space Open Space Subdivisions shall preserve at least the following amount of open space (see § 272-41 for definitions of open space)

Zone District	Minimum Open Space Requirement
R-5	20%
R-6	30%
R-7	40%
R-8	50%

Area and Bulk Standards All lots shall meet the following minimum standards;

In an Open Space Subdivision, the Commission will modify one or more of the following requirements on a lot(s) within the proposed Open Space Subdivision by up to the same percentage that open space is preserved in the parcel in excess of the minimum open space requirement for a conventional subdivision (see § 272-41). For example, if 50% of the parcel is preserved as open space and the minimum open space requirement is 15%, a requirement may be modified by up to 35%.

273:163

- a. The minimum lot area requirement may be decreased provided that, in no event shall a lot have less than 50% of the minimum lot size for the zone except that a lot in the R-8 district shall not have less than 40,000 square feet.
- b. The minimum lot width may be decreased provided that, in no event, shall a lot have less than 80 feet of frontage. However, a limited number of interior lots may be permitted by the Commission when conditions so merit.
- c. The lot shape requirement may be decreased provided that in no event shall a lot have a square of less than 80 feet on each side.
- d. The maximum lot coverage may be increased provided that in no event shall a lot have more than 25% lot coverage.
- e. The maximum total floor area may be increased provided that in no event shall a lot have more than 80% total floor area.
- f. The minimum setback and yard dimensions may be reduced provided that in no event shall a lot have a setback of less than 15 feet except for residential accessory structures less than 200 sq. ft. which shall have a minimum setback of not less than 10 ft.

Such modifications shall not be granted to lots fronting on an existing Town Road or State highway unless the Commission finds that creating lots along the existing frontage will not adversely affect community character or important community resources.

Lot Feasibility The feasibility of each lot in a proposed open space subdivision shall be based on actual field testing, including a least two deep test pits and at least one percolation test in both the primary and reserve septic system areas per lot.

(Amendment - 11.16.05 Open Space Special Permit)

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Last Updated: Friday, Dec 16, 2005

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The Town of Guilford, Connecticut



ARTICLE I: General Provisions

Chapter 273, ZONING

HISTORY: Adopted by the Planning and Zoning Commission of the Town of Guilford 2-22-1969, as amended through 5-4-1994. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Violation of zoning regulations - See Ch. 1, Art. II.

Boards, commissions and committees - See Ch. 9.

Building construction - See Ch. 148.

Fees - See Ch. 166, Art. II

Flood damage prevention - See Ch. 174.

Fuel storage tanks - See Ch. 181.

Historic District - See Ch. 197.

Sewers - See Ch. 228.

Inland wetlands and watercourses - See Ch. 271.

Signs - See Ch. 272, Art. IV.

Subdivision of land - See Ch. 272.

ARTICLE I, General Provisions

§ 273-1. Purpose.

It is the purpose of these regulations to promote the health, safety and general welfare of the community; to encourage the most appropriate use of the land; to lessen congestion in the streets, to avoid undue concentration of the population; to make adequate provision for public utilities and facilities; to provide adequate light, air and recreation facilities; to secure safety from fire, panic, flood and other dangers- to maintain or improve the quality of the environment of the community- and to conserve property values in the Town of Guilford.

§ 273-2. Word usage; definitions.

A. General. The words used in these regulations shall have the meaning commonly attributed to them. Doubts as to their precise meaning, application or interpretation shall be determined by the Commission, in accordance with the purpose and intent of these regulations, where the context so permits.

Words in the present tense include the future, and the singular number includes the plural and vice-versa.

B. As used in these regulations, the following terms shall have the meanings indicated: ARCHITECTURAL PRESENTATIONS -- Drawings and specifications, when required by these regulations shall be prepared by a registered architect or registered engineer when such a professional is required by state law for the design of a structure because of its use, size or capacity. In other cases, said documents may be prepared by a designer or other qualified person in sufficient detail to meet the intent of these regulations.

BUILDING -- A structure which is completely enclosed by a roof and by solid exterior walls along whose outside faces can be traced an unbroken line for the complete circumference of the structure and which is permanently affixed to a lot or lots and used or intended to be used for the shelter, support or enclosure of persons, animals or property of any kind.EN(1)

BUILDING, ACCESSORY -- A building located on the same lot as a principal building and devoted or intended to be devoted to an accessory use. Any portion of a principal building devoted or intended to be devoted to an accessory use is not an accessory building.

BUILDING, PRINCIPAL -- A building in which is conducted or is intended to be conducted the principal use of the lot on which it is located.

COMMISSION -- The Guilford Planning and Zoning Commission or its lawful successor by whatever title designated.

COMMUNICATION TOWER -- A structure to be erected and used for the receipt, relay or transmission of communications signals, built as a freestanding structure, which may include a control building required for the facility.

COVERAGE -- The sum of the horizontal area of the ground floor of a building or other structure, measured from the exterior faces of the exterior walls on the outside edge of the structure or from the outside edge of any structure without walls, excluding overhangs of three feet or less.

DWELLING -- A building designed as a residence for occupancy by one or more families.

DWELLING, MULTIPLE -- A residential structure containing three or more independent dwelling units, each with independent outside access by common hallway, stairs and/or outside door, and separate facilities that are used or intended to be used for living, sleeping and cooking.

DWELLING, SINGLE-FAMILY -- A dwelling having only one dwelling unit from ground to roof and having independent outside access.

DWELLING, TWO-FAMUY -- A residential structure containing two independent dwelling units, each with independent outside access by common hallway, stairs and/or outside door, and separate facilities that are used or intended to be used for living, sleeping and cooking.

DWELLING UNIT -- Any room or group of rooms located within a building devoted to residential use and forming a single, habitable unit with facilities

which are used or intended to be used for living, sleeping, cooking and eating by one family.

FACILITIES OF PHILANTHROPIC, CHARITABLE, AGRICULTURAL, HISTORICAL AND CULTURAL INSTITUTIONS OR SOCIETIES NOT CONDUCTED AS A BUSINESS OR FOR PROFIT -- Facilities shall include structures necessary to the purposes and programs of the nonprofit organization, including dwellings maintained by such institutions or societies as part of their charitable activities, with no more than one dwelling per lot.

FAMILY -- One or more persons related by blood, adoption or marriage living and cooking together as a single housekeeping unit, or a number of persons living and cooking together as a single housekeeping unit though not related by blood, adoption or marriage.EN(2)

FARM -- A lot or lots of contiguous land containing at least three acres on which the land and buildings are devoted to farming and such other uses as are accessory thereto.

FARMING -- The cultivation of land for the growing of vegetables, grains, grasses, trees, herbs or fruit or horticulture or the raising of livestock, farm animals (except pigs and fur-bearing animals), fish, birds or bees or the producing of milk, commercial floriculture or other similar pursuits, excluding commercial kennels.

FLOOR AREA -- The sum of the gross horizontal areas of the several stories of a building or other structure, measured from the exterior faces of the exterior walls or from the center line of party walls, excluding garages, terraces, bay windows, utility rooms for heating apparatus, earth-floor cellars, attics, open porches, unheated enclosed porches and other horizontal areas not accessible by a permanent inside stairway.

HAZARDOUS MATERIAL -- Any substance or combination of substances which, because of quantity, concentration or physical, chemical or infectious characteristics, poses a significant present or potential hazard to water supplies or to human health if disposed of into or on any land or water in the town. This shall include any substance deemed a hazardous waste under Section 3001 of the Resource Conservation and Recovery Act of 1976, 40 CFR Part 261, or contained on the list of 129 priority pollutants of the United States Environmental Protection Agency.

HEIGHT -- The height of a building or other structure shall be measured from the average natural ground level within 10 feet of the building or other structure to the maximum height of any part of the structure (see § 273-3 1). "Natural ground level" is defined as the existing ground level prior to any site preparation, grading or filling of the lot.

HOME HANDICRAFT INDUSTRY -- An occupation or art requiring skillful use of the hands in the production of articles (such as pottery, furniture repair, weaving, cooking, etc.), which articles are not mass-produced, carried on in a dwelling occupied by a person or persons directly involved in the production of such work, and the production

of which does not adversely affect the character of the neighborhood, create undue traffic or constitute a normal retail operation.

HOTEL -- A building providing lodging for transient persons, with or without a common eating facility and/or other public facilities so designed that normal access is through a public entrance and lobby.

LOADING SPACE -- An area at least 480 square feet in size, having such shape, vertical clearance, access and slope so as to accommodate one cargo-carrying motor vehicle having an overall length of 40 feet.

LOT:

- (1) A parcel of land which is owned separately from any adjoining land as evidenced by deed or deeds recorded in the land records of the Town of Guilford. Land bisected by a private easement or right-of-way may be combined to form a single lot; or
- (2) A parcel of land meeting the requirements of these regulations and shown on a map filed in the land records of the Town of Guilford.

LOT AREA AND SHAPE -- The area of a horizontal plane bounded by the front, side and rear lot lines. In determining compliance with minimum lot area and shape requirements of these regulations, the following are applicable:

- (1) Land subject to easements for drainage facilities or public utilities, other than overhead electric power transmission lines, may be included.
- (2) No street, highway, easement for vehicular access or private right-of-way for vehicles may be included.
- (3) Each lot shall contain an area of contiguous land, exclusive of wetlands and watercourses, that equals the lot area requirement of the district or 40,000 square feet, whichever is less; provided, however, that wetlands and watercourses may be used to comply with that portion of a minimum lot area requirement in excess of 40,000 square feet.

LOT AREA PER DWELLING UNIT -- The amount of lot area, whether occupied by structures or not, that exists for each dwelling unit located on the lot.

LOT LINE -- Any boundary line of a lot.

LOT LINE, REAR -- Any lot line which is parallel to or within 45' of being parallel to a

street line, except for a lot line that is itself a street line and except that in the case of a corner lot, only one lot line shall be considered a rear property line.

LOT LINE, SIDE Any lot line which is not a street line or a rear lot line.

MOBILE HOME A vehicular portable structure built to be moved on wheels and designed for living accommodations of a permanent nature and shall be so considered whether or not it is actually on wheels.

MOTEL -- A building providing lodging for transient persons, without

individual cooking or eating facilities and intended, designed and used for transients, generally with access to the rooms directly from the out-of-doors. "Motel" shall also include "motor hotel" and may include a common eating facility and/or other public facilities, such as meeting rooms.

MOTEL, HOUSEKEEPING -- A building or portion of a building providing lodging for transient persons, with limited individual cooking or eating facilities and intended, designed and used for transients requiring more luxurious accommodation than permitted under the definition "motel," Access to each suite will generally be directly from the out-of-doors, and kitchen facilities shall be limited to two surface burners, a refrigerator not over 6.5 cubic feet and a single-bowl sink. Other uses defined under "motel" are included herein also.

MOTOR VEHICLE -- As defined in Section 14-1 of the Connecticut General Statutes.

NONCONFORMITY -- A nonconforming use, lot, building or other structure is one which existed lawfully, whether by variance or otherwise, on the date these regulations or any amendment hereto became effective and which fails to conform to one or more of the provisions of these regulations or such amendment hereto. No nonconforming use, lot, building or other structure shall be deemed to have existed on the effective date of these regulations unless it can be proven that it was actually in being on such a date or that a building permit had been issued and actual construction had lawfully begun prior to that date. "Actual construction" is hereby defined as the placing of construction materials in a permanent position in accordance with the plans for the building or other structure, with the intent to complete the construction in an expeditious manner.

(1) **NONCONFORMING USE** -- The use of a lot or a building or structure on a lot, which use is not permitted by these regulations for the district in which it is located.

(2) **NONCONFORMING LOT** -- A lot which does not comply with the area, shape, frontage or locational provisions of these regulations for the district in which it is located.

(3) **NONCONFORMING BUILDING OR STRUCTURE** -- A building or other structure which contains a permitted use but does not meet the setback, side yard, rear yard, height, coverage, floor area, projection or stories requirements of these regulations for the district in which it is located.

OFFICE -- A building, room or series of rooms in which the affairs of a business, profession, group or governmental unit are carried on.

PARKING SPACE -- An area at least 180 square feet in size, having a minimum length of 20 feet and having such shape, vertical clearance, access and slope so as to accommodate one motor vehicle. When a parking area is designed for a use requiring site plan approval, a variety of parking spaces

for larger vehicles and handicapped may be required in accordance with all of parking spaces for larger vehicles and handicapped may be required in accordance with all applicable regulations for the proposed use.

PERSONAL SERVICE ESTABLISHMENT -- A business where services are provided to persons by licensed practitioners, such as barbers, hairdressers and beauty shops.

PROJECTION -- Any structure attached to a principal or accessory building and extending beyond the face of a building foundation wall, including roofs, cornices, chimneys, bay windows, shading devices, areaways, balconies, fire escapes, outside stairways, steps and open porches.

RECEIPT -- In all matters wherein a formal application, request or appeal must be submitted to the Commission or to the Zoning Board of Appeals, the date of receipt of such application, request or appeal by such Commission or Board shall be the date of the next regularly scheduled meeting of such Commission or Board immediately following the date of application, request or appeal at which such application, request or appeal is officially received by such Commission or Board or 35 days from the date of application, request or appeal, whichever is sooner.

RECREATION VEHICLE -- A portable vehicle built on a chassis, designed to be used as a temporary dwelling for travel, camping, recreation and vacation uses and which shall have a body width not exceeding eight feet. It shall be eligible to be registered, licensed and insured for general use on the highways. The term shall include a travel trailer, pickup camper, motorized camper or tent trailer.

ROOMS-TO-LET -- The letting of rooms in a dwelling in which lodging facilities are supplied for hire over an extended period of time, which facilities do not include the provision of cooking facilities for such rooms but may include table board or sharing of cooking facilities of the dwelling.

SEASONAL -- Affected by or depending on a time or part of the year during which the specified activity or use occurs.

SETBACK -- The distance that buildings and/or other structures are set back from front, rear or side property lines as required by these regulations.

SHOPPING CENTER -- A group of stores, not necessarily attached, but planned, built or utilized as a common facility on one lot with stores, financial institutions, restaurants or personal service establishments and with common off-street parking and loading facilities, the total budding floor area of which is not less than 10,000 square feet and in which no individual establishment is over 10,000 square feet in floor area.

SHOPPING CENTER, COMMUNITY -- A group of stores, not necessarily all attached, but planned, built or utilized as a unit on one lot and consisting of two supermarkets, a supermarket and a department store or two department stores, each with a total floor area in excess of 10,000 square feet, with additional stores, financial institutions, restaurants or personal service establishments, not to exceed a total of 150,000 square feet of building area, along with common off-street parking and loading facilities.

SHOPPING CENTER, NEIGHBORHOOD -- A group of stores, not necessarily attached, but planned, built or utilized as a unit on one lot and consisting of one supermarket or one department store, each with a total floor area in excess of 10,000 square feet, with additional stores, financial institutions, restaurants or personal service establishments, not to exceed a total of 60,000 square feet of building area, along with common off-street parking and loading facilities.

SIGN -- Any billboard, illustration, insignia, lettering, picture, display, banner, pennant, flag or other device, however made, displayed, painted, printed, supported or attached, which advertises, announces, directs, identifies, publicizes, notices or warns, when located out of doors and visibly from any street or from any lot other than the lot on which it is located. The term "sign" shall also include any continuous striplighting. Any such billboard, illustration, insignia, lettering, picture, display, banner, pennant, flag or other device may be double-facing, except that if the two faces are at any point more than two feet from one another, they shall be considered as two signs. [Amended 5-7-2003]

SIGN, DIRECTLY ILLUMINATED -- A sign designed to give forth artificial light, directly or through transparent or translucent material, from a source of light within such sign, including but not limited to neon and exposed-lamp signs. (See also "sign.")

SIGN, INDIRECTLY ILLUMINATED -- A sign illuminated with a light so shielded that no rays from it are visible elsewhere than on the lot where said illumination occurs. If such shielding device is defective, such sign shall be deemed to be a directly illuminated sign.

STORY -- That portion of a building between the surface of any floor and the surface of the floor, ceiling or roof next above. Attics not designed or arranged for human occupancy shall not be considered a story. When the ceiling of a basement or cellar is five feet or more above the average ground level within 10 feet of the building or other structure, the basement or cellar shall be considered a story.

STREET -- Any town A-1 or A-2 road (as defined in the latest approved road classification list) or state highway, except a limited access state highway, or any street shown on a final record subdivision map approved by the Commission and filed in the land records of the Town of Guilford. In Commercial Districts 2, 3 and 4, industrial districts and the Marine Recreation District, "street" shall also mean any private right-of-way or easement of access 50 feet or more in width.

STREET LINE -- The right-of-way easement or taking line of any street, except limited-access state highways, or of any easement of access or private right-of-way 25 feet or more in width.

STRUCTURE -- Anything constructed or erected, including a building, which has a permanent location on a lot or lots or anything attached to something having a permanent location on the ground, excluding sidewalks, parking areas, driveways and patios on existing natural ground level but including tennis courts and swimming pools. Decks constructed at two feet

or less above natural grade and without fences or railings are not considered structures when calculating lot coverage under Table 3.EN(3)

STRUCTURE, ACCESSORY -- A structure located on the same lot as a principal building or structure and devoted or intended to be devoted to an accessory use. Any portion of a principal structure devoted or intended to be devoted to an accessory use is not an accessory structure.

USE -- Any activity, occupation, business or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

USE, ACCESSORY -- A use of a lot, building or other structure which is subordinate to and customarily incidental to the principal use of such lot, building or other structure.

USE, PRINCIPAL -- The main use of a lot, building or other structure.

WATERCOURSES -- Rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, public or private, which are regulated under Chapter 27 1, Inland Wetlands and Watercourses.

WETLANDS -- Tidal wetlands, as defined and regulated pursuant to Sections 22a-28 through 22a-35 of the Connecticut General Statutes, and inland wetlands which consist of any of the soil types designated as "poorly drained," "very poorly drained," "alluvial" and "floodplain" by the National Cooperative Soil Survey, as may be amended from time to time, of the Natural Resources Conservation Service of the United States Department of Agriculture and regulated under Chapter 271, Wetlands and Watercourses. [Amended 10-7-1998]

C. Planned residential development (PRD) definitions. (See Article M and §§ 273-100 and 273-101.)

ACTUAL CONSTRUCTION -- The placing of construction materials in a permanent position in or on the land in accordance with the plans for the building or other structure under an authorized building permit, with the intent to complete the construction in an expeditious manner.

APPLICANT -- The legal or beneficial owner or owners of the land or the holder of an option or contract to purchase the land, which land is proposed to be included in a planned residential development (PRD).

ASSOCIATION -- The automatic and mandatory membership association of owners and/or tenants within the PRD area as an incorporated, nonprofit organization operating under recorded agreements for the sharing of responsibility and expenses in maintaining the common property or other activities of the organization within the PRD.

BEDROOM -- Any room in a dwelling unit designed, intended, furnished or occupied for sleeping quarters.

DRIVEWAY -- A private access roadway to sections of a PRD, which roadway is to be privately constructed, maintained and serviced by an association or owner and which shall not be dedicated or accepted as a town

road.

OPEN SPACE -- A parcel or area of land, an area of water or a combination of land and

Water which is designed and intended for the use and enjoyment of residents of the PRD or of the general public. Open space may contain such auxiliary structures and improvements as are necessary to or desirable for the proper use and maintenance of the open space and as approved by the Commission.

PLAN OF DEVELOPMENT -- The Comprehensive Plan of Development and Conservation of the Town of Guilford, Connecticut, as adopted by the Commission, as it may be amended from time to time.

PREDOMINANTLY UNDEVELOPED LAND - Land not more than 10% of the area of which is developed with structures or is in intensive use (other than agricultural) at the time of the PRD application under § 273- I OOB.

PUBLIC WATER SUPPLY -- A water supply system owned and operated by a water company regulated by the Public Utilities Commission and designed as a Class A utility under the Public Utilities Commission Uniform System of Accounts.

SECTION -- A defined area or portion of a PRD that is proposed for development during one period of time and is generally in conformance with the overall schematic plans for the PRD tract.

STEEP SLOPES -- A significant area of steep slopes has a grade of more than 25% and a horizontal width of 50 feet or more measured 90' to the contours at an interval not exceeding two feet.

§ 273-3. Conformity with regulations required.

Within the Town of Guilford, no land, building or other structure shall be used and no building or other structure shall be constructed, reconstructed, enlarged, extended, moved or structurally altered except in conformity with these regulations. No lot or land shall be subdivided, conveyed or encumbered so as to:

Make said lot or land nonconforming (or increase an existing nonconformity);

Make any use, building or other structure nonconforming or more nonconforming;

Reduce any setback, yard, court, open space or off-street parking or loading space to less than is required by these regulations; or

Make any nonconforming setback, yard, court, open space or off-street parking or loading space more nonconforming.

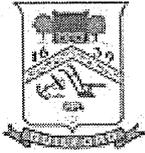
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The Town of
Guilford, Connecticut



ARTICLE II: Districts

ARTICLE II, Districts

§ 273-4. Classes of districts.

For the purpose of these regulations, the Town of Guilford is hereby divided into the following classes of districts:

Map Code	District
R-1	Residential R-1 District
R-2	Residential R-2 District
R-3	Residential R-3 District
R-4	Residential R-4 District
R-5	Residential R-5 District
R-6	Residential R-6 District
R-7	Residential R-7 District
R-8	Residential R-8 District
RS-1	Summer Cottage District
C-1	Village Commercial District 1
C-2	Commercial District 2
C-3	Highway Commercial District 3
C-4	General Commercial District 4
C-2M	Commercial District 2 – Marine
C-D	Commercial Design District EN(5)
MR-1	Marine Recreation District
I-1	Industrial District 1
I-2	Industrial District 2
FPD	Floodplain District
WS	Water Supply District
A	Development Program Area A
B	Development Program Area B
10	
GTC	Guilford Town Center District
TM	Traffic Management District

GW	Groundwater Protection District
WEDOZ	Westside Economic Development Overlay Zone

§ 273-5. Zoning Map.

The boundaries of the districts specified in § 273-4 are hereby established as shown on a map entitled "Zoning Map of the Town of Guilford, Connecticut, adopted effective February 28, 1969, Guilford Planning Commission, February 1969," including any special maps and boundary descriptions supplementary thereto and any amendments thereof, which map is hereby declared to be a part of these regulations and is hereafter referred to as the "Zoning Map." EN(6)

A. Interpretation of Map. Where a question arises as to exact boundaries of a district, the Commission shall, by resolution, determine the location of the boundary, giving due consideration, among other factors, to the indicated location of the boundary on the Zoning Map, the scale of the Zoning Map and the expressed intent and purpose of these regulations.

B. Extension of use. Where the boundary of a district divides a lot existing on the effective date of these regulations or on the effective date of any amendment of these regulations establishing such boundary, the Commission may grant a special permit to authorize a use of land, buildings and other structures permitted in one district which is not permitted in the other district to be extended into the other district for a distance of not more than 20 feet, in accordance with the provisions of Article X and § 273-99.

C. Lots in two or more residential districts. Where the boundary of a district divides a lot existing on the effective date of these regulations or on the effective date of any amendment of these regulations establishing such boundary into two or more residential districts, the requirements of the district in which the greatest portion of the lot falls shall control. EN(7)

D. Supplementary description of boundaries of RS- I District. This district is bounded on the north for 2,000 feet by a line 200 feet north of and parallel to the center line of Pump Lane and for 700 feet by a line 200 feet north of and parallel to the Shell Beach Road center line, on the west by a line perpendicular to Shell Beach Road, on the east by a line perpendicular to the center line of Pump Lane and on the south by Long Island Sound (but excluding Walden or Joshua Point) and shall include also that land 250 feet on either side of the center line of Com Crib Hill for a distance of 1, 1 50 feet from its intersection with Pump Lane.

§ 273-6. Floodplain District.

The Floodplain District is a class of district in addition to and overlapping one or more of the other districts. The boundaries of the Floodplain District and the requirements applicable therein are as specified in 273-89.

§ 273-7. Water Supply District.

The Water Supply District is a class of district in addition to and overlapping one or more of the other districts. The boundaries of the Water Supply District and the requirements applicable therein are as specified in § 273-90.

§ 273-8. Development program areas.

The Town of Guilford is hereby divided into Development Program Area A and Development Program Area B, which areas are classes of districts in addition to and overlapping one or more of the other districts. Development Program Areas A and B are established as follows:

A. Development Program Area A consists of the central part of the town south of Route 80, including Guilford Town Center, and developed shore areas where the primary road system is already in place, public and other community facilities are located and a public water supply system exists and is capable of extension. Area A defines a section of the town where other districts and zoning requirements are established to receive typical residential subdivision activity and planned residential development, as soil and other land limitations allow.

B. Development Program Area B consists of that portion of Guilford north of Route 80 and sections on the east and southwest side of the town which are substantially or partially undeveloped, include important conservation resources, lack public water supply and a network of suitable feeder roads and have soils and/or steep slopes that present severe limitations for land development, including sewage disposal. Area B defines a section of the town where other districts and zoning requirements are established to avoid random scattering of typical residential subdivisions and to authorize development, including planned residential development, only to an extent unlikely to damage conservation resources or necessitate extension of community services.

§ 273-9. Guilford Town Center District.

The Guilford Town Center District is a class of district in addition to and overlapping one or more of the other districts. The boundaries of this district, which are identical with the boundaries of Guilford Town Center on the National Register of Historic Places, encompass the location of early settlement of Guilford and a major area of buildings and sites of historic significance. The Guilford Town Center District delineates the area of the

town where uses permitted only by special permit or site plan review requirements are subject to additional standards designed to assure compatibility of use, building and site development with historic features.

§ 273-10. Traffic Management District.

The Traffic Management District is a class of district in addition to and overlapping one or more of the other districts. The Traffic Management District defines a section of the town where there is potential for serious traffic congestion, a program of land use and traffic management is necessary and the provisions of 273-75Q are in effect.

§273-11. Westside Economic Development Overlay Zone. See 273-93.

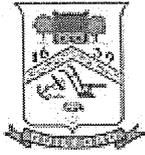
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The Town of
Guilford, Connecticut



ARTICLE III: Nonconformities

ARTICLE III, Nonconformities

§ 273-12. Intent.EN(8)

It is the intent of these regulations that nonconformities are not to be expanded, that they should be reduced to conformity as quickly as the fair interest of the parties permits and that the existence of any present nonconformity anywhere in the town shall not in itself be considered grounds for the issuance of a variance for any other use, lot, building or other structure. Nothing in these regulations shall be deemed to prohibit ordinary repair and maintenance of any nonconforming budding or other structure or reconstruction thereof necessitated by fire or other casualty or replacement of existing materials or work ordered by the Building Official, Fire Marshal or Director of Health to protect the public health or safety, provided that such work does not increase nonconformity.

§ 273-13. Nonconforming uses.

A nonconforming use of land, buildings and other structures may be continued in accordance with the following provisions and limitations:

A. No nonconforming use of a lot shall be enlarged, extended or altered and no building or other structure or part thereof devoted to a nonconforming use shall be enlarged, extended, constructed, reconstructed or structurally altered if the result would be an increase in nonconformity. No nonconforming use of a building or other structure shall be extended to occupy a lot or lots outside such building or other structure or space in another building or other structure.

B. Except as provided in Subsection A, no nonconforming use of a lot or lots shall be moved to another part of a lot or outside the lot; no nonconforming use of a building or other structure shall be moved or extended to any part of the building or other structure not manifestly arranged and design for such use at the time the use became nonconforming; and no building or other structure containing a nonconforming use shall be moved, unless the result of any such move is to end the nonconformity.

C. No nonconforming use of land, buildings or other structures shall be changed to any use which is substantially different in nature or purpose from the existing nonconforming use, except to a use which is permitted by right in the district in which the land, building or other structure is located, unless

a special permit is granted by the Commission pursuant to Article X and 273-99 and upon the further finding that the new use will have no greater injurious impact upon the surrounding area than the existing use.

D. Where any change is proposed to be made to a use which is permitted in any district by special permit, such change may only be made by means of a special permit granted pursuant to Article X and § 273-99.

E. No nonconforming use of land, buildings or other structures which is changed to conform or to more nearly conform to these regulations shall thereafter be changed to a more nonconforming use.

F. No nonconforming use of land, buildings or other structures which shall have been discontinued shall thereafter be resumed. In determining whether a nonconforming use has been discontinued, any one of the following items shall constitute prima facie evidence of discontinuance:

- (1) Any positive act indicating intent to discontinue.
- (2) Any conscious failure to take all necessary steps to resume the nonconforming use with reasonable dispatch in the circumstances.
- (3) In the case of a structure or a structure and land in combination, cessation of the nonconforming use for 12 consecutive months or for a total of 18 months during any three-year period.
- (4) In the case of a lot only, cessation of the nonconforming use for 90 consecutive days or for a total of six months during any one-year period.
- (5) Substitution of a conforming use.

G. All nonconformities shall conform in all other respects to the requirements of the districts in which they are located.

§ 273-14. Nonconforming buildings and structures.

A nonconforming building or other structure which contains a permitted use in the district in which it is located may be continued in accordance with the following provisions and limitations:

- A. No nonconforming building or other structure shall be enlarged, extended, constructed, reconstructed or altered if the result would be an increase in or an extension of the nonconformity. Where a building or structure is nonconforming with respect to a setback or setbacks an increase in the building's height which does not conform with the required setback shall constitute such an extension of the nonconformity. [Amended 5-6-1998]
- B. No nonconforming building or other structure shall be moved, unless the result of such moving is to reduce or eliminate its nonconformity.
- C. No nonconforming building or other structure, if once changed to conform or to more nearly conform to these regulations, shall thereafter be changed so as to be less conforming.

D. Signs of a size or type not permitted in the district in which they are situated or which are improperly located or illuminated or nonconforming in any other way shall be considered nonconforming structures under this section, and any increase in the size or illumination of such signs shall be deemed to be an enlargement or extension producing an increase in nonconformity.

§ 273-15. Nonconforming lots.

A. A nonconforming lot, as defined in § 273-2B, may be built upon for any purpose permitted in the district in which it is located without a variance, despite its failure to comply with the area, shape or frontage requirements of these regulations, provided that:

- (1) The nonconformity results solely from the adoption of the regulations (including any amendments);
- (2) The nonconformity has not been increased in degree by any act or event subsequent to the effective date of the regulation which rendered the lot nonconforming;
- (3) Since the effective date of the regulation which rendered the lot nonconforming, no owner of the lot has simultaneously owned any adjoining land; and
- (4) If not served by public water or sewers, the lot contains at least 10,000 square feet of nonwetland area.

B. A nonconforming lot meeting these criteria shall be designated an eligible nonconforming lot.

(1) Any owner of a nonconforming lot may submit an application to the Zoning Board of Appeals, in such form as it may require, requesting that the lot be designated an eligible nonconforming lot. Upon receipt of such application, the Zoning Board of Appeals shall hold a public hearing in the same manner as is provided for applications for variances, at which hearing interested parties may submit evidence on the question of whether or not the lot meets the criteria of this section.

(2) If the Zoning Board of Appeals shall determine that the lot is an eligible nonconforming lot, it shall give the applicant written notice to that effect, signed by the Chairperson of the Zoning Board of Appeals, which notice shall contain the owner(s) of the present record owner(s) of the lot and the map and lot number by which the lot is identified in the records of the Town Assessor.

(3) A determination that a lot is an eligible nonconforming lot shall be effective from the date the above notice is recorded in the land records of the

town until the happening of either of the following events:

- (a) A reduction in the lot's size or any other increase in the degree of its nonconformity for any reason other than the adoption of more stringent zoning regulations;
- (b) Acquisition by the owner of the lot of adjoining land which, when added to the original nonconforming lot, forms one or more lots complying with the area, shape and frontage requirements of these regulations. In such case, no portion of the lot(s) so formed shall thereafter qualify as an eligible nonconforming lot under this section, unless and until again made nonconforming by the adoption of more stringent zoning regulations; or
- (c) Acquisition by the owner of the lot of adjoining land which, when added to the original nonconforming lot, reduces its nonconformity but does not form a lot complying with the area, shape and frontage requirements of these regulations. In such case, upon request of the owner of the parcel so formed, the Zoning Board of Appeals shall issue a notice that said parcel constitutes an eligible nonconforming lot, which notice shall state that the original determination is no longer in effect. No hearing or other formal procedure shall be required.

(4) No application for a certificate of zoning compliance (building permit) may be granted for a nonconforming lot until notice that it is an eligible nonconforming lot has been recorded in the land records of the town.

(5) Nothing herein is intended or shall be construed to affect any requirement of these regulations with respect to matters other than the area, shape and frontage of nonconforming lots. An eligible nonconforming lot shall be required to comply with all other requirements of these regulations, including those set forth in Table 3, EN(9) and with all other provisions of public law regarding the construction of buildings and supporting systems.

(6) Nothing herein is intended or shall be construed to affect or alter the provisions of the Connecticut General Statutes with respect to applications for variances.

C. If two or more adjoining lots of record, one or more of which fails to meet the requirements of these regulations with regard to lot area, shape or frontage, have continuous frontage and are in single ownership at any time after the application of the provisions of these regulations to such lots and if such lots taken together would form one or more lots, each meeting the requirements of these regulations with regard to lot area, shape and frontage, such lots shall no longer be considered nonconforming and must be used in compliance with the lot area, shape and frontage requirements, irrespective of subsequent changes of ownership.

D. Except as limited by Subsections C and G, nothing in these regulations shall prevent the construction of a building or other structure which is

accessory to an existing building or other structure on a lot that does not conform to the area, shape or frontage requirements of these regulations or the enlargement, extension or structural alteration of such a building or other structure, provided that such accessory building or other structural alterations conform in all other respects to the requirements of these regulations.

E. Lots on private roads. Nothing in these regulations shall prohibit the constructing of a single-family dwelling on a lot in an R- I or R-2 District if such lot meets all the requirements of these regulations, except frontage on a street as defined herein, provided that the lot existed at the time of adoption of these regulations and provided that the access road is not less than 25 feet in width, with a traveled way not less than 15 feet in width, for access from a public road to the lot in question and the access road is privately or publicly maintained.

F. Except as limited in Subsection G, nothing in these regulations shall prohibit an addition to an existing building or other structure on a nonconforming lot, provided that such addition meets, in all respects, all other requirements of these regulations. The sewage system shall be adequate to accommodate both the existing building or other structure and the proposed alteration or addition and shall be approved by the Director of Health.

G. No accessory structure or addition to an existing building will be permitted on a lot which is less than 10,000 square feet in size, except by special permit in accordance with Article X and § 273-99 of these regulations. Where said structure or addition requires a variance from the Zoning Board of Appeals, this special permit will not, however, be required. In considering such a special permit application, the Commission shall consider the impact of the proposed structure or addition on the use, enjoyment and value of adjoining property and on the adjacent neighborhood.

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The Town of Guilford, Connecticut



ARTICLE IV: Use Requirements: Residential

ARTICLE IV, USE REQUIREMENTS

§ 273-16. Residential districts.

A. General. The uses shown in Table 2A of this section shall apply to the use of land, buildings and other structures in each of the following districts:

Residential R-1 District
 Residential R-2 District
 Residential R-3 District
 Residential R-4 District
 Residential R-5 District
 Residential R-6 District
 Residential R-7 District
 Residential R-8 District

B. Site plan. Prior to the approval of an application for a certificate of zoning compliance, a site plan for the lot on which it is proposed to institute a municipal use or a use requiring a special permit shall be submitted to the Commission for its approval in accordance with these regulations.

C. Permitted uses. Lots, buildings and other structures in the residential districts shall be used only for those uses listed as permitted in Table 2A or, subject to meeting the requirements of Article VIII and § 273-98 or Article X and § 273-99, for those uses listed in said table as being allowed by special permit.

D. Planned residential development uses. In addition to the uses set forth in Subsection C above, under stated conditions, planned residential development (PRD) allowing comparable densities and incorporating open space and community facilities is permitted by special permit in all residential districts, subject to meeting the requirements and conditions of Article XI and §§ 273-100 and 273-101.

Table 2A Permitted Uses in Residential Districts

P -- Means the use is permitted in the district

SP -- Means the use is permitted only by special permit

* -- Indicates that approval of a site plan is required

Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8
1*Buildings, uses and facilities of the	P	P	P	P	P	P	P	P

Town of Guilford									
2*Buildings, uses and facilities of the State of Connecticut	SP	SP							
	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8	
3. *Cemeteries, when conducted as a business or for profit					SP	SP	SP	SP	SP
4. *Convalescent homes, hospitals and sanitariums						SP	SP	SP	SP
5. *Day nurseries	SP	SP							
6. Dwellings, single-family and not more than 1 such dwelling per lot	P	P	P	P	P	P	P	P	P
7. Dwellings containing 2 dwelling units in 1 dwelling, and not more than 1 such dwelling per lot	P								
8. Dwellings: conversion to 2-family dwelling (see 273-18)				SP	SP	SP	SP	SP	SP
9. Dwellings: provision of 1 apartment accessory to a single-family dwelling (see 273-19)				SP	SP	SP	SP	SP	SP
10. Dwellings constructed and maintained by the Housing Authority of the Town of Guilford or by a not-for-profit corporation exempt under Section 501 ©(3) of the Internal Revenue Code	SP			SP	SP	SP	SP	SP	SP
11. Excavation, removal or deposit of earth, loam, topsoil, sand, gravel, clay, stone or other material	SP	SP							
12. Rooms to let in a dwelling unit, subject to 273-22	P	P	P	P	P	P	P	P	P
13. *General hospitals, when no conducted as a business or for profit	SP								
14. Farms	P	P	P	P	P	P	P	P	P
15. *Museums, when not conducted as a business or for profit	SP								

16. *Facilities of SP philanthropic charitable, agricultural, historical and cultural institutions or societies not conducted as a business or for profit	SP						
17. *Places of worship SP and public assembly, when not conducted as business or for profit	SP						
18. *Public utility SP substations without service yards or outside storage of supplies	SP						
19. *Public utility water SP supply reservoirs, pump stations, water towers, wells and water treatment facilities	SP						
20. *Recreation facilities other than SP facilities of the Town of Guilford, when not conducted as a business or for profit	SP						
21. Riding Academies SP and boarding stables, minimum of 3 acres					SP	SP	SP
22. *Schools, colleges SP and universities, including schools for instruction in music, art, dance, drama, physical education, vocational training and instruction related to the handicapped	SP						
23. Wildlife sanctuaries P	P	P	P	P	P	P	P

and nature preserves, when
not conducted as a business
or for profit

24. Accessory uses, including P P P P P P P
P

offices and home handicraft industry

25. Planned residential SP SP SP SP SP SP SP
SP

development (see Article XI)

273-17. Summer Cottage (RS-1) District.

A. General. The following regulations shall apply to the use of land, buildings and other structures and to the location and bulk of buildings and other structures in the Summer Cottage (RS-1) District.

B. Permitted uses. Land, buildings and other structures may be used for one or

more of the following purposes and no other:

(1) Single-family detached dwelling for seasonal use only. "Seasonal

use" means that overnight occupancy between December 1 of one year and March 15 of the following year shall not exceed 14 days.

(2) Single-family detached dwellings for year-round use, subject to the securing of a special permit from the Board of Appeals in accordance with its rules, bylaws and procedures upon a finding that the following standards have been met:

(a) A delineation of a lot for the dwelling shall be shown on a survey prepared by a registered land surveyor and filed with the land records of the Town of Guilford.

(b) The dwelling and the delineated lot on which it is situated shall conform in all respects to the requirements of the Residential R-2 District regarding lot area, lot shape, height, number of stories, setbacks, projections, lot coverage and total floor area.

(3) Farms.

(4) Accessory uses.

C. Additions and alterations. Additions and alterations may be made to existing single-family detached dwellings for seasonal use, provided that the following requirements are met:

(1) The owners of the land must indicate, in writing, their approval.

(2) A plot plan, drawn to a scale of 20 feet to the inch, shall be submitted to the Zoning Enforcement Officer, showing all existing and proposed

buildings, structures, sewage disposal systems, wells, roads and rock outcroppings within 150 feet of the dwelling.

(3) The house reference number relating to the town's Street Number Map shall be shown on the aforesaid plot plan.

(4) The sewage disposal system shall be adequate to accommodate both the existing dwelling and the proposed alteration or addition in the opinion of the Director of Health.

(5) No new structure shall be permitted:

(a) Between any street or private right-of-way for vehicular use and an existing structure using said street or right-of-way as its primary access.

(b) Within 100 feet of the rear of an existing dwelling or within 40 feet of the side of an existing dwelling.

§ 273-18. Conversion to two-family dwelling.

A. General. The following shall apply to the conversion of a single-family dwelling to a two-family dwelling by special permit in the R-3, R-4, R-5, R-6, R-7 and R-8 Districts.

B. Conditions. The following conditions shall be met:

(1) The dwelling structure existed on the lot as of April 30, 1940, the time of the decennial census.

(2) One of the two dwelling units will be occupied by the owner or one or more members of the owner's family, or the owner of the property is a not-for-profit corporation, exempt under Section 501©(3) of the Internal Revenue Code, the purpose of which is to provide housing for low-and moderate-income households.

(3) In the P,-4, R-5, R-6 and P,-7 Districts, the lot area must be equal to or greater than the minimum lot area of the district as set forth in Table 3EN (10)- in the R-8 District, the lot area must be equal to or greater than the minimum lot area specified in § 273-25B; and in the P,-3 District, the lot must be served by a public water supply or be 30,000 square feet or larger in area, and only one two-family dwelling will be allowed per lot.

(4) Off-street parking for a minimum of three vehicles will be provided in the drive and/or in an auxiliary garage.

(5) Each dwelling unit shall have a minimum floor area of 750 square feet, as defined in § 273-2B in the definitions of "dwelling unit" and "floor area."

C. Special permit procedures. The provisions of § 273-99 shall be followed, except that:

(1) In lieu of a site plan, a report in two copies by a qualified professional

engineer verifying the adequacy of the proposed sewage disposal system will be required.

(2) If no exterior changes or additions to the dwelling structure are proposed, three clear photographs of the exterior elevation will be accepted in lieu of architectural plans.

(3) The first sentence of § 273-99E shall not apply to alterations that otherwise comply with the zoning regulations.

§ 273-19. Apartment accessory to single-family dwelling.

A. General. The following shall apply to the provision of an apartment dwelling unit (see § 273-2B for the definition of "dwelling unit") accessory to a single-family dwelling by special permit in the R-1, R-3, R-4, R-5, R-6, R-7 and R-8 Districts. Accessory apartments may be located within the dwelling unit or an addition thereto or may be located in a detached accessory building. Accessory apartments are allowed in detached buildings in order to provide a housing type that is more affordable than the single-family home. [Amended 1-15-1997]

B. Conditions. The following conditions shall be met:

(1) The single-family dwelling existed for a period of at least five years prior to application for the apartment dwelling unit, as evidenced by the date of issuance of a certificate of occupancy for the dwelling or a date when the completed dwelling or accessory building was on the Grand List of the Town of Guilford. [Amended 5-8-1996]

(2) The apartment dwelling unit is provided with at least one outside/entrance, as well as bathroom and kitchen facilities separate from the single-family dwelling.

(3) Either the single-family dwelling or the apartment dwelling unit is occupied by an owner of the premises. This provision shall not apply to a not-for-profit corporation exempt.

(4) The lot has an area equal to or greater than 40,000 square feet or the minimum lot size required by the zone district as set forth in Table 3, EN(I 1) whichever is less, and there is only one such dwelling and accessory apartment per lot.

(5) Off-street parking for a minimum of three vehicles is provided in the drive and/or in an accessory garage.

(6) The apartment dwelling unit has a minimum floor area (see § 273-2B for the definition of "floor area") of 400 square feet and otherwise has a floor area that does not exceed 1,000 square feet or 1/2 of the floor area of the single-family dwelling prior to provision of the apartment, whichever is less.

(7) Any alterations or additions, including outside entrances, reasonably maintain the appearance of the building as a single-family dwelling and also do not result in any increase in nonconformity to these regulations.

(8) For an accessory apartment in a detached building, said building shall comply with the setback requirements for the principal structure on the lot

(see Table 3).

(9) In the R- I Zone District, notwithstanding other provisions of these regulations, no more than two dwelling units will be permitted on a lot.

[Added I- 1 5-1997]

(10) Where, in the opinion of the Commission, an accessory apartment is proposed in a structure that has historic or architectural merit or contributes to the historic character of a district or neighborhood, the Commission may require that changes made to the appearance of the building be consistent with the historic or architectural style of the building and not detract from the contribution of the building to the district or neighborhood in which it is located. In making such a determination, the Commission may consult with appropriate professionals or other experts in historic preservation or architectural design. [Added 1-15-1977]

C. Permit procedures. The provisions of § 273-99 are applicable, except as follows:

(1) The application for a special permit shall also be accompanied by the following:

(a) An affidavit of ownership signed by the owner of the premises and affirming the intent

of an owner to occupy either the single-family dwelling or accessory apartment.

(b) A report prepared by and bearing the seal of a professional engineer, verifying the adequacy of the sewage disposal and water supply systems for the single-family dwelling and accessory apartment.

(c) In lieu of a site plan and architectural plans, sufficient architectural drawings or clear photographs to show the exterior building alterations proposed.

(d) A list, by name and address, of all property owners of record (according to the records of the Town Assessor) for all owners of property abutting or across the street from the applicant's lot. [Added 1-21-1998]

(2) The Commission shall require the submission of additional information to demonstrate that proposed accessory apartments in detached buildings will be affordable as defined in Section 8-39a of the Connecticut General Statutes, including estimated construction costs, proposed rents and other pertinent financial information.

(3) When an accessory apartment is proposed in a detached building and alterations in the exterior appearance of the building are planned, the Commission shall refer the application to the Design Review Committee for advice and comments.

(4) Upon receipt of a complete application, the Zoning Enforcement Officer shall, by certified mail, give notice to the owners of all lots abutting and

across the street from the lot where the accessory apartment is proposed, and such notice shall specify that the application is pending and may be seen in the Planning and Zoning office and that comments on the application will be received for a period of 14 days from the date of the notice.

(5) After expiration of the fourteen-day period, the Zoning Enforcement Officer shall file with the Commission a report concerning conformity of the accessory apartment proposal with this section and these regulations and shall mail a copy of such report to the applicant and owners given notice under Subsection C(4). Thereafter, the Commission shall act on the application in accordance with § 273-99 and may approve the application when the Commission determines that the apartment will not impair the residential character of the neighborhood and that the requirements of these regulations have been met.

D. Two-year review. On or before October 1, 1994, the Commission shall review the effectiveness of this regulation in encouraging the creation of affordable housing.

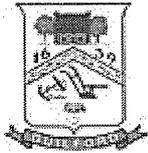
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The Town of Guilford, Connecticut



ARTICLE IV: Use Requirements: Commercial

§ 273-20. Commercial, marine recreation and industrial districts.

A. General. The uses shown in Table 2B of this section shall apply to the use of land, buildings and other structures in each of the following districts:

- Village Commercial District 1
- Commercial District 2
- Commercial District 2 -- Marine
- Highway Commercial District 3
- General Commercial District 4
- Marine Recreation District
- Industrial District 1
- Industrial District 2

B. Site plan. Prior to the approval of an application for a certificate of zoning compliance, a site plan for the lot on which it is proposed to institute any non-residential or nonfarm use shall be submitted to the Commission for its approval in accordance with these regulations.

C. Permitted and special permit uses. Lots, buildings and other structures in in the commercial, marine recreation and industrial districts shall be used only for those uses listed as permitted in Table 2B or, subject to meeting the relevant requirements of Article VIII, Article X or 273-86, 273-87, 273-88, 273-98, 273-99, for those uses listed in said table as being allowed by special permit.

Table 2B

Permitted Uses in Commercial, Marine Recreation and Industrial Districts

P -- Means the use is permitted in the district

SP -- Means the use is permitted only by special permit

* -- Indicates that approval of a site plan is required.

Uses	C-1	C-2	C-2M	C-3	C-4	MR-1	I-1	I-2
1*Building uses and facilities of the Town of Guilford	P	P	P	P	P	P	P	P
2 *Buildings, uses and facilities of Connecticut	P	P	P	P	P	P	P	P

P								
and federal government								
3.*Retail clothes cleaning and/or laundering establishments								
a. Including clothes pressing and cleaning with nonflammable liquids	P	P		P	P			
b. Self-service		P		P	P			
4.*Clinics, medical and dental	P	P		P	P		P	P
5.*Convalescent homes, hospitals and sanitariums	P	P		P	P			
26								
6. Dwellings, single- family, and not more than 1 such dwelling per lot	P	P	P	P	P	P	P	P
7.*Excavation, removal SP or deposit of earth, loam, topsoil, sand, gravel, clay, stone or other material	SP	SP		SP	SP	SP	SP	
8. Farms		P		P	P	P	P	
P								
9. *Financial Institutions	P	P		P	P		P	
P								
10.*Foundaries casting P nonferrous metals, provided that kilns or furnaces are fired by gas or electricity and excluding the use of drop hammers					P		P	
11. Motor vehicle repair, as SP defined in the Connecticut General Statues, Section 14-51. [Amended 5-22-1996]				SP	SP		SP	
12.*Hotels and Motels				SP	SP		SP	
13.*Entertainment facilities including movie theaters, playhouses, nightclubs and					SP			

adult entertainment establishments (See 273-80H) [Amended 11-20-1996]

14. *Manufacture, compounding, P P
 P
 processing, packaging or treatment of foods, ice, beverages, candy, cosmetics (excluding soap manufacture), pharmaceuticals and drugs or pottery

27
 and ceramic products and assembly, treatment and/or finishing of articles made of previously prepared materials, such as wood, metals, fiber plastics and the like

15. *Manufacture, processing P
 P
 or assembling of goods, except for the items listed in No.14 above and excluding any private bulky-waste transfer stations and all private processing operations involving the importation of waste into Guilford

16. Marine facilities and services P P
 *a. Marinas, docks, wharves slip basins or similar landing facilities for pleasure boats
 *b. Docks, wharves, slip basins or similar landing facilities for vessels engaged in commercial fishery or shellfishing P P
 *c. The sale, repair and servicing of boats, including the dispensing of fuel and lubricants at retail but expressly excluding bulk storage of fuel P P P P
 *d. A sail loft or ships P P P P

28	chandlery, including the retail sale of marine equipment, engines and provisions of boats								
	*e. The following uses, when accessory and subordinate to a use permitted in Nos. 16a, 16b and 16c: dry storage of boats and the building and rebuilding of boats	P	P	P	P				
	*f. Processing and treatment of shellfish, limited to depuration (expressly excluding cooking and packaging and the temporary water storage crustaceans	P						P	
	*g. Marine research laboratories	SP		P		SP		P	
	P for the study of aquatic and marine environment, ecology and resources								
	*h. Schools, public and private, that provide marine-related education, including but not limited to sailing, navigation and piloting, boat-and sail-making and boat repair and servicing	P	P	SP	P	P		SP	
	*i. The following uses, when accessory and subordinate to a use permitted in No. 16a: a clubhouse, including sale of food and beverages, and swimming pool and other			SP				SP	
29	recreation facilities								
	*j. Offices, business and professional, when subordinate to a use permitted in Nos. 16a and 16b, occupying floor area							SP	

no greater than 3% of the area of the lot, exclusive of wetlands, and not adversely affecting the operation of such marine-related use								
17.*Motor vehicle filling stations (provided that no portion of the lot on which it is proposed to establish such station is located within a radius of 1,500 feet of any lot on which a motor vehicle filling station exists or has been approved)					SP			
18.*Motor vehicle washing establishments					P			
19.*Offices, business and professional	P	P	P	P	P			P
20.*Personal service establishments	P	P		P	P			
21.*Places of worship	SP							
22.*Printing and publishing establishments								
a. Occupying not more than 5,000 square feet of floor area		P						
b. Occupying over 5,000 square feet of floor area					P	P		P P
30								
23.*Public utility substations without service yards or outside storage of supplies	P	P	P	P	P	P	P	P
24.*Public utility substations without service yards or outside storage of supplies					P	P		P
25.*Railroad sidings					P	P		P
26.*Research laboratories						P		P
27.*Recreation facilities other	SP	SP			SP	SP		SP

than facilities of the Town of Guilford, including gymnasiums and physical culture establishments and studios for dance, musical and theatrical instruction

28. Restaurants and other food and beverage service establishments as follows:

*a. Where customers are served food and/or beverages only when they are seated at tables or counters and at least 75% of the customer seats are located within an enclosed building, which use may include a food and beverage take-out service from within the building (excluding drive-through service), only incidental to the primary permitted use

P P P P P

31

*b. Where customers are served food and/or beverages at counters located within an enclosed building, which use may include the use specified in No. 28a above

SP

*c. When accessory to another permitted use and limited to service to employees of and visitors to the use and not open to the general public

P P P P P P P

P

*d. Drive-through service, when incidental to the permitted primary use specified in No. 28a

SP

(see 273-80G)

29.* Retail sales and/or storage of:

- a. Coal and fuel oil P P P
- b. Lumber and building materials, except heavy construction materials P P
- c. Road-building, excavation and heavy construction equipment P
- d. New or used motor vehicles including motorcycles, trucks, trailers or farm equipment and the rental thereof P P

32

30.* Schools, colleges and universities, including day-care facilities [Amended 11-20-1996] P P P P

31.* Shopping centers SP SP

- a. Community shopping centers SP

- b. Neighborhood shopping centers SP

32.* Stores where goods (except the items listed in No.29 above) are sold at retail from stock primarily stored within the confines of the principal building or buildings, but excluding shopping centers P P P P P

33.* Trade shops P P

- a. Blacksmiths, excluding the use of drop hammers

- b. Machine shops

- c. Painting shops

- d. Sheet metal shops

- e. Tire recapping shops

- f. Welding shops, excluding the use of drop hammers

g. Woodworking and mill-work shops					P		P		SP
34.* Undertakers' establishments			P		P		P		
33									
35.* Veterinary hospitals					P		P		
36.* Veterinary clinics where small animals are treated as outpatients only	P	P			P				
37.* Warehousing, except trucking terminals					P		P		P
38.* Wholesale businesses							P		P
39.* Accessory uses, except garages for the repair, painting or upholstering of autos, trailers or farm equipment	P	P	P		P		P	P	P
40.* Garages for the repair, painting or upholstering of autos, trailers or farm equipment, when accessory to the principal use on the lot							P		P
41.* Communication and SP									SP
water supply storage towers									
42.* Structures containing dwelling units, subject to requirements of 273-49 [Amended 3-18-1998]			SP				SP		
43.* Blending, compounding and packaging of petroleum products having a high flash point (in excess of 400 degrees F) where all processes are conducted at temperatures below 100 degrees F, involve no cracking or burning and produce no exhaust of fumes or odor and no discharge of waste material							SP		
44.* Motels, housekeeping				34			SP		

45.*Garden Supply stores, including greenhouses					P			
46.* Filling, excavation, P dredging, grading or substantial removal of trees [Added 1-7-1998]	P	P	P	P	P	P	P	P
47.* Building, and landscape P contractors' facilities, including yards with vehicle and material storage [Added 1-21-1998]						P		P

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The Town of
Guilford, Connecticut



ARTICLE IV: Use Requirements - CD Zone

273-21. Commercial Design (C-D) District.

A. Purpose. The purpose of the Commercial Design District (C-D) is to encourage the most appropriate use and high quality design in existing or new commercial land development; to allow appropriate and controlled expansion

of commercially zoned property; to provide limited and controlled residential units when demonstrated as desirable in the particular C-D District; and to encourage energy-efficient patterns of development. A new C-D District may

be approved if it is found by the Commission that the district will serve a recognized need in the proposed area which will be beneficial to the town and

will not be detrimental to the properties in the vicinity.

B. Procedure. The Commercial design District (C-D) shall be for particular commercial and limited residential uses and shall apply to a particular area of

the town, including existing commercial districts only after approval of a petition for a change of zone to the C-D Zone.

(1) Petition. A petition for a change to C-D Zone shall be applied for or consented to, in writing, by the owners of at least 75% of the area to be included in the proposed C-D Zone. The petition shall state the uses that the zone area will be used for.

(2) Public hearing. The Commission shall hold a public hearing on any petition for a C-D Zone in accordance with 273-109.

(3) Commission action. No such petition shall be approved unless the Commission finds that the area and the proposed uses are suitable, taking into consideration the nature and location of the area, the proposed access, the proposed architectural design and the effect of the proposed uses on adjoining properties and on traffic circulation.

(4) Limitation of uses. The Commission may specify which of the requested uses listed in Subsection C will be permitted in the particular C-D Zone.

(5) Minimum site size. The Commission may consider a petition for a change of zone to C-D only when the area to be included in the proposed C-D Zone is five acres or larger or is contiguous to an existing commercial or industrial zone.

C. Permitted uses. Any use permitted in the C- 1, C-2, C-3 or C-4 Zone District is also permitted in the C-D District in accordance with Subsection B (4).

D. Area, location and bulk standards. The area, location and bulk standards in the C-D District shall be subject to the approval of the Commission. The standards applicable to the C-3 Zone shall serve as a guide to the applicant and the Commission in the C-D District.

E. Sign requirements. The sign requirements applying in the C-D Zone shall be the same as those for the C-2 Zone, except for approved shopping centers, where signs shall comply with § 273-63.

F. Site plans. No new use may be established or new structure built in a C-D District except in compliance with the site plan requirements of Article IX and § 273-97. The process for establishing a new use or structure shall occur in two steps. Step one shall be the creation of the C-D Zone in accordance with this section. Step two is the approval of a site plan.

G. Design.

(1) The design of all buildings and other structures to be erected, altered or reconstructed on any lot in the C-D Zone shall be subject to the approval of the Commission. The design of all buildings and other structures, including the building materials and exterior elevations, 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 the appearance of the community and to conserve energy.

(2) Limitation of design review.

(a) The Commission shall not design or assist in the design of any buildings or projects submitted for approval. The Commission shall restrict its considerations to a reasonable review of the proposal and plans, leaving full responsibility for the design and development to the applicant.

(b) Individual initiative and experimentation and conservation of energy are to be encouraged in the design.

(c) In its review of architectural designs and site plans, the Commission shall keep in mind the need to encourage and protect small business and to consider cost factors.

H. Architectural presentation requirements. For any proposed use in any C-D Zone, the applicant shall furnish preliminary architectural drawings, in duplicate, of all proposed buildings, structures and signs. Said drawings are to consist of exterior elevations; general floor plans; at least one perspective drawing showing structures,

major landscaping and adjoining structures where applicable; types of exterior materials; and the location and general design of proposed signs.

I. Change in approved use and design. After approval of a C-D Zone with specific types of approved uses, no use shall be changed to another category of permitted use, nor shall a principal structure be changed in exterior design for the approved architectural design without approval by the Commission.

J. New dwelling units. Construction of a limited number of dwelling units within certain C-D Districts may be allowed when they meet the following standards:

- (1) They are located within or attached to structures containing other permitted uses.
- (2) The C-D site area is two acres or larger.
- (3) Each dwelling unit contains no more than two bedrooms.
- (4) The maximum number of dwelling units per structure is one dwelling unit per 4,000 square feet of building floor area for other permitted uses.

K. Site construction. Subsequent to the effective date of this amendment, no site construction shall occur on any lot in a C-D District prior to approval of a site plan in accordance with § 273-97 and approval of an application for a certificate of zoning compliance pursuant to an approved site plan. For the purposes of this section, site construction shall include tree removal, grading, removal of soil and other material, deposit of material and any similar activity. No C-D District may be approved for any lot where said site construction has occurred within five years prior to the proposed zone change. This prohibition shall not apply to sites where site construction has occurred prior to the effective date of this amendment. The effective date of this amendment is May 25, 1990.

§ 273-22. Additional use requirements and standards.

A. General. Additional requirements and standards applicable to particular uses listed in Table 2A and Table 2B are specified in the subsections which follow.

B. Rooms-to-let. Rooms-to-let in a dwelling unit, as defined in § 273-2, is an additional use for which a certificate of zoning compliance is required. Such use shall conform to the following conditions and procedures:

- (1) The person or persons letting the rooms shall reside in the dwelling unit.
- (2) When rooms are let, the dwelling unit shall contain a minimum floor area of 200 square feet times the total number of occupants of the dwelling unit, including in such computation the number of persons to whom rooms

are let plus the number of persons in the family residing in the dwelling unit.

(3) In any dwelling unit, rooms may be let to no more than two persons- provided, however, I that subject to approval of an application for a special permit under Article X and § 273 -99, up to six rooms may be let in a dwelling unit in the Residential R- I District.

(4) In no event shall more than two persons occupy one room.

(5) The additional off-street parking spaces required under § 273-18 and 273-19 shall be provided.EN(12)

(6) Each certificate of zoning compliance issued under this section shall automatically terminate when the applicant no longer resides in the dwelling unit.

§ 273-23. Conversions in Guilford Town Center District.

A. General. Within the Guilford Town Center District, as set forth in § 273-9, there are scattered older buildings which were constructed prior to adoption of these regulations; are part of the fabric and character of the district; and may be obsolete building types that by reason of large size or nature of the structure are not economically usable for a purpose permitted in the residential, commercial or industrial district where located. The purpose of this section is to establish a procedure and the criteria whereby such buildings, on a case-by-case basis, may be considered for conversion to a suitable use and be preserved and rehabilitated in a manner that supports the integrity of the Guilford Town Center District and avoids detrimental effects of building deterioration, nonuse, nuisance and danger to public safety. In accordance with the procedure and standards hereinafter specified, the Commission may grant a special permit for conversion in use and preservation and rehabilitation of an existing obsolete building in the Guilford Town Center District.

B. Procedure.

(1) Procedural requirements for the submission and consideration of an application for a special permit under this section are as specified in § 273-99, except that the application shall be accompanied by the following, with the additional information in the form of a report or reports, with drawings and illustrations as appropriate:

(a) Neighborhood evaluation. This shall include a description and evaluation of the existing uses, site development, architecture and historic buildings in the neighborhood around the lot for which the special permit is requested.

(b) Historic features. This shall include a description and evaluation of the character and history of existing buildings and development on such lot.

(c) Evidence of obsolescence. This shall include a description and evaluation

of the nature and extent of the features of obsolescence applicable to existing buildings and development on such lot, including reasons why use without conversion is not feasible.

(d) Preservation. This shall include a description of how the conversion in use and related building and site development improvements will achieve preservation and rehabilitation that supports the integrity of the Guilford Town Center District.

(2) Prior to action on the application, the Commission shall request an advisory opinion from the Connecticut State Historic Preservation Officer concerning the application and may seek such opinion from other agencies and organizations especially concerned with preservation of the Guilford Town District area.

C. Standards. The Commission may approve or approve with conditions a special permit under this section if it finds that all of the standards applicable to special permits under Article X, including, but not limited to, § 273-80F, have been met and that all of the following additional standards are met:

(1) The building or major portion thereof for which conversion is requested shall have existed prior to 1920 and is an obsolete type of building for an economic use in the district where located.

(2) Any proposed additions to or extensions of such building shall be only incidental to the intended conversion, preservation and rehabilitation and shall conform to all of the setback, height and coverage requirements of the district where located.

(3) The use to which conversion is requested, while not restricted by this section as to type, shall have a long-term economic potential, shall assure substantial preservation and rehabilitation of the building and shall be in harmony with the neighborhood, as specified in § 273-80A.

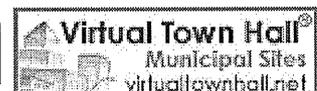
(4) The conversion will avoid detrimental effects of building deterioration, nonuse, nuisance and danger to public safety and is more supportive of the purpose and character of the Guilford Town Center District than demolition and removal.

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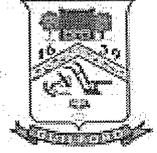
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The Town of
Guilford, Connecticut



ARTICLE V: Area, Location & Bulk Require.

ARTICLE V, Area, Location and Bulk Requirements

§ 273-24. Applicability of Table 3.EN(13)

The requirements shown in Table 3 shall apply to the lot area of land surface and to the location and bulk of buildings and other structures in the following districts, as indicated thereon:

Residential R-1 District
 Residential R-2 District
 Residential R-3 District
 Residential R-4 District
 Residential R-5 District
 Residential R-6 District
 Residential R-7 District
 Residential R-8 District
 Village Commercial District I
 Commercial District 2
 Commercial District 2 -- Marine Highway
 Commercial District 3
 General Commercial District 4
 Marine Recreation District
 Industrial District I Industrial District 2

§ 273-25. Lot area, shape and frontage.

The following standards and requirements are applicable to lots, in addition to the requirements specified in Table 3:

A. Interior lots. An existing or newly created lot having no frontage or insufficient frontage on a street may be used for the purposes and subject to the limitations set forth below, provided that it is located in an R-3, R-4, R-5, R-6, R-7 or R-8 District and the access to such lot does not create a traffic or safety hazard, nor does the location and layout of such access have a detrimental effect on property values.

(1) When it is not part of a subdivision, a record map shall be submitted, in two blue- or black-line prints, for approval by the Commission prior to filing

in the land records, which map shall be clearly and legibly drawn, preferably at a scale of one inch equals 40 feet, but in no case at a scale of less than one inch equals 60 feet, and shall show the following:

- (a) The title, including the name of the owner, town and state.
- (b) The date, scale, north point, district, Assessor's Map and lot numbers.
- (c) Existing and proposed property and street lines, approximate adjoining property lines and street names, the names of adjacent property owners and the area of the lot.
- (d) Setback lines, right-of-way widths, easements, any existing monuments and town boundary line.
- (e) Existing watercourses, ponds, swamps, marshes, buildings and structures, stone walls or fences and ten-foot contours from the United States Geological Survey (USGS).
- (f) The boundaries of 0 wetlands and watercourses.
- (g) The location and date of at least one deep test pit and percolation test hole.
- (h) The location map, at approximately one inch equals 1,000 feet, showing adjoining roads.

(2) The following standards shall be met:

- (a) Dwelling for one family. The lot may be used for a single-family dwelling, the letting of rooms, an office in a dwelling and a home handicraft industry, as set forth in Table 2A (§ 273-16) and in §§ 273-22B and 273-38A and B, provided that in other than R-8 Districts such lot has an area equal to 1 1/2 times that required by these regulations in the district in which it is located. Access to interior lots shall be provided in accordance with § 272-35 of Chapter 272, Subdivision of Land. [Amended 7-10-1996]
- (b) Setbacks. No building or other structure on an interior lot in a Residential R-5, R-6, R-7 or R-8 District shall be closer than 50 feet to any lot line and, in a Residential R-3 or R-4 District, closer than 30 feet to any lot line, and no building or other structure on any interior lot in a Residential R-5, R-6, R-7 or R-8 District shall be closer than 20 feet to any private vehicular right-of-way and, in a Residential R-3 or R-4 District, closer than 10 feet to any private vehicular right-of-way.
- (c) Other requirements. In all other respects, each lot shall conform to the requirements of one district in which it is located.
- (d) Interior lots in R-1 and R-2 Zones. Interior lots may be allowed by special permit in the R-1 and R-2 Zones when approved by the Commission in accordance with Article X and § 273-97 of these regulations. Each lot

shall have an area equal to 1 1/2 times that otherwise required for the district in which it is located, and no building or other structure shall be closer than 20 feet to any lot line. [Added 10-5-1994]

B. Residential R-8 Districts.

- (1) Each lot in a Residential R-8 District shall have the area, shape and frontage as specified in Table 3.
- (2) Right to subdivide into R-7 lots. As of July 5, 1985, each tract of land in an R-8 District may subdivide or convey off not more than two lots meeting the R-7 District requirements, provided that:
 - (a) The remainder of such tract shall conform to the area, shape and frontage requirements of the Residential R-8 District; and
 - (b) A "tract of land," for the purpose of this section, shall be defined as an undivided parcel existing as of July 5, 1985, and such right to subdivide may not be further exercised after two such lots have been subdivided, with respect to each such tract of land.

C. Open space reservations. The area, shape and frontage standards in Table 3 shall not apply to a parcel of land that is reserved for park, playground, conservation or other open space purposes and is either owned by the Town of Guilford, State of Connecticut or a nonprofit corporation or is shown as open space on a subdivision map or a planned residential development approved by the Commission, provided that no building or other structure shall be constructed, reconstructed, enlarged, extended, moved or structurally altered on the parcel unless the parcel has a frontage of 20 feet or more on a street or has access to a street by means of an unobstructed right-of-way not less than 20 feet in width.

§ 273-26. Setbacks for fences and accessory structures. A. Fences.

- (1) The setbacks required by these regulations do not apply to fences or walls six feet or less in height or to necessary retaining walls or to unroofed terraces. A fence or wall in excess of six feet may be constructed on or in the vicinity of the common property line, provided that a written statement of consent for construction of such a fence or wall is submitted to the Zoning Enforcement Officer by the adjoining property owner, specifying location and maximum height. In no case shall such a fence or wall exceed eight feet in height.
- (2) For properties along and contiguous to the waters of Long Island Sound, any fencing placed anywhere within the required backyard setback from the high tide line for the district in which the property is located shall be no more than four feet high and shall be of see-through construction. Any walls built or hedges grown within the required backyard setback from the high tide line

shall be no more than 30 inches in height. A fence in excess of four feet high of nonsee-through construction, or a wall or hedge in excess of 30 inches high may be installed within the backyard setback, provided that a written statement of consent for construction of such a fence or wall is submitted to the Zoning Enforcement Officer by the adjoining property owner(s) specifying location and maximum height. In no case shall such a fence or wall exceed eight feet in height (see also § 273-91D). [Added 2-18-1998]

B. Accessory structures. A detached accessory structure in excess of 200 square feet or greater than 10 feet in height shall meet the setback requirements for the principal structure on the lot. Swimming pools, however, when constructed two feet or less above existing grade, shall not be required to meet the setback requirements for the principal structure on the lot. Terraces, patios and parking areas, when constructed two feet or more above existing grade, shall also meet the setback requirements for residential accessory buildings.

§ 273-27. Setbacks from property line.

Any new building, addition or other structure shall be set back the required minimum distance from a rear or side property line specified in Table 3,EN (14) subject to the following exceptions and additional limitations:

A. C- 1, C-2 and C-2M Districts. Adjoining property owners in C- 1, C-2 and C-2M Districts may, by agreement recorded in the office of the Guilford Town Clerk, eliminate any required setback from the common side lot line by up to five feet on either side of such line in District C- I or by up to six feet on each side of such line in Districts C-2 and C-2M.

B. Marine facilities. No setback is required from navigable waters for buildings and other structures used for purposes on Line 16a through 16h of Table 2B (in § 273-20) when a site plan therefore has been approved under these regulations.

C. Setback from railroad sidings. No setback, other than that required by a railroad, is required from a railroad siding on the side of a budding or other structure where a railroad siding is located.

§ 273-28. Setbacks from street line.

Any new building, addition or other structure shall be set back the required minimum distance from the established street line specified in Table 3EN (15) or the required minimum distance from the center line of the traveled way of the street as herein specified, whichever is greater:

A. One hundred feet from the center line of the traveled way of any state highway except a limited-access state highway. When any building or other

structure is to be constructed on a lot bounded on both sides by one or more consecutive lots with existing structures thereon, one or more of which are nonconforming as to front setbacks, the minimum front setback may be the required distance as set forth in Subsection C or the average setback of the adjoining structures, whichever is less.

B. Seventy-five feet from the center line of the traveled way of any town circulation route or collector road so designated on the Comprehensive Plan of Development and Conservation as adopted by the Commission. When any building or other structure is to be constructed on a lot bounded on both sides by one or more consecutive lots with existing structures thereon, one or more of which are nonconforming as to front setbacks, the minimum front setback may be the required distance as set forth in Subsection C or the average setback of the adjoining structures, whichever is less.

C. The following distances from the center line of the traveled way of any street, other than those referred to in Subsection B, depending upon the district in which the building or other structure is located:

Distance from Center Line District(feet)

R-1	40
R-2	40
R-3	45
R-4	55
R-5	55
R-6	55
R-7	55
R-8	55
RS-1	40
C-1	30
C-2	45
C-3	45
C-4	45
MR-1	55
I-1	85
I-2	85

D. No building or other structure on any interior lot in an R-5, R-6, R-7 or R-8 District shall be any closer than 20 feet to any private vehicular right-of-way and, in an R-3 or R-4 District, closer than 10 feet to any private vehicular right-of-way.

§ 273-29. Setbacks around Guilford Green.

Notwithstanding any other setback requirement contained in these regulations, no building or other structure which fronts the Guilford Green need observe a setback from the street line

greater than the setback observed by any building or structure on any adjoining lot fronting on the Guilford Green.

§ 273-30. Additional setback in C-3 and C4]Districts.

In C-3 and C-4 Districts, any building or other structure exceeding a height of 30 feet shall be set back one foot from any adjoining residential district boundary line, in addition to the applicable minimum setback requirement, for each foot or fraction thereof by which such building or structure exceeds 30 feet in height.

§ 273-31. Exceptions to height requirements.

The provisions of these regulations pertaining to height shall not apply to church steeples, barns and silos accessory to farms, chimneys, water towers or structures housing the elevator, heating, ventilation, air-conditioning or other similar mechanical equipment located on the roof of a building and not occupying more than 25% of the area of the roof.

§ 273-32. Lot frontage on cul-de-sac.

On permanent cul-de-sac, the lot frontage may be measured along the arc of the required setback line. Such lots need not comply with the requirements that lot frontage be a minimum of 50 feet in depth.

§ 273-33. Planned residential developments.

The provisions of these zoning regulations pertaining to lot area, bulk, type of dwelling, density, coverage and setbacks shall not apply to plans submitted under Article XI. This amendment shall apply to any PRD approved by the Commission after September 30, 1978.

§ 273-34. Satellite dish antennas.

A satellite dish antenna shall be considered an auxiliary structure, shall meet side and rear yard setbacks and shall be located on the ground at the rear of the dwelling or main structure on the lot, unless the Commission grants a special permit for an alternate location.

§ 273-35. Setbacks from coastal resources.

No building or other structure and no driveway, parking area or other impervious surface shall be located within 25 feet of any of the following sensitive coastal resources (as defined by Section 22a-93 of the Connecticut

General Statutes): tidal wetlands (measured from the upland boundary of tidal wetlands), tidal or coastal waters (measured from the high tide line), beaches and dunes.

§ 273-36. Accessory structures. [Amended 1-15-1997]

A. Accessory structures in residential zones may be used for permanent year-round purposes and for human habitation only when so authorized by special permit granted by the Commission in accordance with Article X and § 273-99 of these regulations. Such uses may include studios, offices, guest accommodations and supplementary living areas and will typically include heating and toilet facilities. The creation of an accessory apartment in a detached accessory structure must be authorized pursuant to § 273-19 of these regulations. No accessory structure with a ground floor area in excess of 750 square feet will be allowed in a residential district, except by special permit in accordance with Article X and § 273-99.

B. Where, in the opinion of the Commission, an accessory structure has historic or architectural merit or contributes to the historic character of a district or neighborhood, the Commission may require that changes made to the appearance of the building be consistent with the historic or architectural style of the building and do not detract from the contribution of the building to the district or neighborhood in which it is located. In making such a determination, the Commission may consult with appropriate professionals or other experts in historic preservation or architectural design.

§ 273-37. Additional lot coverage for certain structures.

In the R-1 and R-2 Zones, an additional 10% of lot coverage may be allowed for swimming pools, decks, tennis courts and similar structures when such additional coverage does not infringe on the primary sewage system or reserve area for said system and is authorized by special permit. In reviewing such a special permit application, the Commission shall consider the impact of the proposed construction on views from adjacent public and private property and on the use and enjoyment of said adjacent properties.

§ 273-38. Residential accessory uses, buildings and structures.

Accessory uses, buildings or structures in residential districts must be located on the same lot as the principal use and may include off-street parking spaces, private garages, boat houses, landings, docks, animal shelters, greenhouses, swimming pools, poolside shelters, terraces, tennis courts and any similar uses, buildings or structures not intended for human habitation but for the exclusive enjoyment of the occupant of the premises, his or her

family and his or her guests, provided that such uses, buildings or structures meet all other pertinent requirements as set forth in these regulations.

A. Offices in a dwelling. An office in a dwelling shall conform to the following standards:

- (1) The person or persons conducting the office shall reside in the dwelling, and there shall be no more than two nonresident persons engaged in the conduct of the office.
- (2) No evidence of the office use shall be visible from outside the dwelling, except that one sign on the premises identifying the occupant and his or her business or profession and not exceeding two square feet in area shall be permitted.
- (3) The total floor area for conduct of the office shall not exceed 25% of the total floor area of the dwelling.

B. Home handicraft industry. A home handicraft industry in a dwelling shall conform to the following standards:

- (1) The person or persons conducting the industry shall reside in the dwelling, and there shall be no more than two nonresident persons engaged in the conduct of the industry.
- (2) No evidence of the industry use shall be visible from outside the dwelling, except that one sign on the premises identifying the occupant and his or her business and not exceeding two square feet in area shall be permitted.
- (3) The total floor area for conduct of the industry shall not exceed 25% of the total floor area of the dwelling.
- (4) Home handicraft may be conducted in an auxiliary building by special permit in accordance with Article VIH and § 273-99.

C. Livestock and poultry. The following species of livestock and poultry may be kept as an accessory to a residential use, provided that they are suitably and adequately confined or controlled at all times, subject to the following standards:

- (1) Poultry and rabbits. Poultry and rabbits may be kept on any lot having an area of 10,000 square feet or more subject to the following restrictions:
 - (a) There shall be no more than 25 of either species on the premises at any one time.
 - (b) Their shelters and runs shall be located at least twice the distance from the street line as the required setback, shall observe all other setback requirements and at their nearest point shall be no less than 50 feet from any dwelling on any adjacent lot.

(2) Horses, ponies, sheep, goats, burros and donkeys. Horses, ponies, sheep, goats, burros and donkeys may be kept on any lot, subject to the following restrictions:

(a) No horse, pony, burro or donkey shall be kept on a lot containing less than 40,000 square feet; provided, however, that on any lot containing 40,000 square feet or more, one horse, pony, burro or donkey may be kept for the first 40,000 square feet and one additional horse, pony, burro or donkey may be kept for each additional 20,000 square feet or fraction thereof

(b) No sheep or goat shall be kept on a lot containing less than 20,000 square feet; provided, however, that on any lot containing 20,000 square feet or more, an aggregate total of three sheep or goats may be kept for the first 20,000 square feet and an aggregate of two additional sheep or goats may be kept for each additional 20,000 square feet.

(c) Their shelters shall observe a other setback requirements and at their nearest point shall be no less than 100 feet from any dwelling on an adjacent lot.

D. Dog kennels and runs. Private, noncommercial kennels and runs housing more than three dogs shall be located not less than 100 feet from any lot line or street line.

E. Commercial catteries. Commercial catteries shall be permitted in all residential and commercial districts, provided that a special permit is granted by the Planning and Zoning Commission.

F. Parking and storage of commercial vehicles. No commercial vehicle with a capacity of more than 1 1/2 tons shall be kept in a residential zone, except that commercial vehicles with a capacity of more than 1 1/2 tons may be kept on a farm when engaged in farming activities or functions. No more than one commercial vehicle of any allowable size, when kept in a residential zone, may be parked or stored in such a manner as to be visible from any lot (other than the lot on which it is located) or from any street. The provisions of this subsection shall not apply to the parking of school buses or public utility emergency service vehicles, limited to not more than one such vehicle per lot. (Amended 12-4-1996]

G. Storage of registered recreational vehicles. Not more than one recreational vehicle shall be parked or stored on any lot in any residential zone, and any such vehicle so parked or stored shall be located so as not to obstruct sight lines on adjoining streets or substantially obstruct the view, light or air from an adjoining residential structure. Such recreational vehicle shall not be occupied while parked or stored on any lot in a residential district, except temporarily in connection with travel away from said lot.

§ 273-39. Mobile homes.

Except as hereinafter provided, no mobile home shall be parked or stored on any lot in the Town of Guilford. A mobile home may be occupied by one family only in Residential Districts R-4, R-5, R-6, R-7 and R-8, outside of any Floodplain District, for a period not to exceed two years, provided that the occupant has commenced construction of a permanent dwelling on the lot on which the mobile home is located and provided that the occupant of the mobile home is also the owner of record of the lot. Upon expiration of the two-year period or an extension not to exceed one year, which extension shall be granted by the Zoning Enforcement Officer upon a showing that the permanent dwelling would be completed within the period of extension or upon issuance of a certificate of zoning compliance for a permanent dwelling on the same lot, whichever is earlier, the mobile home shall be removed.

A. A mobile home may be utilized as:

- (1) A construction office on a construction site, provided that site plan approval has been granted by the Commission and a building permit has been issued for construction and is in effect. Said mobile office shall be immediately removed from the site upon completion of construction.
- (2) A construction office on an approved subdivision site, provided that said subdivision is actively being developed and at least one building permit is in effect. Said mobile office shall be immediately removed upon completion of construction.

B. At no time shall a mobile home office be utilized for overnight accommodations or living quarters of a permanent nature. A temporary sanitary system shall be approved by the Town Engineer and Director of Health before the unit may be used as an office.

§ 27340. Farm accessory uses, buildings and structures.

All uses, buildings and structures accessory to a farm shall conform to the following specified standards:

A. Accommodations for seasonal employees. A building may be used for seasonal accommodations for seasonal farm employees when the building is located on the same lot as the farm when it is provided with adequate lavatories, showers or baths, water supply and sewage disposal facilities approved by the Director of Health of the Town of Guilford and when it has been approved for such occupancy by the Guilford Fire Marshal. No building

so used shall be closer than 100 feet to any lot or street line.

B. Barns and enclosures. The barns and enclosures housing and controlling the movements of any animals (except pigs) or poultry shall be located at least twice the distance from the street line as the required setback and at their nearest point shall be no less than 100 feet from any dwelling on an adjacent lot.

C. Produce stands. A building or other structure may be used for the sale of fruit, vegetables or other products of the farm on which it is located, provided that it is set back the required distances from all street lines and lot lines and safe and adequate vehicular access is maintained. Nonfarm products may be sold when accessory to the permitted use and when approved by the Commission in accordance with Article X and § 273-99.

D. Pigs. A maximum of five pigs may be kept on a farm, provided that the buildings and enclosures, including fences housing such pigs, are located not less than 100 feet from any lot line or street line and not less than 300 feet from any dwelling on an adjacent lot.

E. Sawmills. A sawmill may be established as an accessory use on any farm, provided that any such mill is operated only between the hours 7:00 a.m. and 5:00 p.m. and is located not less than 100 feet from any lot line or street line and not less than 500 feet from any dwelling on an adjacent lot, and provided further that such mill is used only to cut timber grown on such farm.

§ 273-41. Trade shops, garages and motor vehicle filling stations.

A. All mechanical or repair operations and storage of supplies or materials and vehicles being held pending final disposition in connection with a trade shop, a garage or a motor vehicle filling station as set forth in Table 2B (§ 273-20) shall be conducted, performed or stored within a building or within a solid enclosure of masonry or lumber or a solid hedge not less than six feet in height and of materials as approved by the Commission and located back of any setback lines as established by § 273-28.

B. Vehicles parked outside overnight, other than service or operator-owned vehicles, shall be limited to registered vehicles that are parked in designated parking areas as set forth in a site plan approved by the Commission and shall in no case be parked so as to obstruct emergency access to gasoline pumps, tanks and station facilities in case of fire or located so as to obstruct sight lines for traffic on adjoining streets or located within setback lines.

§ 273-42. Manufacture, processing or assembly of goods as an accessory use in commercial districts.

The manufacture, processing or assembling of goods is permitted in C-1, C-2 and C-3 Districts as an accessory use, provided that such manufacture,

processing or assembling of goods is carried on within a closed building, does not occupy more than 1/3 of the floor area occupied by the principal use and does not involve the use of machinery or equipment requiring more than a total of five horsepower.

§ 273-43. Public access to commercial, marine recreation and industrial uses.

Public access to a parcel of land located in any commercial, marine recreation or industrial district and being used for any commercial, marine recreation or industrial purpose shall be permitted only from street frontage within the boundaries of such district or districts.

§ 273-44. Affordable housing densities.

The number of dwelling units permitted in housing constructed and maintained by the Housing Authority of the Town of Guilford (or by a not-for-profit corporation under Section 501(c)(3) of the Internal Revenue Code) shall be established on an individual project basis by the Commission, taking into account the nature of the family units to be housed, the characteristics and location of the site to be utilized, the comments of the Director of Health as to sewage and the availability and quality of water and the purposes and intent of these regulations.

§ 273-45. Performance standards for nonresidential uses.

The following performance standards shall apply to all nonresidential uses of land, buildings and other structures, wherever located:

A. Dust, dirt, fly ash and smoke. No dust, dirt, fly ash or smoke shall be emitted into the air so as to endanger the public health, safety or general welfare or to decrease the value or enjoyment

of other property or to constitute an objectionable source of air pollution.

B. Odors, gases and fumes. No offensive odors or noxious, toxic or corrosive fumes or gases shall be emitted into the air.

C. Noise. With the exception of time signals and emergency signals and noise necessarily

involved in the construction or demolition of buildings and other structures, no noise that is unreasonable in volume, intermittence, frequency or shrillness shall be transmitted beyond the boundaries of the lot on which it originates.

D. Wastes. No offensive or injurious wastes shall be discharged or emitted into any river, stream, storm drain, lake or pond or other body of water or onto the surface of any land so as to endanger the public health, safety or general welfare or to decrease the value or enjoyment of other property or to constitute an objectionable source of pollution.

E. Vibration. With the exception of vibration necessarily involved in the construction or demolition of buildings or other structures, no vibration shall be transmitted beyond the boundaries of the lot on which it originates.

F. Dangerous material. No material that is dangerous due to the possibility of explosion, fire hazard or radioactivity shall be used, stored or manufactured, except in accordance with applicable codes and regulations of the Town of Guilford, the State of Connecticut, and the United States of America.

§ 273-46. Unregistered motor vehicles.

Not more than one unregistered or unlicensed motor vehicle shall be stored or parked on any part of any lot in any residential district. This shall not apply to farm equipment or motorized equipment necessary for the upkeep of the premises and/or not designed for use on public highways.

§ 273-47. Site maintenance; temporary display of merchandise.

No supplies, merchandise, equipment or refuse shall be stored, located or displayed on sidewalks, pedestrianways, driveways, buffer strips or paved areas reserved for off-street parking and loading. The site shall be maintained in such condition as to not adversely affect the health or safety of the community or adjoining property values. No commercial truck, trailer, van or van body or temporary shelter or building shall be located on any lot for the purpose of an office or storage or processing of construction materials in connection with a construction project on the lot or the storage, sale and/or display of supplies, merchandise, equipment or refuse, except in an area, of a type, for a purpose and for a limited period of time approved by the Commission. Temporary displays of merchandise for sale on sidewalks immediately adjoining a retail outlet may be approved by the Commission, provided that the following conditions are met:

A. Notification, in writing, designating the location, date and hours for such display and the type of merchandise to be displayed shall be provided.

B. The display does not obstruct safe pedestrian access on the sidewalk location. A minimum of 1/2 the sidewalk width shall be kept free of merchandise.

C. All such displays will be removed to interior storage at the close of store operating hours on each day.

D. No lighting shall be used that will be directly visible from streets, vehicular access lanes or any motor vehicle traffic circulation areas.

E. The total days of said display shall not exceed three days at any one time nor more than six days in any one calendar year.

F. No equipment in motion shall be displayed, nor shall engine or motor-

operated equipment be made operative while on display.

§ 273-48. Total ground coverage in commercial districts.

In any C-2, C-3 or C-4 District, the total ground coverage by buildings and other structures, outside storage areas, paving, parking and other impervious surfaces shall not exceed 80% of the area of the lot. Storm drainage shall be discharged to vegetated surfaces, unless measures and maintenance programs are provided for control and containment of runoff from parking and other paved areas.

§ 273-49. Dwelling units in Commercial District C-2 and C-3. [Amended 3-18-1998]

Structures containing commercial use and dwelling units may be allowed by special permit in the C-2 and C-3 Districts, provided that they meet the following standards:

A. Density.

- (1) Residential use: There shall be a minimum of 2,500 square feet of land per bedroom and per each efficiency unit within the C-2 and C-3 Districts.
- (2) Commercial use. A minimum of 25% of the gross floor area of the structure shall be used only for retail stores, restaurants, offices or personal service establishments.

B. Coverage by impervious surfaces. The total ground coverage by buildings and other structures, outside storage areas, paving, parking and other impervious surfaces shall not exceed 75% of the area of the lot,

C. Minimum requirements.

- (1) Commercial use. There shall be a minimum of 3,000 square feet and a maximum of 7,500 square feet of gross commercial floor area.

D. Dwelling types. Only efficiency, one-bedroom and two-bedroom dwelling units shall be allowed.

E. Parking requirements. One space per dwelling unit, in addition to all spaces required for the commercial uses as set forth in Article VI, shall be required on the parcel within the C-2 and C-3 Districts.

F. Design requirements.

- (1) A site plan meeting all the requirements of Article IX and § 273-97 shall be provided.
- (2) No structure shall exceed two stories in height.

(3) Architectural drawings of the proposed buildings, prepared by a qualified professional, shall be submitted for design review by the Commission and shall include, but not be limited to:

- (a) Basement plans (if any).
- (b) Floor plans of each floor.
- (c) Front, rear and side elevations.
- (d) A sketch perspective showing building mass and its relation to any existing adjoining structures (a model showing the same may be substituted).
- (e) General specifications as to construction materials, exterior siding, roofing and acoustical materials, where applicable.

(4) The architectural design, general style and mass of all buildings and structures on the site shall be such as not to conflict with the design, style and mass of adjacent developed residential properties.

G. Grading of site.

- (1) Where changes in grade are required, they shall be shown on the site plan.
- (2) No grading shall be allowed within the site unless a special permit, including a site plan showing said grading, has been approved, except as permitted under Article VIII.

H. Occupancy of residential units.

- (1) The Commission may require that residential dwelling units not be owner-occupied but shall be rental units only.
- (2) The Commission may require that, prior to issuance of an application for certificate of zoning compliance, a deed restriction or other acceptable instrument preventing owner-occupancy of residential units be submitted.

1. Residential units in industrial zones. One dwelling unit per lot will be allowed in 1-1 and 1-2 Zones by special permit in accordance with Article X and § 273-99 and the following criteria:

- (1) Said dwelling unit must be attached to an otherwise principally permitted use;
- (2) Dwelling units shall not exceed 1,000 square feet; and
- (3) Dwelling units shall not be located in an area where occupants may be subject to

unreasonable risk of injury or illness owing to proximate industrial uses. The Commission shall refer all applications under this section to the Budding Official, Fire Marshal, the Town Engineer and the Director of Health.

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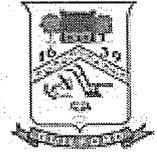
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The Town of
Guilford, Connecticut



ARTICLE VI: Off-Street Parking & Loading

ARTICLE VI, Off-Street Parking and Loading Requirements

§ 273-50. Spaces to be provided; existing uses; maintenance of spaces.

Parking spaces and loading spaces shall be provided off the street for any use of land, buildings and other structures, in accordance with the standards hereinafter specified.

A. Any existing use shall continue to conform to these standards to the extent that it conforms at the time of adoption of these regulations. If any existing use of land, buildings or other structures is changed to a use requiring additional off-street parking and loading spaces to comply with this article, the additional spaces shall be provided for the new use in accordance with the standards hereinafter specified.

B. Off-street parking and loading spaces required by this article shall be permanently maintained and made available for occupancy in connection with and for the full duration of the use of land, buildings and other structures for which such spaces are herein required. Off-street parking may be open parking, within a garage or within a structure or any combination thereof, meeting the total requirements of the minimum standards.

§ 273-51. Parking space standards. Off-street parking spaces shall be provided in accordance with the following minimum standards: A. Dwellings for one or two families: one space for each family and located on the same lot with the dwelling.

B. Dwellings for more than two families: one and one-half spaces for each family and located on the same lot with the dwelling.

C. Business or professional offices in a dwelling or home handicraft industries: two spaces, in addition to the spaces required by Subsections A and B, and located on the same lot with the dwelling.

D. Places of worship or public assembly, indoor theaters and stadiums: one space for each four seats and located on a lot or lots within a radius of 500 feet from the lot line. If the building is located in a residential district, such parking spaces shall be located on the same lot with the building.

E. Hospitals, convalescent homes, sanitariums and rooms-to-let in a dwelling: one space for each three beds and located on the same lot with the building.

F. Retail stores, business and professional offices, post offices, financial

institutions and medical and dental clinics in Village Commercial District 1: one space for each 200 square feet of total ground floor area of the building and each 400 square feet of total upper floor area and located on a lot or lots within a radius of 300 feet from a lot line. For retail stores and business and professional offices, total floor area need not include stairs, hallways, toilet facilities, space for mechanical equipment and bulk storage.

G. Retail stores, business and professional offices, post offices, financial institutions and medical and dental clinics in other than Village Commercial District 1: one space for each 200 square feet of building coverage of the lot and the following additional spaces: one space for each 200 square feet of floor area, including basements, in excess of such ground coverage and used for the retail sale of goods on the premises and one space for each 250 square feet of floor area, including basements, in excess of such ground coverage and used for other than the retail sale of goods on the premises, but excluding basements used only for storage, supporting services and utility services that are ancillary to use on other floors of the building.

H. Motor vehicle filling stations, garages and motor vehicle washing establishments: 10 spaces and located on the same lot with the building.

I. Undertakers' establishments: 15 spaces and located on a lot or lots within a radius of 300 feet from a lot line.

J. Hotels and motels: one space for each sleeping room and located on the same lot with the building.

K. Restaurants in Village Commercial District 1: one space for each 200 square feet of patron floor area and located on a lot or lots within a radius of 300 feet from a lot line.

L. Restaurants in other than Village Commercial District 1: one space for every 2.5 customer seats, plus one space for every two employees employed at any one time (shift) and located on the lot or on lots within a radius of 300 feet from a lot line of the parcel on which the restaurant is located.

M. Warehouses, wholesale businesses, contractors businesses, research laboratories, office buildings and establishments for the manufacture, processing or assembling of goods: one space for each 1 1/2 employees during the largest daily work shift period and located on a lot or lots within a radius of 500 feet from a lot line.

N. Marinas, docks, wharves, slip basins and landings for boats: one space for each boat berth and located on the same lot therewith.

O. Community or neighborhood shopping centers: 5 1/2 spaces for each 1,000 square feet of leasable floor area of the total buildings and located on the same lot or lots. Leasable floor area need not include areas of stairs, hallways or toilet facilities or space for mechanical equipment or bulk storage. For parking areas of 200 car spaces or more, every other double-parking aisle shall be separated by raised curbs and a sidewalk of sufficient width to provide for car overhang and pedestrian walkway. In all other

double aisles where no sidewalk is required, a raised and curbed area shall be provided for planting, shrubs, trees and light standards and sufficient width to provide car overhang without damage to shrubs, trees, etc.

P. Other uses. Sufficient parking space shall be provided in connection with any use not included in Subsections A through O to maintain the purpose and intent of this article, as determined by the Commission.

§ 273-52. Classification of uses.

Whenever two or more classifications provided in § 273-51 shall apply to a use of a lot, buildings or other structures, the standard requiring the larger number of parking spaces shall apply. Where separate parts of a building or structure are used for purposes requiring different amounts of parking space, the number of spaces shall be determined by adding the number of spaces required for the area devoted to each type of use.

§ 273-53. Joint use of parking area.

The owners or occupants of two or more separate lots may establish a joint parking area to provide the total number of required parking spaces for uses on both lots.

§ 273-54. Off-street loading space.

Any building or other structure, except a dwelling, or place of worship or public assembly or indoor theater or stadium having a gross floor area in excess of 4,000 square feet shall have one off-street loading space for each 20,000 square feet of gross floor area or fraction thereof, excluding basements. The Commission may waive all or a portion of the loading space requirements if, in its opinion, such space or spaces are not necessary to the proposed use.

§ 273-55. Construction and design standards.

A. All off-street parking and loading spaces shall be suitably surfaced, graded, stabilized and maintained so as to cause no substantial amount of dust or stormwater flow onto any public street.

B. Except for necessary driveway entrances and except for parking spaces provided in connection with a dwelling, offices in a dwelling, home handicraft industries and rooms-to-let in a dwelling, all off-street parking and loading spaces located within 10 feet of any public street right-of-way shall be separated from such right-of-way by a concrete curb or parking bumper or a fence or

wall not less than 18 inches in height or an embankment not less than 24 inches in height in such a manner that motor vehicles will not overhang the right-of-way.

C. Each such parking or loading space shall be provided with adequate area for approach, turning and exit of the vehicle intended to occupy that space without the need to use any part of a public right-of-way to accomplish the maneuver.

D. The points of entrance and exit for driveways onto the street shall be located so as to minimize hazards to pedestrian and vehicular traffic in the street.

§ 273-56. Location of facilities for nonresidential uses.

Off-street parking and loading facilities as required for nonresidential uses shall be located within the district that allows the principal use, unless an extension is granted under the provisions of § 273-5B of these regulations.

§ 273-57. Modification of standards.

The Commission, in connection with the approval of a site plan under § 273-97 of these regulations and after due notice and public hearing as required by law, may grant a special permit authorizing modification of off-street parking and/or loading standards as follows:

A. Number. The Commission may authorize off-street parking and/or loading spaces fewer in number than specified in §§ 273-52 and 273-55 if the Commission determines that all of the following standards and conditions are met:

(1) The number of spaces provided that on the site plan is sufficient to accommodate the vehicles of all persons using and visiting the particular use or occupancy of land, buildings or other structures specified in the application for a certificate of zoning compliance.

(2) There is sufficient and suitable area on the lot to provide the full number of spaces specified in §§ 273-51 and 273-54.

(3) The special permit shall be applicable only to the particular use or occupancy of land, buildings or other structures specified in the application, and such special permit and certificate of zoning compliance issued for the use shall become null and void in the event that such use or occupancy is changed to another use or occupancy.

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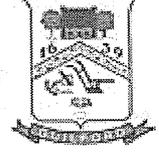
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The Town of
Guilford, Connecticut



ARTICLE VII: Signs

ARTICLE VII, Signs

§ 273-58. Conformance required; conflicts with other standards; signs in Historic District.

A. No sign shall be established, constructed, reconstructed, enlarged, extended, moved or structurally altered except in accordance with this article. All signs shall conform to the standards set forth herein. In the event of conflict between this article and other sections of these zoning regulations, the standards of this article shall apply. Reference should also be made to § 273-2 for sign definitions.

B. It is noted that within any Town of Guilford Historic District, signs must also be approved by the Historic District Commission. Copies of the Historic District Commission Rules of Procedure may be obtained from the Town Hall, Engineering and Building Department.

§ 273-59. Sign permit; specifications.

No sign may be erected as provided for in this article without a sign permit. Additional requirements, as set forth by the Commission, are indicated in the specific subsections.

A. Sign permit. Application for a sign shall be approved by the Zoning Enforcement Officer, unless specified otherwise under specific subsections.

- (1) The sign permit shall be in a form determined by the Commission. The fee for said sign permit shall be determined by the Commission.
- (2) The sign permit shall be submitted in duplicate and contain the following information:
 - (a) The name and address of the business, organization or enterprise.
 - (b) The name and phone number of the applicant.
 - (c) The date of submission.
 - (d) The overall sign design: type of material, lettering style, colors, dimensions and scale.
 - (e) The height above grade.
 - (f) The method of mounting (freestanding or applied to wall).
 - (g) The method of lighting (if any).

(h) The location of the sign.

B. EN(16)Submission and approval time. Completed sign applications, having been submitted to the Planning and Zoning office, will be approved, approved with conditions or disapproved within the time limits set forth below: (The provisions of this subsection do not apply to site plan approvals or modifications to existing site plans.)

(1) Five working days for sign applications requiring approval of the Zoning Enforcement Officer.

(2) Thirty calendar days for sign applications requiring approval of the Commission.

C. Measurements. All dimensions for signs shall be based on measurements to the outside edge of the sign, excluding any structure necessary to support the sign. The area of signs shall be computed from either the outer dimensions of the frame or as the area of a quadrilateral, including the outer edges of all lettering, whichever is greater.

D. Setbacks.

(1) In residential districts, no permanent sign shall be closer than 10 feet to any street line or

lot line, unless otherwise approved by the Commission.

(2) In the C- 1, C-2, C-3, C-4, NM- 1, I- I and 1-2 Districts, permanent signs shall observe 0 setbacks required for buildings and other structures, with the following exceptions:

(a) On any lot in other than the C- I District, one permanent sign may extend to within 10 feet of any street line.

(b) In the C-1 District, one permanent sign may extend to the street line.

Setbacks for temporary signs shall be determined by the Zoning Enforcement Officer in consideration of safety and the needs of the applicant.

E. Merchandise display. Merchandise displayed on the exterior of a premises shall be considered a sign when it contains advertising. (Displayed merchandise, without advertising, may require a modification to the lot site plan. Contact the Zoning Enforcement Officer for clarification.)

F. Signs on multiple-tenancy buildings shall be of the same general type, character and relative location so as to provide an harmonious design insofar as practicable.

G. Further standards. In addition to the provisions of this article, the Commission shall have the right to impose further standards regarding the size, height and location of any sign in connection with the grant of a special

permit. Such standards shall be established to prevent a traffic, safety, fire or other hazard, to provide adequate light and air or to prevent the deterioration of property values.

H. Governments and governmental agencies. The requirements of these regulations shall not apply to flags or pennants placed by a government or governmental agency, which flags or pennants contain the symbol, seal, or insignia of the government or governmental agency, nor shall they apply to signs placed by a government or a governmental agency for traffic or similar regulatory purposes or for the purpose of providing public or legal notices or warnings. [Amended 5-7-2003]

§ 273-60. Standards for all districts.

Signs shall conform to the following standards applicable in all districts, unless specified otherwise under specific district subsections.

A. Purposes. The purposes of these sign regulations are to:

- (1) Encourage the effective use of signs as a means of communication in the Town.
- (2) Maintain and enhance the aesthetic environment and the town's ability to attract sources of economic development and growth.
- (3) Improve pedestrian and traffic safety.
- (4) Minimize the possible adverse effect of signs on nearby public property and private property values.
- (5) Enable the fair and consistent enforcement of these sign restrictions.

B. Location. No sign shall be located on any roof Any sign attached to or painted on a building shall not extend beyond the limits of the wall of the building. See also §273-62A(5).

C. Projecting and hanging signs. No sign shall project over any sidewalk driveway, walkway, roadway or accessway, except those signs attached to the wall of a building. No sign, other than a directional sign, shall be located within or overhang the right-of-way of any street. Any of the foregoing signs may not project more than two feet from the building.

D. Obstructions. No sign shall be located or maintained so as to be a hazard to traffic or pedestrians or to obstruct any door, window, ventilation system, fire escape or exit or to cause any other hazard to the public health or safety.

E. Light and motion. No flashing, intermittent, light reflecting, revolving or moving signs or continuous strip lighting shall be permitted. (Examples include, but are not limited to, mirrored surfaces, neon lights, pennants, banners and balloons and flags, except such flags as are permitted by § 273-59H and 273-60F)

F. Directional signs. Any government agency, facility, nonprofit activity or nonprofit enterprise located in the Town of Guilford may establish not more than four permanent unlighted directional signs off the lot where the agency, facility or enterprise is located. Each such directional sign shall not exceed three square feet in area, shall not exceed four feet in any dimension and shall not cause any nuisance or hazard.

G. Warning and traffic signs. Signs intended primarily for warning or traffic control, with no advertising thereon and not exceeding three square feet in area, may be erected on the lot.

H. Informational signs. Signs intended primarily for information, with no advertising thereon, which indicate the days and hours of operation of an establishment and do not exceed three square feet in area, may be located on the premises. (Examples include, but are not limited to, "Open," "Closed" and "Open Sundays.") The sign may be affixed to an existing sign or building or be freestanding. The area of said sign shall be included in the total signage area allotted for the establishment.

I. Temporary signs, general. Temporary signs shall be allowed when approved by the Zoning Enforcement Officer for the purposes and under the conditions cited in the following subsections.

(1) Requests for the use of any temporary sign shall be made in writing and include the following information:

- (a) The name and address of the business, organization or enterprise.
- (b) The name and phone number of the applicant and person responsible for removing said signs within the specified time limits.
- (c) The date of submission.
- (d) The overall sign design.
- (e) The purpose of the event.
- (f) The dates to be erected.
- (g) The duration of the event.
- (h) The location of the signs.

(2) The requirement for a written application may be waived at the discretion of the Zoning Enforcement Officer.

(3) Completed sign applications will be processed in accordance with § 273-59B.

(4) No fee will be charged for temporary sign permits.

1. Temporary signs, real estate. In addition to the requirements of Subsection 1, signs shall also conform to the following standards:

(1) Individual lots. On lots that are for sale or for rent, not more than two temporary signs may be erected. These signs may advertise the land or premises and the sale or rental agent. Such signs shall be removed within 15 days after the sale or rental of such property. The foregoing signs shall not exceed the following sizes:

(a) A single residential lot: four square feet; an approved subdivision of three or more

lots: 10 square feet; and an approved subdivision of six or more lots: 20 square feet.

(b) Marine recreation, commercial or industrial lots: four square feet in area per acre (or fractional acre), not exceeding 20 square feet in area in any commercial or marine recreational district or 30 square feet each in any industrial district.

(2) Multiple tenancy. In addition to the sign(s) permitted in Subsection J(I) above, lots containing more than one business or enterprise may have one sign, not to exceed four square feet in area, on each individual space.

(3) Subdivision. A sign may be erected advertising the subdivision, developer and/or realtor and shall comply with all other standards of the district within which it is located. Such sign shall be removed within 15 days of the sale or rental of the last lot or structure in the subdivision.

K. Temporary signs, directional. In addition to the requirements of Subsection 1, signs shall also conform to the following standards:

(1) Directional signs indicating the location of private real properties or facilities for sale or rent may be erected, provided that each sign shall not exceed four square feet in area. The sign locations shall not obstruct traffic or traffic visibility and shall be maintained by the applicant for the duration of the activity. Not more than four such temporary signs shall be allowed for a single lot or facility for sale or rent or for subdivision lots or homes for sale. The Zoning Enforcement Officer shall have the right to deny such temporary signs where the location does not warrant off-site signs due to its visibility from normal highway facilities.

(2) Directional signs indicating the location of a facility or activity operated by a governmental agency, nonprofit organization, agricultural or forestry business for a limited time may be erected, provided that each sign shall not exceed four square feet in area. The sign shall be for a period of time not exceeding the duration of the activity within the facility and in a location approved by the Zoning Enforcement Officer. No more than four such signs for each facility or activity location shall be allowed.

L. Temporary signs, merchandising. In addition to the requirements of Subsection 1, signs shall be located on the premises and conform to the standards set forth below. A-Frame (washboard) signs shall be considered as one sign and shall be entitled to the allotted area for each side of the sign.

(1) [Amended 6-12-1996] Signs advertising special events, such as a grand opening or special sales, shall not exceed 12 square feet in area and shall be not more than eight feet in any one dimension and shall not extend more than five feet above ground level. Said signs shall be limited to 20 days per month, per lot or single shopping center. No more than one sign may be allowed on a lot or single shopping center at any one time. Said signs shall conform to the sign design for other signs on the property with regard to materials, colors, illumination and style.

(a) The effectiveness and impact of temporary signs developed pursuant to this Subsection L(1) shall be evaluated by the Commission on or before May, 1997.

(b) In addition to the above, flags, pennants and banners may be allowed for grand openings or other special events when specifically approved by the Commission.

(2) Signs advertising special events in the C- I District shall conform to Subsection L(1) above, with the exception that a sign shall not exceed six square feet in area and not extend more than three feet above ground level.

(3) Signs advertising seasonal sale of farm or forestry products shall be located on the lot

where the product is grown. One sign not exceeding 12 square feet in area and not extending more than five feet above ground level may be erected. Said sign shall be removed at the cessation of the seasonal sale.

M. Temporary signs, political. In addition to the requirements of Subsection 1, signs shall conform to the following standards:

(1) Political signs advertising candidates for elected office or promoting positions on ballot issues shall not exceed four square feet in area, shall not extend more than five feet above ground level and shall not exceed four feet in any one dimension. Said signs shall not be erected more than 14 days prior to the election and shall be removed within two days following the election. No more than two signs per lot shall be allowed.

N. Maximum size in one dimension. No sign in any district shall exceed eight feet in any one dimension. (Other restrictions may apply.)

O. In commercial zones, additional signs will be allowed in accordance with § 273-59A when said signs are not readily visible from any street, public property or residential zone district and when said signs do not exceed eight square feet in area. [Amended 7-20-1994]

§ 273-61. Residential districts.

In addition to the standards specified in §§ 273-59 and 273-60, all lighting of signs in residential districts shall be indirect, and signs shall conform to the following standards:

- A. Height. No portion of any sign that is not attached to a building shall be more than 10 feet above the average level of the ground, within a radius of 10 feet.
- B. Occupant identification. Two signs, neither exceeding two square feet in area, identifying the occupant of the lot, except limited by § 273-38A(2) and B(2) (city one sign under residential accessory uses), may be erected on the lot,
- C. Planned residential development (PRD). All signs shall be designated as an integral part of the PRD design and shall be submitted to the Commission for approval. A sign identifying the PRD may be constructed at each entrance road to a PRD lot. Each such sign shall not exceed 10 square feet in area. Commercial signs, when required for a permitted use, shall be limited to one sign for each approved retail or commercial occupant. No individual commercial sign shall exceed eight square feet in area with an aggregate total not to exceed 40 square feet for all permitted commercial uses.
- D. Permanent subdivision signs. Identification signs may be erected and shall comply with the following standards:
- (1) On subdivisions consisting of at least five lots, one sign shall be allowed and shall not exceed 10 square feet in area.
 - (2) On subdivisions of six or more lots with more than one vehicular entrance, one additional permanent sign may be allowed, subject to the approval of the Commission.
- E. Other lots. On lots containing a farm, church, place of worship, parish hall, cemetery, museum, school, college, university, membership club, philanthropic institution, hospital, recreation facility, nature preserve, wildlife sanctuary, convalescent home, sanitarium, public utility facility or building, use or facility of the Town of Guilford, State of Connecticut or federal government, one sign not exceeding 16 square feet in area may be erected.
- F. Nonconforming uses. Where a use exists in a residential zone, which use does not comply with requirements of that zone either because it is a nonconformity or by variance, the sign area requirements of the particular use shall be determined by the Commission. The Commission shall take into consideration the type of use, location, visibility from residential uses and reasonable needs for

advertising the particular use. In no case shall the total sign area on a lot exceed the total area allowed in a zone where the use would be conforming.

§ 273-62. Marine recreation, commercial and industrial districts.

In addition to the standards specified in §§ 273-59 and 273-60, signs shall conform to the following standards:

A. Height and area. No portion of any sign that is not attached to a building shall be more than 20 feet above the average level of the ground within a radius of 10 feet, nor shall the area of any such sign exceed 48 square feet. The aggregate total area of all signs on any lot shall not exceed the following:

- (1) Village Commercial District I or Marine Recreation District: 48 square feet in area. For multiple-tenancy buildings or lots, the signage area shall be allocated as a percentage of floor area occupied by the business or enterprise, unless approved otherwise by the Commission.
- (2) Commercial District 2: 60 square feet in area.
- (3) Highway Commercial District 3 or General Commercial District 4: 75 square feet in area.
- (4) Industrial district: 75 square feet in area.
- (5) The area of any sign or signs attached to or painted on a building shall not exceed 10% of the area of the wall on which such sign or signs are attached or painted.

B. Proximity. Signs that are not attached to a building shall not be located closer than 400 feet to any other point on the same lot on which signs that are not attached to a building are also located.

§ 273-63. Shopping centers.

In addition to the requirements and standards set forth in §§ 273-59 and 273-60, signs for all shopping centers, as defined, shall comply with the following standards:

A. Design. All exterior signs shall be designed as an integral part of the shopping center's architectural design and shall be of the same type, character and relative location on the building so as to provide an integrated, harmonious design.

B. Sign design plan. A sign design plan and elevations for all proposed signs, attached and freestanding, shall be submitted to the Commission, in duplicate, for review and approval, with a letter of notation on the plans indicating approval by the architect of the shopping center.

(1) The sign design plan shall be submitted prior to application for a sign permit or fabrication of the signs, whichever occurs first, and shall include the following:

(a) The sign locations, design, type of material, type of lettering style, colors, dimensions, heights above grade, method of mounting, method of lighting, position on walls or in

arcades, name of shopping center and scale of drawings.

(b) The date of submission and the words "Approved - Guilford Planning and Zoning Commission" with a place for the date and signature of the Chairperson.

(2) The Commission shall approve, approve with conditions or disapprove said sign design plan and elevations within 65 days of receipt of the same. The applicant shall be so notified in writing, with the reasons stated for any disapproval. EN(17)

C. Shopping center sign. One freestanding sign identifying only the shopping center name and tenants of the center shall be allowed along the main street frontage and may extend to within 10 feet of any street line. No portion of such sign shall be more than 20 feet above the average level of the ground within a radius of 10 feet, nor shall the area of any such sign exceed 60 square feet for a community shopping center or 48 square feet for other allowed shopping centers.

D. Type. Signs shall be of individual-letter type or of signboard type, but the two types shall not be mixed on the facade of the buildings on any single shopping center.

E. Colors and lighting. Sign colors and lighting method shall be coordinated on each shopping center and shall be shown on the sign design plan or elevations in sufficient detail to indicate the proposed final sign design.

F. Determination of size. The total exterior sign area allowed on shopping centers shall be

determined by the storefront of each individual store. (The word "store," as used herewith, shall mean a retail store, financial institution, restaurant, personal service establishment or other permitted use in the particular shopping center.) The front of a store shall be the wall of the store in which the main public entrance is located. Where a store is so designed as to have two or more public entrances, only one wall shall be designated the front by the applicant in determining the total allowed exterior signs.

G. Area. The total exterior sign area for any individual store shall not exceed one square foot for each linear foot of storefront. The length of storefront shall be measured on a horizontal line along the front of the store between exterior intersecting walls or between the centers of intersecting party walls.

H. Content. Signs on the exterior of stores shall be limited to one sign on each wall with a public entrance designating the proper name of each individual store. Such signs shall not include any specifications of the brand

names of merchandise offered for sale or services rendered therein.

I. Arcade signs. If a shopping center is designed with a covered walk or arcade, each store shall be allowed one additional sign, not to exceed three square feet in area, to be located only in the covered walk or arcade and generally at right angles to the front wall and not directly visible from the exterior of the arcade.

J. Directional signs. Signs providing directions to the tenant premises may be placed within a shopping center when approved by the Commission. Such signs shall not be visible off the lot and may not exceed four square feet.

§ 273-64. Multiple-tenancy commercial buildings.

Where three or more separate commercial tenants are located in a structure or structures on one lot in an MR-1, C-2, C-3 or C-4 District, the aggregate total area of all signs allowed on the lot may be increased to one square foot per linear foot of storefront as set forth in § 273-63F, provided that:

A. There is an approved site plan for the lot in accordance with Article IX and § 273-97.

B. A sign design plan is submitted to and approved by the Commission in accordance with § 273-63B, except for the required architect's approval.

C. The other requirements of this article are met.

D. Any existing nonconforming signs are removed.

§ 273-65. Directory of nonconforming signs.

The Commission shall, by August 1, 1994, prepare a directory of presumed nonconforming signs. Said directory shall contain a photograph, a sketch with dimensions and a site location drawing. Said directory shall become, upon certification as complete by the Commission, the official record of nonconforming signage.

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The Town of
Guilford, Connecticut



ARTICLE VIII: Earth Removal Operations

ARTICLE VIII, Earth Removal Operations

§ 273-66. Special permit required.

There shall be no excavation, removal or deposit of any earth, loam, topsoil, sand, gravel, clay, stone or other material from or on any lot except pursuant to a special permit granted by the Commission. See § 273-98 for the procedure to be followed in seeking such a special permit.

§ 273-67. Exceptions.

The provisions of this article shall not apply to the following:

- A. Excavation, removal or deposit of material reasonably necessary in connection with the bona fide construction or alteration of a budding or other structure for which an application for a certificate of zoning compliance has been approved and a building permit has been issued.
- B. Bona fide landscaping operations on a lot, provided that no more than 100 cubic yards of material are to be removed off the lot in connection therewith and provided that the removal is not for the purpose of creating a pond or other body of water.
- C. The construction of improvements and the changing of contours in accordance with subdivision construction plans and grading plans approved by the Commission under the provisions of Chapter 272, Subdivision of Land.
- D. The deposit of not more than 250 cubic yards of earth, loam, topsoil, sand, gravel, clay or stone on any one lot in any one calendar year.
- E. The normal maintenance and repair of roads and driveways.
- F. The normal excavation and filling of silage, manure and similar farm materials when part of a farm agricultural operation.
- G. A sanitary landfill operation of the Town of Guilford that has been approved by the State Department of Health.
- H. Stockpiling of street maintenance material required by the Town of Guilford.

§ 273-68. Conditions for approval.

Except as provided in § 273-69, a special permits for soil, gravel or stone

excavation, removal

or deposit shall be granted subject to the following conditions:

- A. The premises will be excavated and graded or filled and graded within the limits shown on the approved plans and in conformity with the proposed contour plan as approved by the Commission.
- B. Slopes resulting from excavation, removal or deposit will not exceed one foot of rise for three feet of horizontal distance or such lesser slope as the Commission may specify as necessary for the public health or safety, soil stability or for the reasonable use of the property after completion of the excavation or deposit. Slopes shall be maintained during construction so as not to exceed one foot of rise for two feet of horizontal distance whenever the construction site is unattended.
- C. No fixed machinery will be erected or maintained within 200 feet of any lot line, and no stone-crushing machinery will be used, except in an industrial district.
- D. There will be no excavation or removal within 100 feet of any lot line, unless such excavation or removal would result in finished grades at or above the elevation of the adjoining street or lot.
- E. There will be no sharp declivities, slopes, pits or depressions, and proper drainage will be provided to avoid stagnant water, soil erosion and water pollution.
- F. After excavation, removal or deposit, the lot will be cleared of debris within the time provided in the permit.
- G. In the case of excavation or removal, the top layer of soil, for a depth of at least four inches, will be set aside and retained on the lot and will be respread over the lot as work progresses, and, in the case of deposit, at least four inches of topsoil will be spread over the lot, and a suitable ground cover will be planted and grown to an erosion-resistant condition upon the completion of the work in accordance with the approved contour lines, and such work will be completed within the time provided for in the permit.
- H. The area to be excavated or filled or any portion thereof will be enclosed within a fence of such type, height and location as the Commission may specify, if deemed necessary to meet the purpose of these regulations.

§ 273-69. Alteration of conditions.

The Commission may adjust any standards or conditions provided in § 273-68 if, in its judgment, such adjustment is necessary to maintain the purpose and intent of this article.

273-70 Additional conditions

The Commission may establish such additional standards, as it deems necessary to satisfy the purposes of these regulations, including but not limited to the following:

- A. Limitations on the day of the week or the hours of the day during which any work, including any blasting, may be performed on the lot.
- B. Limitations as to size and type of machinery to be used on the lot.
- C. Limitations on the place and manner of disposal of excavated material on the lot.
- D. Requirements as to the control of dust, noise and lighting.
- E. Limitations on the type of fill material permitted for deposit.

§ 273-71. Periodic reports.

The Commission may require the permittee to submit periodic reports, prepared by and bearing the seal of a registered land surveyor or professional engineer, showing the status and progress of the excavation or deposit.

§ 273-72. Maintenance of ponds.

A. When it is found necessary to maintain existing ponds, lakes or other bodies of freshwater to prevent eutrophication or to remove silting and said maintenance will not change the original basic contours, depth or periphery of the body of water, such work may be done without a special permit, provided that:

- (1) The applicant submits a written report to the Commission, stating:
 - (a) The area to be maintained.
 - (b) The reason for the maintenance.
 - (c) The total amount and type of material to be removed and where it is to be placed.
 - (d) The proposed dates of the operation.
 - (e) The name of the contractor responsible. (f) The hours of operation.
- (2) The Commission, upon review of the above report, finds that the work is necessary and does not fall within the purview of an earth removal operation.
- (3) The Commission approves the above report and so notifies the applicant in writing.

B. If the Commission finds that said maintenance is an earth removal operation, said work she only be done in accordance with the requirements of this article and § 273-98 of these regulations. It is noted that pond maintenance may be subject to the jurisdiction of the Guilford Inland Wetlands Commission.

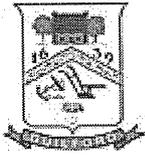
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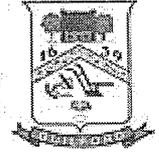
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The Town of
Guilford, Connecticut



ARTICLE IX: Site Plan Review

ARTICLE IX, Site Plan Review

§ 273-73. Conformance required.

The use of land, buildings and other structures that is subject to approval of a site plan, including special permit uses, and the construction, reconstruction, enlargement, extension, moving or structural alteration of buildings and other structures and site development in connection with such use shall conform to the general standards and special standards hereinafter specified. The provisions of this article are in addition to other provisions of these regulations applicable in the district in which the use is to be located.

§ 273-74. Purpose.

Each use for which a site plan submission is required is a potentially significant addition to a developing or developed area of the town and to a residential, commercial or industrial neighborhood. It is intended that the site plan for each use be prepared with due consideration for:

- A. The purpose and intent of these regulations.
- B. Coordination with and improvement of systems of vehicular and pedestrian access, drainage, water supply, sewage disposal, lighting, landscaping, wetlands, watercourses, buildings and other features that support the neighborhood.
- C. Protection of the public health, safety, welfare, property values and the environment.

§ 273-75. General standards.

The following general standards apply to all uses permitted in a district subject to approval of a site plan by the Commission:

- A. Plan of development. The site plan shall be in conformance with the purpose and intent of any plan of development, including any amendment, program or supplement that is part of the plan, adopted by the Commission under the provisions of Chapter 126 of the Connecticut General Statutes (1) and pertaining to the area in which the use is to be located, particularly in regard to, but not limited to, the following:

- (1) The provision of streets, limitations on the location and number of access driveways and provisions for traffic management.
- (2) The setback, location and bulk of buildings and structures and the appearance of buildings and structures from any street or highway or from other lots.
- (3) The preservation of natural landform features, wetlands and watercourses.
- (4) The provision, location and character of landscaping.
- (5) The location, character and intensity of outside illumination.
- (6) The extent, character, purpose and location of signs.

B. Neighborhood. The use of land, buildings and other structures, the location and bulk of buildings and other structures and site development shall be of a character as to harmonize with the neighborhood, to accomplish a transition in character between areas of unlike character, to protect property values and to preserve and enhance the appearance and beauty of the community.

C. Access and 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 upon the lot, to avoid traffic congestion on any street and to provide safe and convenient circulation upon the lot. Access and circulation shall also conform to the following:

- (1) Where reasonable alternate access is available, the vehicular access to the lot shall be arranged to minimize traffic use of local residential streets situated in or bordered by residential districts.
- (2) Where a lot has frontage on two or more streets, the entry and exit from the street shall be provided for where potential traffic congestion and hazards to traffic and pedestrians are minimized.
- (3) 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.
- (4) 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 islands, frontage road driveways and traffic controls within the street.
- (5) Access driveways shall be of a design and have sufficient capacity to avoid queuing of entering vehicles on any street.
- (6) Driveways into the lot shall have proper alignment and grade, not exceeding 10%, as well as transition grades and sight distances, for safe, convenient and efficient access and shall meet the street line and travel way of the street in such a manner as to conform to the standard cross section for the street as may be specified in Chapter 241, Streets and Sidewalks, Article IV, Road Standards.

(7) Where topographic and other conditions permit, provisions shall be made for circulation driveway connections to adjoining lots of similar existing or potential use when such driveway connection will facilitate fire protection services, as approved by the Town Fire Marshal, and/or when such driveway will enable the public to travel between two existing or potential sites, open to the public generally, without need to travel upon a street.

(8) There shall be no more than one driveway connection from any lot to any street, except that separate entrance and exit driveways may be provided where necessary to safeguard against hazards and to avoid congestion, and additional driveway connections may be provided particularly for, but not limited to, large tracts and uses of extensive scope, if traffic flow in the street will be facilitated by the additional connection. Driveways shall not exceed 30 feet in width at the street line or such lesser width as will be sufficient to accommodate the traffic to be generated, unless a greater width is required by town ordinance or by the State of Connecticut.

D. Existing streets. 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 provision 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 or 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.

E. Parking and loading. Off-street parking and loading spaces shall be provided in accordance with the provisions of Article VI.

F. Drainage.

(1) Provision shall be made on the lot for the management of stormwater, including collection and disposal thereof, in accordance with the following criteria:

- (a) To assure the usability of off-street parking and loading spaces.
- (b) To avoid hazards to pedestrians and vehicular traffic on the lot and in any street.
- (c) To avoid stormwater flow across sidewalks and other pedestrianways.
- (d) To protect watercourses and wetlands from pollution, erosion and sedimentation.
- (e) To avoid an amount of discharge and time of concentration of flow beyond the capacity of downstream drainage channels.
- (f) To avoid downstream flooding.

(2) Provision shall also be made for on-site detention or recharge and for the protection or improvement of existing watercourses, channels and other drainage systems,

on the lot or downstream from the lot, as needed to accept the proposed drainage discharge, based on sound design criteria under good engineering practice and as approved by the Commission, taking into account the drainage requirements of the entire watershed in which the lot is located. Rights to drain to town or state drainage systems or onto another lot shall be obtained by the applicant and demonstrated to the Commission.

G. Erosion and sedimentation.

- (1) A soil erosion and sediment control plan shall be submitted with any application for site plan approval when the disturbed area of such development is cumulatively more than 20,000 square feet.
- (2) Plans for soil erosion and sediment control shall be developed in accordance with these regulations, using the principles as outlined in Chapters 3 and 4 of the Connecticut Guidelines for Soil Erosion Sediment Control (1985), as amended. Soil erosion and sediment control plans shall result in a development that minimizes erosion and sedimentation during construction; is stabilized and protected from erosion when completed- and does not cause off-site erosion and/or sedimentation. The minimum standards for individual measures are those in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. The Commission may grant exceptions when requested by the applicant, if technically sound reasons are presented.
- (3) Soil erosion and sediment control plans shall be developed in accordance with the contents and procedures described in § 273-97B(6), Erosion and sediment control plan.

H. Wetlands and watercourses. Where wetlands and watercourses, including tidal wetlands, are located on or adjacent to the lot, provision shall be made for their protection, unless modification is approved by the Commission and authorized by the Inland Wetlands Commission or the state agency having jurisdiction prior to approval of the site plan.

I. Flood hazard areas. When any part of the lot is located within the Floodplain District, the requirements of § 273-89, Floodplain District, shall be met.

J. Emergency services. Suitable provision shall be made on the lot for access to buildings and other structures by fire, police and other emergency services and for fire hydrants where appropriate and where public water supply is available, in accordance with good fire protection practices.

K. Sanitation. Provision shall be made for water supply, sewage disposal, control of wastes and protection of water quality in accordance with the following criteria:

- (1) Proper provision shall be made for the water supply and sewage disposal requirements of the proposed use. When on-site systems are to be used, such

systems shall be designed and constructed in accordance with applicable state and town laws, and the design concept and layout shall be approved by the Town Director of Health and Town Engineer prior to approval of the site plan.

(2) Proper provision shall be made for the collection, storage and disposal of solid and liquid wastes accumulated in connection with the proposed use and for control of litter by means of receptacles, fences, a program for site maintenance and cleaning and other means approved by the Commission.

(3) The site plan shall demonstrate how any toxic or hazardous substances are to be managed in accordance with applicable law and so as to avoid danger to the public health and degradation of surface and ground waters and tidal and inland wetlands.

(4) Proper provision shall be made for any aboveground or in-ground storage of fuels, deicing salts and chemicals in a manner that protects stratified drift groundwater aquifers having potential for significant water supply.

L. Outside storage. Outside storage (including any sales or display of merchandise, any storage of supplies, wastes, machinery, equipment and other materials and any manufacture, processing or assembling of goods not in an enclosed building, but excluding the parking of registered motor vehicles in daily use) shall conform to requirements of § 273-47 and otherwise shall be located in areas of the lot as shown on the site plan and shall be limited and screened in commercial, marine recreation and industrial districts as follows:

(1) All outside storage areas shall be screened on all sides by a building, fence, wall, embankment or other suitable device not less than six feet in height. This provision, however, does not apply to areas designated on the site plan and approved for outside sale or display or to storage in connection with marine facilities and services permitted on Line No. 16 of Table 2B (§ 273-20).

(2) No outside storage shall be located in the area required for setback from a street line or residential district boundary line.

(3) No outside storage shall be located on sidewalks, pedestrianways, driveways or paved areas designated on the site plan for off-street parking and loading.

M. Landscaping. Landscaping shall be provided and permanently maintained on the lot to conform to the standards of Subsections A, B and L and to the following:

(1) All portions of the lot not covered by buildings and other structures, outside storage areas, areas for off-street parking, loading and driveways and approved paved areas shall be suitably landscaped with trees, shrubs, lawns or other suitable landscaping or, if not disturbed by filling, grading,

excavation, or other construction activity, may be left as natural terrain when having a location, size and shape that supports the landscaping plan for the lot.

(2) In commercial, marine recreation and industrial districts, the area required for setback from a residential district boundary line (see Table 3, Line No. 9F-N(2)) shall be suitably landscaped with evergreen shrubs or trees, or such evergreens in combination with embankments, fences an/or walls, so as to provide a transition from such districts to the residential district. Suitable natural terrain and existing evergreen trees and shrubs shall be preserved and shall be augmented with new evergreens and other vegetation, if existing vegetation does not include an adequate screen during all seasons between the districts. If the setback or other buffer zone does not provide an adequate screen of evergreens, the industrial or commercial edge of the setback shall be landscaped to create an all-season screen. Unless otherwise approved by the Commission pursuant to Article X, the setback area specified in Table 3, Line No. 9, shall contain no off-street parking, loading spaces or driveways. Where new landscaping is required, the Commission shall require the posting of a bond in order to guarantee the survival of the plantings during their grow-in period. [Amended 1-7-1998]

(3) All off-street parking areas of 50 car spaces or more shall include at least one tree for every IO parking spaces or fraction thereof Such trees shall be at least two inches in caliper and IO feet in height when planted and shall be located, planted and protected so as to prevent damage by normal parking and traffic circulation. Planting required in setback areas from residential district boundary lines is not counted as parking area trees.

(4) Each lot shall be provided with a landscaped strip, 15 feet or more in width, along the street line. The strip shall be landscaped and maintained with lawn, shrubs, trees and other suitable landscaping and shall be separated from any adjoining off-street parking or loading area, driveway or outside storage area by a curb six inches in height. Necessary driveways may be provided through and in the strip.

(5) All off-street loading docks located in commercial and industrial districts and visible from a state highway or residential district shall be suitably screened by a building, fence, wall, embankment or other suitable device.

(6) All landscaping, trees, shrubs and lawns on an approved site plan shall be well maintained and trees and shrubs that die or are destroyed shall be replaced with similar trees and shrubs within one year.

(7) All plant and other landscaping materials shall be provided in accordance with good landscaping practice and shall be subject to the approval of the Commission.

N. Signs. Signs shall conform to the requirements of Article VII and shall be of a design, including size, location, shape, color and illumination, as to harmonize with

the building and other elements of the site plan.

O. Lighting.

(1) The location, height, design, direction and brightness of outdoor illumination (area lighting and floodlighting) shall be arranged and maintained as follows:

(a) To provide sufficient illumination for safety, convenience and security.

(b) To minimize sky glow.

(c) To safeguard against discomfort glare and disability veiling glare in any street and upon pedestrianways and vehicular parking, loading and circulation areas where located or any other lot.

(d) To harmonize with the neighborhood and avoid glare on any other lot.

(2) Unless otherwise approved by the Commission as appropriate for the site, area lighting shall be provided by cut-off-type luminaries. Floodlight luminaries shall be shielded, such as by visors or baffles, to minimize spillage of light beyond the outside edge of the object illuminated.

P. Building design. Buildings and other structures shall conform to the following:

(1) The exterior design, including finish and color, shall conform to Subsections A and B. Exterior walls of any building that are visible from any street or other lot shall present a finished appearance by means of materials consistent with the design of the building as a whole.

(2) No mechanical equipment shall be located on the roof of a building if visible from any street or any other lot, unless such equipment is housed or screened from view in a manner consistent with the architectural design of the building.

Q. Traffic Management District. On any lot in the Traffic Management District, the following use and building bulk requirements are applicable:

(1) Any use of a building that will typically generate more than 100 vehicle trips per day per 1,000 square feet of floor area [as determined under the traffic impact analysis required under § 273-97B(4)(b)] is prohibited. However, the applicant for approval of a site plan may request and the Commission, after due notice and public hearing as required by law, may grant a special permit authorizing such use.

(2) The total floor area of all buildings and other structures on the lot shall

not exceed 15% of the area of the lot. However, the applicant for approval of a site plan may request and the Commission, after due notice and public hearing as required by law and receipt of a satisfactory traffic impact analysis under § 273-97B(4)(b), may grant a special permit authorizing a greater floor area up to the maximum permitted in the applicable district in Table 3.EN(3)

(3) Under Subsection Q(I) and (2) above, the special permit may be granted only when the Commission determines that the use generating high-volume traffic can be established or the greater floor area can be used for particular purposes while maintaining Level of Service C on the Boston Post Road at peak travel hours on any day of the week, taking into account existing and projected traffic and use of permissible floor area equal to 15% of the area of all other lots in the Traffic Management District. In accordance with Subsection A, such Level of Service C and use of permissible floor area are as set forth in a supplement to the plan of development adopted by the Commission.

§ 273-76. Special standards.

The following special standards apply to particular uses, areas or districts for which approval of a site plan by the Commission is required:

A. Guilford Town Center District. For a use that is subject to approval of a site plan and located on a lot in the Guilford Town Center District, the site development, including paving, driveways, landscaping, screening, exterior lighting and other features, shall have a design that supports the character of and is reasonably compatible with nearby historic buildings and sites within the district, thereby avoiding an appearance, traffic congestion, obtrusive lighting and other factors that tend to detract from the historic character of such buildings or sites or tend to depress maintenance or rehabilitation thereof

§ 273-77. Nonconformities.

The Commission, upon due notice and public hearing as required by law, may grant a special permit authorizing construction, reconstruction, enlargement, extension, moving or structural alteration of buildings and structures or site development on a lot having existing improvements that fail to conform to the standards of this article and/or authorizing continuation, enlargement, extension, moving or reconstruction of site improvements that fail to so conform if the Commission finds that the following standards are met:

A. The proposed construction shall result in a general improvement of the lot

- with regard to safe access, suitable drainage and adequate landscaping.
- B. Nonconforming signs and lighting shall be brought into a conforming or more nearly conforming condition.
 - C. Adequate provisions shall be made for landscaping in the area required for setback from a residential district boundary line.
 - D. There shall be no increase in the nonconformity of buildings and other structures and site improvements.

273-78. Procedures.

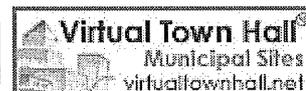
Procedures concerning site plan submission and approval are set forth in 273-97.

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The Town of
Guilford, Connecticut



ARTICLE X: Special Permit Requirements

ARTICLE X, Special Permit Requirements

§ 273-79. General provisions.

In accordance with the standards and requirements hereinafter specified, the Commission may grant a special permit for the establishment of one or more of the uses for which a special permit must be secured as required by these regulations. All requirements of this article are in addition to other requirements applicable in the district in which the special permit use is to be located. Procedural requirements for the submission and consideration of an application for a special permit are specified in § 273-99.

§ 273-80. Standards.

The Commission shall approve an application to permit establishment of a use for which a special permit is required if it shall find that the proposed use and the proposed buildings and structures will conform to the following standards, in addition to such special standards for particular uses as may be imposed:

- A. The location, type, character and size of the use and of any building or other structure in connection therewith shall be in harmony with and conform to the appropriate and orderly development of the town and the neighborhood and will not hinder or discourage the appropriate development and use of adjacent lots or impair the value thereof
- B. The nature and location of the use and of any building or other structure in connection therewith shall be such that there will be adequate access to it for fire protection purposes.
- C. The streets serving the proposed use are adequate to carry prospective traffic and provision is made for entering and leaving the property in such a manner that no undue traffic hazard or congestion will be created.
- D. The lot on which the use is to be established is of sufficient size and dimensions to permit conduct of the use and construction and maintenance of buildings, structures and facilities, including sanitary facilities, in a manner that will not be detrimental to the neighborhood or adjacent lots.
- E. Architectural design. The architectural design and style of all buildings and other structures to be erected on the lot shall be such as not to conflict with the architectural design and style of adjacent properties.

F. Guilford Town Center District. When the special permit use is to be located on a lot in the Guilford Town Center District, the use shall be of a type and the proposed buildings, structures and site development shall have a design that supports the character of and is reasonably compatible with nearby historic buildings and sites within the district, thereby avoiding uses, an appearance, traffic congestion, obtrusive lighting and other factors that tend to detract from the historic character of such buildings or sites and tend to depress maintenance or rehabilitation thereof.

G. Drive-through service at restaurants shall be allowed in accordance with § 273-20, Table 2E, Line No. 28d, and where the following standards are met:

- (1) The drive-through area of service shall be limited to a separate traffic lane which is separately designated for use by drive-through service patrons.
- (2) The drive-through service lane shall be at least 10 feet in width.
- (3) The drive-through service lane shall be located in an area where it will not unduly interfere with the orderly flow of traffic generated by non-drive-through patrons.
- (4) Adequate queuing for vehicles approaching the drive-through service facility shall be provided.

H. [Added 11-20-1996] Standards for granting special permits for movie theaters, playhouses, nightclubs and adult entertainment establishments. In addition to the standards described in this section and recognizing the special nature of these facilities, including the potential for high volumes of vehicular traffic and the hours of patronage of these facilities, the Commission shall consider the following:

- (1) The impact of traffic generated by the activity on adjacent state and town roads, including the impact on scenic character.
- (2) The impact of the proposed use on adjacent and close-by residential neighborhoods.
- (3) The impact of the proposed activity on the ability of the town to provide services to the establishment, including the provision of police and emergency services.

273-81. Additional requirements.

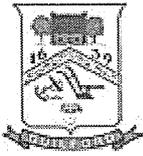
In granting a special permit, the Commission shall have the power to impose such additional standards and requirements, including limitations on the time for construction or commencement of use, as it deems necessary to carry out the purposes of these regulations.

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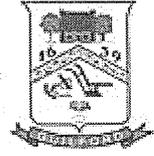
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The Town of
Guilford, Connecticut



ARTICLE XI: Planned Residential Devel.

ARTICLE XI, Planned Residential Developments

§ 273-82. General provisions.

Planned residential development (PRD) is a use of land, buildings and other structures specified in § 273-16D and in Table 2A (§ 273-16) as permitted in residential districts by special permit under the requirements of this article. The sections that follow set forth the criteria for approval of PRD special permits, as well as the standards for approval of PRD project design and management programs. While the PRD use is not mandatory for the development of residential areas of the town, it is the intent of the Comprehensive Plan of Zoning to encourage PRD's that can conform to special permit criteria. Application and review procedures for PRD's are set forth in §§ 273-100 and 273-101.

§ 273-83. Criteria for special permit.

A. Findings. The Town of Guilford will experience continuing residential growth. For most of the period of time that zoning regulations have been in effect for the town, new residential development has typically consisted of single-family dwellings on individual building lots in new subdivision layouts. There is a continuing backlog of unused but approved building lots.

(1) In the aggregate, these layouts, while providing sites for additional dwellings, have also:

- (a) Consumed large amounts of acreage that previously contained agricultural, forest and conservation resources.
- (b) Resulted in construction of many miles of new streets requiring town maintenance.
- (c) Been randomly scattered around the town and have necessitated undue extension of municipal services.
- (d) Caused damage to or have failed to fit the natural features of the environment.
- (e) Produced housing that is beyond the means of or fails to meet the needs of a substantial segment of Guilford families.

(2) Since 1969 and as an alternative to typical subdivision layouts, the regulations have also provided for PRD'S, consisting of single-family

detached dwellings or attached dwellings, garden apartments or townhouses, upon grant of a special permit. Prior to the effective date of this section, approved PRD's have increased the supply of alternative dwelling types and have become the more marketable form of housing construction. There is a backlog of approved but unbuilt dwelling units in PRD'S. It is found that the PRD'S:

- (a) May encourage a faster rate of growth than established under the Growth Management Program of the Comprehensive Plan of Development and Conservation.
- (b) Have not materially produced housing within the means of lower-income Guilford families.
- (c) Have in some cases produced architectural effects and grouping of population not in harmony with existing neighborhoods.
- (d) Have not in some cases fitted building and site development to the natural features of the environment.

(3) There are tracts of land in the town which, subject to consideration on a case-by-case basis, are capable of use under alternative forms of residential development that avoid the above results and accomplish the objectives hereinafter specified.

B. Objectives. A PRD shall consist of single-family detached dwellings or attached dwellings, garden apartments or townhouses or a combination thereof which achieve both of the following primary objectives:

(1) Preservation of open space, such as open space resources and/or conservation resource areas, as set forth in Program Nos. I and 5 of the Comprehensive Plan of Development and Conservation for the Town of Guilford, Connecticut, and which is either:

- (a) Significantly beneficial to the community by preserving unusual open space features within the PRD or constituting part of an open space and conservation resource system covering a larger area; or
- (b) A significant portion of and enhancement to the design of the PRD by achieving a contrast between building and nonbuilding areas and supporting the character of the neighborhood and the community.

(2) Architecture and site development of design merit, contributing to the appearance and beauty of the town and achieving convenience of residential living and economies in the use of energy and in all cases shall also:

- (a) Be located on a tract of land having the capability of supporting such alternative form of development,
- (b) Have a harmonious relationship to adjacent neighborhoods, such as, with

regard to but not limited to, the location and bulk of buildings, maintenance of privacy and traffic access; and

(c) Constitute a form of residential development which achieves both of the above objectives in a manner more effective than a subdivision of individual building lots permitted on the tract.

C. Additional objectives. PRD's may also and are encouraged to achieve positive preservation of farmland in active use and other managed open space and lower-cost dwelling units, and, in support thereof, PRD's which achieve these objectives may contain additional dwelling units, as long as the primary objectives are also achieved.

D. Area requirements. The following land area and dwelling unit density requirements are applicable to any planned residential development (PRD):

(1) Tract. The tract or lot containing a PRD shall have at least the following minimum area of contiguous, predominantly undeveloped land; provided, however, that a special permit for a PRD on a tract of lesser area may, at the discretion of the which adjoins and supports a permanent open space reservation on another lot.

District	Acres
R-1, R-2, R-3 and R-4	10
R-5	15
R-6, R-7 and R-8	25

(2) Dwelling units. The maximum number of dwelling units in a PRD is determined based in part upon a computation of the number of bedrooms (see § 273-2C for the definition of "bedroom") in relation to land area and land constraints within the PRD as follows:

(a) First, the net square-foot land area of the PRD is determined by subtracting the area of the following land constraints from the total PRD land area:

[1] The area of existing wetlands (see § 273-2 for the definition of "wetlands");

[2] The area of existing watercourses (see § 273-2 for the definition of "watercourses") having, at seasonal high flow or impoundment, an area of 1/2 acre or more; and

[3] The significant area of steep slopes (greater than 25%).

(b) In Development Program Area A, the net square-foot land area of the PRD is divided by the following factor designated for each district and multiplied by 3.75 bedrooms:

District	Factor
R-1, R-2 and R-3	20,000
R-4	30,000
R-5	40,000
R-6	60,000
R-7	80,000
R-8	80,000

(c) In Development Program Area B, the net square-foot land area of the PRD is divided by a factor of 80,000 and multiplied by 2.75 bedrooms.

(d) Within this maximum bedroom count, the number of bedrooms in each dwelling unit may be varied, provided that the total number of bedrooms does not exceed such count. In no PRD, however, shall there be less than 9,000 square feet of net square-foot land area for each dwelling unit. When the PRD tract includes land in two or more zone districts in Development Program Area A, the total number of bedrooms will be calculated as above for each area in a separate district and added to determine the total allowed. The concentration of dwelling units to be allowed by the Commission in any portion or section of a PRD will be based upon the type of public utilities and facilities provided to adequately serve this density and to meet the public health standards as established in the State Sanitary Code and upon the amount and location of open space provided.

(3) Transfer from farmland. The number of bedrooms permitted in the PRD under Subsection D(2), when approved by the Commission, may be increased by two bedrooms for each acre of farm land or other managed open space outside the PRD for which the development rights have been purchased by the applicant and conveyed to the Town of Guilford or a nonprofit organization approved by the Commission, provided that it is demonstrated that the PRD plan, including provisions for access, water supply and sewage disposal, has the capability of supporting the additional dwelling units and there is not less than 9,000 square feet of net square-foot land area for each dwelling unit in the PRD.

(4) Affordable dwelling units. The number of bedrooms permitted in the PRD under Subsection D(2), when approved by the Commission, may be increased when such bedrooms are in affordable dwelling units as defined by Section 8-39a of the Connecticut General Statutes, provided that:

(a) The total increase by such units shall not exceed 50% of the total otherwise permitted under Subsection D(2) and exclusive of any auditorium units permitted under Subsection D(3);

(b) It is demonstrated that the PRD plan, including provision for access, water supply and sewage disposal, has the capability of supporting the additional dwelling units; and

(c) There is not less than 7,500 square feet of net square-foot land area for each dwelling unit in the PRD.

E. Criteria for special permit. Each planned residential development (PRD), to be eligible for authorization by a special permit approved under § 273-100 of these regulations, shall:

- (1) Meet the objectives specified in Subsections B and C;
- (2) Conform to the area requirements specified in Subsection D; and
- (3) Have the capability of conforming to the design standards and management standards set forth in §§ 273-84 and 273-85 of this article.

§ 273-84. Design standards.

A. General. Each planned residential development (PRD) shall have a design that conforms to and implements the criteria for a special permit set forth in § 273-83 of this article and conforms to the standards hereinafter specified. The design of the PRD is of utmost importance to protect property values, prevent future property deterioration, promote good community living standards, provide for feasible management control, preserve open space and natural features and serve the purposes of these regulations. Site layout and architectural design shall take advantage of topography, provide visual and acoustical privacy between dwelling units and provide for landscaping of all areas disturbed by the development and should complement any adjoining neighborhood. Consistency of scale and architectural design throughout the various structures of the PRD shall be maintained.

B. Utilities, The following standards are applicable to water supply, sewage disposal and other utilities within the PRD:

(1) Water supply. The PRD shall be served by a public water supply system or a water supply system as approved by the Town Engineer and the Town Director of Health. When a PRD is located within any area served by a public water supply or when located within such distance of such public water supply system as to make extension thereof economically feasible, such public water supply system shall be extended to serve the PRD. The water supply system shall be so designed and constructed as to provide adequate fire protection with hydrants, or fire ponds shall be provided as required by the Town Fire Marshal.

(2) Sewage disposal. The PRD shall be served by an on-site sewage disposal system meeting town and State Department of Health regulations and, as applicable, regulations of the State Department of Environmental Protection. The system shall be approved by both the Town Engineer and Town Director of Health. It shall also be approved by the Town Water Pollution Control

Authority and state agencies, as the same have jurisdiction. In addition, leaching fields or other in-ground disposal facilities shall be located at least 50 feet from any existing wetland or watercourse, shall be located on land having a slope of less than 15% and shall be constructed so that primary contact for leaching is to suitable virgin soil, at an elevation not less than four feet above bedrock and two feet above seasonal high water table.

(3) Drainage. Storm drainage shall be designed in accordance with the standards of Chapter 272, Subdivision of Land. In Development Program Area B, storm drainage shall be designed with sufficient detention facilities to cause no increase in the rate of runoff to any wetlands or watercourse within the PRD or outside the PRD where the drainage system may discharge.

(4) Erosion control. Provision shall be made for erosion and sedimentation control, as provided in the Chapter 272, Subdivision of Land.

(5) Other. Whenever reasonably possible, all electric and telephone utilities shall be placed underground. Where overhead rather than underground electric or telephone lines are proposed, a detailed statement showing the reason for same shall be submitted.

C. Circulation and access. The following standards are applicable to access to and within the PRD and the provision of off-street parking:

(1) Access. The PRD area shall be served from or have access to an accepted, improved town road or state highway that provides adequate circulation and access to other sections of the town. Where such town road is not deemed adequate to serve the PRD, the applicant may participate in the improvement of said town road in accordance with Chapter 241, Streets and Sidewalks, Article IV, Road Standards. Ease of entrance to and exit from the development, with minimum impact on normal traffic flow, shall be of prime importance.

(2) Circulation. Interior streets and driveways shall be designed to eliminate through traffic, reduce traffic speeds and provide for adequate circulation within the development and to its facilities and open space. Walk-ways, courts and paths shall provide pedestrian access to and between residential structures, supporting facilities and community open space and shall be separated from vehicular traffic, whenever reasonably possible.

(3) Interior driveways.

(a) All interior driveways of the PRD tract are to be owned, maintained and serviced by the owner or an association and shall have a minimum paved roadway width as follows:

[1] One-way circulation with no parallel parking allowed: 12 feet.

[2] Two-way circulation with no parallel parking allowed: 20 feet.

(b) Where parking for peak demand [beyond that required by Subsection C (6)] is to be provided along interior streets, it shall be provided with either paved parallel, angular or right angle bays, in addition to the above pavement widths. As a minimum standard, all paving, drainage and construction criteria shall otherwise be in accordance with Chapter 24 1, Streets and Sidewalks, Article IV, Road Standards, for local residential streets. All interior driveways shall be maintained by the association in good and safe condition.

(4) Streets. The principal access roads within the PRD shall be built as public roads in accordance with Chapter 241, Streets and Sidewalks, Article IV, Road Standards. [Amended 7-10-1996]

(5) Street and driveway construction. Any street or driveway within the PRD shall be graded, have a compact subbase, have drainage facilities installed and be at least completed to the extent required by § 24 1 - I 0 of Chapter 24 1, Streets and Sidewalks, Article IV, Road Standards, prior to the issuance of a certificate of zoning compliance for any structure or dwelling unit served by said street or driveway.

(6) Parking. Off-street parking spaces shall be provided at a minimum of 2.0 spaces per dwelling unit. Parking may be provided beneath dwelling units, in separate parking garages or in open parking areas. For permitted supporting facility uses, off-street parking shall be provided at a minimum of one space for each 200 square floor area and one space for each 400 square feet of public second floor area. Parking facilities shall be designed as an integral part of the site development design and arranged to prevent undue concentration of parking facilities and shall be screened through ample use of trees, shrubs, hedges or walls. Access to dwelling units from parking facilities shall be by walkway or within structures.

D. Supporting facilities. The following types of supporting facilities to serve the residents of the PRD are permitted: recreation facilities, such as golf courses, tennis courts, swimming pools, bridle paths and arts and crafts centers; community services, such as meeting rooms; administrative office space for PRD associations; storage for owners' or tenants' boats; trash removal facilities; and school bus pickup shelters. It is the intent of these regulations to permit service facilities to the extent required to meet the needs of the particular PRD based upon its location, overall size and ultimate population. When specifically approved by the Commission, such supporting facilities may be open to nonresidents of the PRD by membership or to the general public, such facilities to be operated on a not-for-profit basis. In considering such expanded use of supporting facilities, the Commission shall take into consideration the impact of the use on adjoining properties and on adjacent neighborhoods, as well as the interests of the residents of the PRD

itself. The creation of supporting facilities for use beyond the PRD, shall only be allowed in PRD's approved subsequent to the effective date of this amendment. The following additional standards are applicable to retail services:

- (1) Where a PRD is designed to contain over 100 dwelling units or over 300 bedrooms and its nearest boundary line is located one mile or more by existing road from the nearest retail commercial zone district existing at the time of the PRD submission for Commission approval, an area for limited retail stores may be established in the PRD development plan. These stores shall be limited to uses providing primarily for the service and convenience of the PRD residents and, in total, shall not exceed 20 square feet in gross area for each dwelling unit in the PRD and shall require Commission approval for each proposed use. It shall be the burden of the applicant to show that commercial uses are intended to serve primarily the residents of the PRD.
- (2) Construction of commercial structures shall not be authorized until actual construction of the minimum residential units or bedrooms, as required above, is underway.
- (3) If an area is designated for commercial use in the overall PRD and the minimum required residential construction is not undertaken, said area shall be converted to common open space as established under Subsection E or such other use as the Commission may approve.

E. Open space. All land not used for the construction of dwellings, supporting facilities, parking, vehicular circulation or private yards shall be considered open space. It shall be so arranged and defined that its area, permanent use and control can be established. Except when required for town use, it shall be dedicated for use by the residents of the PRD with adequate controls to assure its maintenance and with restrictions or covenants prohibiting or restricting building on it. Where applicable, open space shall be arranged to meet the location and type of open space generally as set forth in the Comprehensive Plan of Development and Conservation. When the PRD area is to contain 300 bedrooms or more or its location in relation to existing town facilities, such as schools and public recreation areas, is such that new town facilities to serve the residents of the PRD will be required, the Commission may require that open space be reserved for such town facilities.

F. Setbacks. Minimum setbacks of all structures from the PRD tract boundary line shall be in accordance with the zone district in which they are located. Where a PRD adjoins an existing single-family home development or an approved subdivision, the Commission may require additional setbacks and/or natural screening, not to exceed 100 feet in depth, to ensure privacy for adjoining residences. Setbacks between buildings will be such as to provide light, visual and acoustical privacy for all dwelling units and access space for servicing, fire protection and maintenance equipment.

G. Height. No building or other structure shall exceed a height of 40 feet or three stories, whichever is less. Separate auxiliary garages for cars shall not exceed a height of 15 feet. Height is to be measured above the average finished grade at the exterior of the budding and shall not apply to church steeples, existing barns and silos, water towers, chimneys, service structures housing mechanical equipment located on the roof of a building or master television aerials located on a roof

H. Lighting. All outdoor fighting shall be designed to prevent light from intruding directly into residential units and no exterior light shall be placed so as to shine directly outside of the PRD area. Streetlighting shall be designed to complement the overall design concept and shall be limited in intensity to that required for safety of vehicular and/or pedestrian circulation.

1. Signs. All signs shall be designed as an integral part of the PRD design concept. All sign designs shall be submitted to the Commission for approval and shall otherwise meet the requirements of Article VII of these regulations for residential districts. A sign identifying the PRD may be constructed at each entrance road to a PRD tract. Each such sign shall not exceed 10 square feet in area. Commercial signs, when required for a permitted use, shall be limited to one sign for each approved retail or commercial use. No individual commercial sign shall exceed eight square feet in area, with an aggregate total not to exceed 40 square feet for all permitted commercial uses. These signs in other respects shall meet the requirements of Article VII.

§ 273-85. Management.

A. General. Each planned residential development (PRD) shall be established with suitable legal organization and arrangements for ownership and management of common properties and facilities, open space and utility systems, including provision for financing and maintenance. The management system shall be established in a timely manner, shall support the criteria for a special permit set forth in § 273-83 of this article and shall cover elements hereinafter specified.

B. Method of ownership. Dwelling units may be for sale or rental in individual, public, cooperative or condominium ownership. Documentation as to the organization and incorporation of applicable ownership associations shall be submitted to the Commission for approval. All open space and supporting facilities shall be under specified common ownership with provision for maintenance, liability, financing and the rights of access and use by residents of the PRD which is acceptable to the Commission, except as certain open spaces may be conveyed to the Town of Guilford or a nonprofit corporation approved by the Commission or as facilities may be conveyed to the town.

C. Open space. Proper covenants and restrictions shall be imposed upon

open space areas intended for preservation.

D. Supporting services. Where there are common properties and services in the PRD, such as roads and driveways, water supply systems, sewage disposal systems, recreational facilities and open spaces, proper provisions shall be made for ownership, operation, maintenance and financing thereof on a private basis and without responsibility or liability for town participation.

E. Development rights. The form of development rights for farmland and other managed open space purchased to enable additional dwelling units shall be subject to the approval of the Commission and shall have the effect of permanently preserving such farmland and open space from building development, subdivision, extraction of earth materials and other activities inconsistent with farm and open space utilization. The ownership of such development rights, such as by the town or a nonprofit corporation, shall be subject to the approval of the Commission.

F. Lower-cost dwellings. Proper documentation shall be provided to affirm the availability of dwelling units for sale to or rental occupancy by middle-to-lower-income families. Such documentation is subject to the approval of the Commission and, in the case of rental units, may consist of contracts between the applicant and the Housing Authority of the Town of Guilford or other appropriate governmental agency. The applicant may request the Commission to establish for the particular PRD a schedule of sale or rental amounts reflecting current estimates of middle-to-lower family income.

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The Town of
Guilford, Connecticut



ARTICLE XII:Regs.for Specific Uses&Dist.

ARTICLE XII, Regulations for Specific Uses and Districts

§ 273-86. Retail sale of alcoholic beverages.

A. Purpose. The purpose of this section is the establishment of reasonable control over the retail sale of alcoholic beverages in the Town of Guilford so as to protect the public health and welfare and prevent adverse effects on public and semipublic properties.

B. Distance standards. No building or land shall be used and no building shall be erected or altered that is intended, arranged or designed to be used for a retail package store if any part of such building or land is situated:

- (1) Within a radius of 1,500 feet of any other building or land used for a retail package store.
- (2) Within a radius of 500 feet of any part of a lot used or approved by the Commission for a college, school, convent, church, hospital, library or any camp, barracks or training field of the armed forces.
- (3) In any district except the C-1, C-2, C-3 and C-4 Districts.

C. Special permits. All requests for a retail package store shall be made by special permit in accordance with and under the standards established in Article Y., Special Permit Requirements, and under the procedures established by § 273-99, Special permit procedure, of these regulations, as amended. Request for and approval of a special permit by the Commission will be required before applying to the Liquor Control Commission for a permit, but will in no way be assumed to abrogate, effect or imply any action by said Liquor Control Commission.

D. Definitions. "Retail package store" is defined as a store for the sale for use off the premises of beer, wine and liquors, which store has such products as its major stock for sale. It does not include restaurants, taverns, stores engaged chiefly in the sale of groceries or drug stores.

§ 273-87. Water supply storage towers. [Amended 2-19-1997]

A. General. In accordance with the standards of Article X and the requirements hereinafter specified, the Commission may grant a special permit for the erection of a water supply storage tower in any I- I or 1-2 District. Procedural requirements for the submission and consideration of an application for a special permit are specified in § 273-99.

B. Standards. The Commission shall approve an application for special permit for a water supply storage tower if it shall find that the proposed tower will conform to the following standards, in addition to those specified in Article X:

- (1) The tower shall not exceed 100 feet in height above ground level.
- (2) The tower shall not result in the impairment of scenic vistas or significantly reduce the value of adjoining properties.
- (3) The tower shall be part of a utility that directly serves the residents of the Town of Guilford.
- (4) Adequate landscaping to buffer the ground level equipment and structures from adjoining properties shall be provided.
- (5) No exterior lighting of the tower shall be allowed other than that required by federal or state regulations and security lighting of any ground-level equipment.
- (6) No signs other than those required for safety shall be allowed.

C. In granting a special permit for a water supply storage tower, the Commission shall have the power to impose such additional standards and requirements as it deems necessary to carry out the purposes of these regulations.

§ 273-88. Windmills.

A. General. In accordance with the standards of Article X and the requirements hereinafter specified, the Commission may grant a special permit for the erection of a windmill on any lot 40,000 square feet or larger. Procedural requirements for the submission and consideration of an application for a special permit are specified in § 273-99.

B. Standards. The Commission shall approve an application for a special permit for a windmill if it shall find that the proposed windmill will conform to the following standards, in addition to those specified in Article X:

- (1) The height above average ground level of the windmill permanent structure shall not exceed 75 feet.
- (2) The setback requirements from property lines shall be a minimum of 40 feet from any property line and shall meet the requirements of § 273-28.
- (3) The windmill shall not result in the impairment of scenic vistas or significantly reduce the value of adjoining properties.
- (4) Adequate landscaping to buffer the ground level equipment and structures from adjoining properties shall be provided.
- (5) The operation of the windmill in an average twenty-mile-per-hour wind shall produce no more than the following readings on the A Scale (dBA) at the closest point of contact of any adjoining property line:

Ambient Reading	Maximum Permitted Reading With
------------------------	---------------------------------------

(without windmill)

45 dB
 50 dB
 55 dB
 B 60 dB
 B 65 dB

Windmill Operating

55.4 dB
 56.2 dB
 61.0 dB
 61.2 dB
 65.4 dB

C. In granting a special permit for a windmill, the Commission shall have the power to impose such additional standards and requirements as it deems necessary to carry out the purposes of these regulations.

§ 273-89. Floodplain District.

A. Boundaries and elevations. The Floodplain District consists of the special flood hazard areas, namely Zone A, Zone A1 - 30 and Zone VI - 30, which are delineated on the Flood Insurance Rate

Map dated August 19, 1986, prepared by the Federal Emergency Management Agency, and as such zones may be amended from time to time by such Agency, which map is hereby made a part of these regulations and is hereinafter referred to as the "Flood Insurance Rate Map." The special flood hazard areas are areas of the town where there is a one-percent chance of flooding in any given year. The Flood Insurance Rate Map also identifies base flood elevations above mean sea level for Zone A1 - 30 and Zone VI - 30. EN(4)

B. Requirements. The following requirements are applicable in the Floodplain District and are in addition to requirements of these regulations applicable in the underlying district:

(1) Permit required.

(a) Within the Floodplain District, no building or other structure shall be constructed, moved or substantially improved unless a flood hazard area permit therefore is obtained from the Town Engineer in accordance with Chapter 174, Flood Damage Prevention.

(b) For the purpose of this requirement, "substantial improvement" means any repair, reconstruction or improvement of a building, the cost of which equals or exceeds 50% of the market value of the building either before the improvement or repair is started or, if the building has been damaged and is being restored, before the damage occurred. Substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include any project for improvement of a building to comply with existing state or town health,

sanitary or safety code specifications that are solely necessary to assure safe living conditions or any alteration of a building listed on the National Register of Historic Places or the Connecticut State Inventory of Historic Places.

(2) Within the Floodplain District, there shall be no paving, other than normal maintenance and repair of roads and driveways, and no excavation, removal, grading or depositing of earth materials, other than bona fide landscaping operations on a lot in accordance with § 273-67B, unless such flood hazard area permit therefore is obtained from the Town Engineer.

(3) The map and plans, including plot plans and site plans, required under these regulations to be submitted in connection with an application for a certificate of zoning compliance or approval of interior lots, a site plan or a special permit and pertaining to a lot any portion of which is located in a Floodplain District shall show the following additional information:

- (a) The boundaries of the Floodplain District.
- (b) Base flood elevations above mean sea level.
- (c) The lowest floor elevation, including basement, above mean sea level for any existing or proposed building.

(4) In commercial and industrial districts and Commercial Design Districts, no outside storage areas for supplies, merchandise, equipment or refuse and no outside manufacturing, processing or assembling of goods shall be located in the Floodplain District, unless adequate provision is made to prevent flotation of materials and equipment and to minimize flood damage within the Floodplain District.

§ 273-90. Water Supply District.

A. General. The Water Supply District is a class of district in addition to and overlapping one or more of the other districts. In any Water Supply District, no land, building or other structure shall be used; no building, other structure or facilities shall be constructed, reconstructed, enlarged, extended, moved or structurally altered; and there shall be no excavation, removal or deposit of earth materials, except in accordance with this section, in addition to the provisions applicable in the underlying district.

B. Purpose. In the delineation of the Water Supply District, it is recognized that there are areas of the Town of Guilford that drain into surface reservoirs and intakes to transmission tunnels for potable water supply serving other municipalities. Such surface water supply resources are also potential sources of supply to serve the Town of Guilford. In such water supply drainage areas, strict limitations on the use of land, buildings and other structures for human

habitation, on the construction of buildings, other structures and facilities and on the excavation, removal and deposit of earth materials are necessary to conserve the hydrological cycle of water resources, to protect the public health and safety, to prevent water contamination and erosion and sedimentation and to promote the provision of safe and sufficient public water supply.

C. Boundaries. The Water Supply District consists of all areas of the Town of Guilford within the natural watershed of Lake Gaillard in the Town of North Branford, the Menunkatuck Reservoir, any intake in the Town of Guilford for water transmission tunnels to Lake Gaillard and surface water supply reservoirs of the Wallingford Water Company. A representation of the boundaries of the Water Supply District is delineated on the Zoning Map. EN(5)

the boundaries of the Water Supply District is delineated on the Zoning Map. EN(5)

D. Requirements. In any Water Supply District, no building or other structure or facilities shall be constructed, reconstructed, enlarged, extended, moved or structurally altered and there shall be no excavation, removal or deposit of earth materials until an application for a certificate of zoning compliance has been submitted to the Zoning Enforcement Officer. The application for a certificate of zoning compliance shall be approved by the Zoning Enforcement Officer when he or she determines that the following standards have been met in addition to other applicable requirements of these regulations:

(1) No more than 10% of any lot shall be covered by buildings, other structures and paved areas, and such covered areas shall be distributed on the lot in such a manner as to avoid any major continuum or concentration of covered area that would exceed 40,000 square feet. All other portions of the lot shall have suitable vegetative cover or be left as undisturbed natural terrain.

(2) Provision for waste and sewage disposal shall be approved, in writing, by the Town Director of Health and shall also conform to no less than the following standards.

(a) All sewage disposal systems shall be gravity systems. No sewage lift pump stations shall be provided.

(b) Unless otherwise approved by the Town Director of Health, leaching fields and similar facilities shall be located at least 100 feet from any wetland or watercourse and on virgin soil at least four feet above bedrock, at least two feet above seasonal high water table and land having a slope of less than 15%.

(3) No building or other structure or paved area shall be located within 50 feet of any wetlands or watercourse, except that this limitation shall not

apply to buildings, other structures and paved areas approved in connection with a public utility water company facility nor to necessary driveways and access roads approved by the Commission.

(4) Storm drainage runoff from buildings, other structures and paved areas shall be designed to assure that no contaminants will reach any wetlands or watercourse and shall be designed to recharge into the ground or discharge outside the Water Supply District.

(5) Adequate provision shall be made for control of erosion and sedimentation to prevent siltation wetlands and watercourses both during and after construction of buildings, other structures and site development in accordance with the standards of Chapter 272, Subdivision of Land.

273-91. Coastal site plan review requirements under Public Act No. 79-535.En (6)

A. Applicability. All buildings, uses and structures fully or partially within the coastal boundary as defined by Section 22a-94 of the Connecticut General Statutes and as delineated on the Coastal Boundary Map for the Town of Guilford shall be subject to the coastal site plan review requirements and procedures in Sections 22a-105 through 22a-109 of the Connecticut General Statutes. Pursuant to Section 22a-109(b) of the Connecticut General Statutes, the following activities are exempt from coastal site plan review requirements.

- (1) Gardening, grazing or harvesting of crops.
- (2) Minor additions to or modifications of existing buildings or detached accessory buildings, such as garages or utility sheds. "Minor addition" means an addition not exceeding 20% of the first floor area or 1,000 square feet, whichever is less, and which addition does not require more than a ten-percent addition to the existing off-street parking area to meet the requirements of Article VI of these regulations.
- (3) Construction of new or modification of existing structures incidental to the enjoyment and maintenance of residential property, including, but not limited to, walks, terraces, driveways, swimming pools, tennis courts, docks and detached accessory buildings.
- (4) Construction of new or modification of existing on-premises fences, walls, pedestrian walks and terraces, underground utility connections, essential electric, gas, telephone, water and sewer service lines, signs and such other minor structures as will not substantially alter the natural character of coastal resources as defined by Section 22a-93(7) of the Connecticut General Statutes or restrict access along the public beach.
- (5) Construction of a new single-family dwelling or construction of a major addition to [larger than a minor addition as defined in Subsection A(2)] or major modification of an existing single-family dwelling, but only when such dwelling is not located in or within 100 feet of the following coastal

resources as defined in Section 22a-93(7) of the Connecticut General Statutes: tidal wetlands, coastal bluffs and escarpments and beaches and dunes.

(6) Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife and other coastal land and water resources.

(7) Interior modifications to buildings.

(8) Minor changes in use of a building, structure or property, except those changes occurring on property adjacent to or abutting coastal waters, or the change from a water-dependent to a non-water-dependent use.

B. In accordance with the provisions of Section 22a-109(b) of the Connecticut General Statutes, the foregoing exemptions from coastal site plan review requirements are applicable to buildings, uses and structures meeting the exemption criteria and authorized under any of the following procedures:

(1) The approval of a site plan under § 273-97 of these regulations.

(2) The approval of a special permit under § 273-99 of these regulations.

(3) The approval of an application for a certificate of zoning compliance under § 273-96 of these regulations when a site plan or special permit approval is not otherwise required.

(4) The granting of a variance from these regulations by the Zoning Board of Appeals under Section 8-6(a)(3) of the Connecticut General Statutes.

(5) A Commission report on a referral of a proposed municipal project under Section 8-24 of the Connecticut General Statutes.

C. For any use where a coastal site plan review is required and where such use

is located within 100 feet of a tidal wetland, coastal bluff, escarpment, beach or dune, a public hearing shall be held by the Commission.

D. [Amended 2-18-1998] Visual access. In reviewing applications under this section, the Commission shall take into consideration the impact of the proposed activity or use on visual access to the coastal resources. Waterfront property shall be developed so that the design and the relationship of the development to the waterfront, as viewed from the water, is consistent with a waterfront setting.

(1) Buildings and structures shall be located in such a way as to maintain views of the water from the nearest public street to the greatest extent possible, but at a minimum shall provide one straight-line uninterrupted rectangular view lane per property whose width is not less than the required (minimum) side yard width for the principal structure in the district in which the property is located. Said view lane shall be located within the side yard of the property.

- (2) At the end of streets that end at the waterfront, a straight-line uninterrupted view lane to the water shall be preserved whose width is at least 75% of the existing street right-of-way.
- (3) There shall be no buildings or other permanent obstruction placed in view lanes. No obstruction by fences, shrubbery or trees or other landscape features higher than four feet shall be placed in view lanes between the water and the nearest public street. All major shade trees must have their lowest branches at least six feet above the ground at the time of installation and be maintained in that manner. Any fences placed within view lanes shall be see-through. Protective (see-through) fences or railings which are part of a public pedestrian walkway which are in or pass through a view lane may be built to a height not to exceed four feet. Existing trees and shrubbery within view lanes may be maintained in their present position, but in the spirit of the Plan of Conservation and Development and the requirements of this section, it is hoped that property owners will trim existing trees and shrubbery to the maximum extent possible. The replacement of existing trees and shrubbery shall be in conformance with the requirements of this section.
- (4) Where two or more lots are combined to form one building lot, the Commission may, in its discretion, increase the width of the required view lane.
- (5) For those situations in which the particular juxtaposition of the lot, water and public road would make providing a view lane serve no useful purpose for passersby on the public road, or in which the lot is of such a size that the distance from the public way to the water is so large that no appreciable view of the water would be provided, the Commission, in its discretion, may waive the view way requirements of this section.
- (6) Setbacks for coastal resources: see § 273-35 of this Code.

§ 273-92. Groundwater Protection District.

A. General. The Groundwater Protection District is a class of district in addition to and overlapping one or more of the other districts. The boundaries of the Groundwater Protection District encompass areas drained by surface waters that cross recharge areas of stratified drift aquifers that are existing or designated as potential and important sources of public water supply, based on data established by the U.S. Geological Survey. The purpose of the Groundwater Protection District is to assure that the use of land, buildings and other structures and site development within the district is conducted in a manner that protects the public health and the usability of the groundwater supply resource and avoids degradation of the quality of the groundwater. The boundaries of the Groundwater Protection District are delineated on the Zoning Map of the Town of Guilford. EN(7)

B. Prohibited uses. Within the Groundwater Protection District, the following uses are specifically prohibited:

- (1) Manufacture, use, storage or disposal of hazardous materials (including

hazardous wastes) as a principal activity.

- (2) Dry-cleaning establishments.
- (3) Furniture strippers.
- (4) Photo processors.
- (5) Printers.
- (6) Gasoline service stations/auto repair shops.
- (7) Commercial car washes.
- (8) Machine shops.
- (9) Underground fuel storage or transmission (i.e., via pipeline) for residential and nonresidential uses.
- (10) Underground storage or transmission (i.e., via pipeline) of hazardous materials (as an accessory use).
- (11) Solid waste disposal sites: sanitary landfills, dumps and junkyards.
- (12) Septage disposal sites: septage lagoons and disposal or spreading of septage on the ground.
- (13) Community septic systems.

C. Uses allowed by special permit. Within the Groundwater Protection District, the following uses may be allowed only by special permit in accordance with Subsection D of this section and Article X and § 273-99 of these regulations:

- (1) Medical and dental offices and hospitals.
- (2) Veterinary clinics.
- (3) Retail sales and/or aboveground storage of fuel oil or other petroleum products and other hazardous materials.
- (4) New or enlarged sites for the accommodation or storage of manure, fertilizers, pesticides and herbicides that shall:
 - (a) Have a roof that shall prevent precipitation from coming into contact with these materials.
 - (b) Have a liquid tight floor with no drains other than a sump pit.
 - (c) Be located so that surface water runoff drains away from the storage area.
- (5) Road salt storage with proper storage and safeguards.
- (6) Beauty shops.

D. Special permit application requirements.

- (1) Where a special permit is required, the following information shall be submitted (where relevant) as part of the application:
 - (a) The design of aboveground or below-ground storage tanks or systems,

including any dikes, drains and appurtenant structures and types of material to be stored.

(b) The amount and composition of any liquid materials or other chemicals that will be handled, stored, generated, treated or disposed of on the property.

(c) Provisions for treatment, storage and/or disposal of any liquid materials or other chemicals.

(d) The septic tank and leach field location, size and capacity and/or sewage lift stations, force mains and grease traps.

(e) The expected types and amount of discharge to the ground and surface water.

(f) Provisions for stormwater runoff controls which will minimize suspended solids and maximize groundwater recharge, including a detailed drainage plan showing locations of storm drains and points of discharge, building roof and floor drains and points of discharge and locations of dry wells and drainage pipe, whether pervious or impervious. (See also § 273-75G, Erosion and sedimentation.)

(g) The location of loading and unloading docks.

(h) Provisions for containment of any spills.

(i) Location and description of outside storage areas and types of materials to be stored.

(2) All special permit applications shall be referred to the Connecticut Water Company and the Guilford Water Pollution Control Authority for advice and comment.

E. Other requirements.

(1) The total ground coverage by buildings and other structures, outside storage areas, paving, parking and other impervious surfaces shall not exceed 50% of the area of the lot. Anything in excess of 50% will require a special permit. Storm drainage shall be discharged to vegetated surfaces, unless measures and maintenance programs are provided for control and containment of runoff from parking and other paved areas.

(2) Dry wells shall be used only where other methods are unfeasible and shall be preceded by oil, grease and sediment traps to facilitate the removal of contaminants.

§ 273-93. Westside Economic Development Overlay Zone.

A. General. The Westside Economic Development Overlay Zone (WEDOZ) is a class of district in addition to and overlapping one or more of the other districts. Within the WEDOZ, economic development is encouraged when

consistent with the Comprehensive Plan of Development and Conservation and the standards of this section. The boundaries of the WEDOZ are delineated on the Zoning Map of the Town of Guilford.EN(8)

B. Uses allowed by special permit. In addition to the uses permitted in the underlying zones, the following uses are allowed in any zone within the WEDOZ:

(1) Offices. Residential dwelling units existing as of August 2, 1991, may be converted to business and professional offices or personal service establishments in accordance with Article X and § 273-99. On lots of 40,000 square feet or more, existing dwellings may be expanded, for office use, by a maximum of 25% of the total floor area of the dwelling. On lots of 80,000 square feet or more, existing dwellings may be expanded, for office use, by a maximum of 501/o of the total floor area of the dwelling.

C. Changes from residential zone district to Commercial Design District (C-D). Within the WEDOZ it may be appropriate for some properties to be rezoned to the C-D District. Such rezoning must meet the standards and criteria of § 273-21 of these regulations. On lots containing existing nonconforming uses, the minimum site size for a C-D Zone shall be one acre.

D. Multifamily dwellings. The development of multifamily dwellings is encouraged within the WEDOZ. Multi-family housing can be developed through the planned residential district regulations (Article XI and § 273-101 of these regulations). Within the WEDOZ, the PRD minimum site size shall be five acres.

E. Design and development standard. In reviewing special permit applications, zone change request and site plan applications within the WEDOZ, the Commission shall consider the following design and development standards:

(1) A high quality of architectural design is encouraged. For all C-D site plan, PRD and special permit applications (with a building over 5,000 square feet), the use of an architect registered in the State of Connecticut is required. The Commission shall require the submission of renderings, perspective drawings, models or other presentation materials as part of said applications.

(2) New development, including parking and service-related activities, should be set back from the Boston Post Road to the maximum extent feasible. In general, the larger the building, the greater the setback, will be the operable standard employed by the Commission.

(3) Business and professional offices, research and light manufacturing and distribution uses are strongly preferred within the WEDOZ. Retail stores, restaurants and automotive service uses are only permitted on sites of fifteen acres or more and under exceptional circumstances where the highest quality of architectural and site design are displayed.

(4) The WEDOZ is intended as a zone with a mixture of land uses, including single-family and multi-family dwellings and nonresidential uses.

(5) Site plans for new development shall preserve, to the maximum extent feasible, the existing landscape, especially mature shade trees. For any proposed PRD, C-D, site plan or special permit application (with a building over 5,000 square feet), the Commission shall require that a qualified landscape architect or landscape designer be used in preparing the plans.

(6) The Commission strongly encourages the development of affordable housing, as defined by state and federal law, within the WEDOZ.

(7) Landscape and building volume ratios. In evaluating C-D, PRD, special permit and site plan applications, the Commission shall employ the concept of landscape and building volume ratios. In general, the Commission will seek to maximize landscape volume ratios and minimize building volume ratios. The "landscape volume ratio" is defined as the sum total of landscape volume on a site divided by the site area. The "building volume ratio" is defined as the total volume of building plus the area of impervious surface divided by the site area. For sites with a high building volume ratio, the Commission will also require a high landscape volume ratio in order to buffer the visual impact of large building volumes.

(8) Signs. The design and placement of signs shall conform to the standards and procedures

of this section. Plastic and internally illuminated signs are prohibited.

(9) Design review. Within ninety days of the effective date of this amendment, this Commission will appoint a Design Review Committee. Said Committee shall have a minimum of five members, with two members from the Commission and three with professional design credentials. The Design Review Committee will provide design advice to the Commission with respect to applications pending before it within the WEDOZ.

§ 273-94. **Bed-and-breakfasts.**

A. Purpose. The purpose of this section is to provide a procedure where bed-and-breakfast facilities can be created to satisfy a need for economic development and tourism in the Town of Guilford.

B. Procedure. In accordance with the standards of this section and Article X and § 273-99 of these regulations, the Commission may grant a special permit to create a bed-and-breakfast facility on a lot in any residential zone. When a special permit application is received pursuant to this section, the Commission shall notify, by mail, all adjacent property owners of the pending application.

C. Standards.

(1) In order to be approved by the Commission, bed-and-breakfast facilities must meet the following standards:

- (a) The bed-and-breakfast facility must be located within a detached, single-family dwelling which is at least five years old.
- (b) The structure must be owner-occupied.
- (c) Additions to the structure to accommodate the bed-and-breakfast activity shall be limited to not more than 20% of the total floor area of the dwelling.
- (d) Meals may be served only to the occupants of the dwelling and guests at the bed-and-breakfast.
- (e) Parking must be provided, with a minimum of two spaces for the owner and one space for each guest room.
- (f) Parking areas must be landscaped so as to minimize their impact on adjoining properties.

(2) In reviewing an application for a bed-and-breakfast special permit, the Commission shall also consider the following issues and criteria:

- (a) The impact of the facility on the residential quality of the adjacent neighborhood and the opinions of those residing in said neighborhood.
- (b) The significance of the proposed use in terms of the town's interest in encouraging tourism.
- (c) The adequacy of the sewage disposal system to accommodate the proposed use. The Commission may require that a report which has been prepared by a licensed engineer be submitted.
- (d) The impact of the proposal on the architectural character of the building or neighborhood.
- (e) The impact of the proposal on historic resources, including historic buildings or districts.

D. Size. In granting a special permit for a bed-and-breakfast facility, the Commission may limit its size (number of guest rooms). In so doing, the Commission shall consider the standards described above.

§ 273-95. Communication towers, antennas and facilities. [Added 2-19-1997]

A. Except in accordance with the standards of this section and Article X of these regulations, no communication tower, antenna, cell site or related facility may be erected. Application procedures for a special permit to erect such a facility are specified in § 273-99.

B. When used in this section, the following words or phrases shall have the meaning defined below:

ANTENNA -- A device used to collect or transmit telecommunications or radio signals. Examples include panels, microwave dishes and single pole devices known as whips.

CELL SITE -- The equipment and structures involved in receiving

telecommunications or radio signals from a mobile radio communications source and transmitting those signals to another cell site or to a central switching computer which connects the mobile unit with land-based telephone lines.

COMMUNICATION TOWER -- A structure that is intended to support equipment used to transmit and/or receive telecommunications signals. Examples include monopoles and lattice construction steel structures.

C. The purposes of this section are as follows:

- (1) To accommodate the need for communication towers and antenna while regulating their location and number.
- (2) To avoid potential damage to adjacent properties from these facilities.
- (3) To reduce the number of communication towers, facilities and sites needed in the future.
- (4) To minimize adverse visual effects through regulations on the town-wide basis.

D. No special permit for a communication tower, antenna, cell site or facility will be granted, except in conformance with the following standards:

(1) Antenna, cell sites and other communication facilities shall be located in the following order of preference:

- (a) On existing structures, such as buildings or existing towers. Where such facilities are proposed on existing towers, no special permit is required. Applicants must obtain site plan approval in accordance with Article IX and § 273-97 of these regulations.
- (b) In locations where the existing topography, vegetation, buildings or other structures provide the greatest amount of screening.
- (c) On new communication towers on bare ground in commercial and industrial zone districts.
- (d) On government or institutional structures in residential zone districts.
- (e) On new communications towers in residential districts.

(2) Applicants must demonstrate how they have met this criteria before a special permit may be issued. The applicant must demonstrate that the proposed location is necessary to satisfy its function in the company's grid system. Where a new communication tower or other facility is proposed in a residential zone, the applicant must demonstrate that no existing structures are suitable or available and that a location in a nonresidential area is not feasible.

(3) No communication tower, antenna, cell site or other communication facility shall be located in such a manner as to have an adverse impact on any scenic site or vista identified in Guilford's Comprehensive Plan of Development and Conservation, in the Guilford Preservation Alliance's

Master Plan of Preservation and Scenic Conservation or on any National Register Historic District or on any other location whose scenic impact is demonstrated through evidence disclosed at a public hearing.

(4) For new communication towers or structures, joint use shall be accommodated and provided for. To minimize the number of antenna or communication towers in the future, proposed support structures shall be required to accommodate at least two other users, including other communications companies and public emergency service providers.

(5) Mitigation of any adverse visual impacts will be required, including landscaping, fencing, painting and other measures.

(6) No lighting of any communication tower will be allowed, except where required for public safety as determined by the Commission or as required by the Commission or as required by the Federal Aviation Administration.

(7) No commercial advertising is permitted on any facility.

(8) No communication tower or other facility shall exceed the height required to satisfy the minimum technical requirements of the facility.

(9) Communication facilities falling under the jurisdiction of this section are treated as accessory to other permitted uses on a lot but must meet the setback requirements for a principal structure on a lot.

(10) Notwithstanding any provision to the contrary, amateur radio facilities, as defined by the Federal Communications Commission, are subject to the requirements of this section. The Commission shall consider the unique needs of this type of facility, particularly the likelihood of such facility being located in residential zones, when considering such applications.

E. In addition to the requirements of Article X and § 273-99 of these regulations, the Commission may require that applicants provide simulations of tower locations and impacts as part of the review of the special permit application. Such simulations may entail erection of balloons or other devices necessary to visualize the proposed facility. The Commission may also require propagation studies that illustrate the area serviced by the proposal. Such studies shall show the location of other communication towers within the service area.

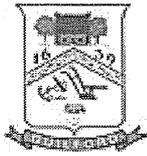
F. Abandonment. A facility built pursuant to this section, when not in use for six months, shall be removed by the facility owner. This removal shall occur within 90 days of the end of such six-month period. Upon removal, the site shall be restored to its previous appearance.

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The Town of
Guilford, Connecticut



ARTICLE XIII: Administration

Article XIII, Administration

273-96. Certificate of zoning compliance. [Amended 10-5-1994; 1-7-1998]

No building or other structure or part thereof shall be constructed, reconstructed, enlarged, extended, moved or structurally altered, nor shall any lot, building or other structure be changed in use, including filling, excavation, dredging, grading or substantial removal of trees upon any lot in a Commercial or Industrial Zone, until an application for a certificate of zoning compliance has been approved by the Zoning Enforcement Officer; nor shall any nonresidential land, building, or other structure or part thereof, where a change has been made in the site, drainage or sanitary facilities, be used, reused, occupied or reoccupied (except for a permitted farm use where no building or other structure is involved) until a certificate of zoning compliance has been issued by the Zoning Enforcement Officer, in accordance with the following procedures.

A. Application. An application for a certificate of zoning compliance shall be submitted, in duplicate, to the Zoning Enforcement Officer in form prescribed by the Commission, containing the following:

- (1) The dimensions and area of the lot.
- (2) The height, dimensions, use, total floor area, number of stories and location of all buildings and other structures on the lot, whether existing or proposed, with respect to all lot lines.
- (3) The location, area and dimensions of 0 required off-street parking and loading spaces and the means of access to such spaces.
- (4) Such additional information as the Commission may deem necessary to determine compliance with the provisions of these regulations.

B. Fee. No fee shall be required.

C. Referral. Where required by any provision of these regulations, the pertinent drawings, plans and documents called for shall be referred to the Commission for its approval.

D. Approval and issuance. The Zoning Enforcement Officer shall approve an application for a certificate of zoning compliance if he/she determines that all requirements of these regulations, except in the case of a nonconformity, and any additional conditions imposed by action of the Commission or any

other town or state agency having jurisdiction have been met.

(1) When the premises are ready for use or occupancy, the applicant shall submit to the Zoning Enforcement Officer either:

- (a) An as-built plot plan, prepared by a registered land surveyor, demonstrating that the building or other structure is in compliance with the requirements of these regulations; or
- (b) A notarized affidavit, on a form prescribed by the Commission, certifying that the building or other structure is in compliance with the requirements of these regulations.

(2) Upon receipt of either Subsection D(1)(a) or (b) above, the Zoning Enforcement Officer shall issue a certificate of zoning compliance.

(3) Notwithstanding the above, for any budding in a commercial, marine recreational or industrial zone or any multifamily residential building, an as-built plot plan must be prepared in accordance with Subsection D(1)(a) above prior to approval of a certificate of zoning compliance.

E. Performance bond. Any required performance bond posted to assure compliance with these regulations shall be released by the Treasurer of the Town of Guilford upon notification by the Zoning Enforcement Officer that a certificate of zoning compliance has been issued.

F. Appeals. Any appeal from a decision of the Zoning Enforcement Officer shall be made in accordance with the state statutes and within 65 days after said decision is made.

G. Preliminary certificate of zoning compliance. For any building in a commercial, marine recreational or industrial zone or any multifamily residential building (a building containing two or more dwelling units, excluding an accessory apartment approved under § 273-19) a preliminary certificate of zoning compliance (PCZC) shall be required. A PCZC shall be approved by the Zoning Enforcement Officer upon submission, by the applicant, of an as-bat drawing showing the building foundation, prepared by a registered land surveyor, demonstrating that the foundation is built in compliance with these regulations and in conformance with an approved site plan. No further construction (beyond the foundation) may occur without an approved PCZC.

§ 273-97. Site plan approval.

A. General. Prior to approval of an application for a certificate of zoning compliance for a use for which approval of a site plan is required, including special permit uses under § 273-99, a site plan submission shall be made to and approved by the Commission. The requirements and procedures for site

plan review are hereinafter specified.

B. Application. Application for approval of a site plan shall be submitted to the Commission, in writing, in quadruplicate, and shall be accompanied by the following:

(1) Statement of use. A written statement shall be included, signed by the applicant and by the owner, if different from the applicant, describing the following in sufficient detail to determine compliance with these regulations and to establish the plan and program basis for review of the site plan submission:

- (a) The nature and extent of the proposed use or occupancy.
- (b) Provisions to be made for water supply, sewage disposal, solid and liquid waste disposal, drainage and other utilities.
- (c) The number of persons to occupy or visit the premises on a daily basis, including the parking and loading requirements for the use.
- (d) An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hour.
- (e) The equipment or other methods to be established to comply with the performance standards of § 273-45.
- (f) Disclosure of any toxic or other hazardous materials to be used, stored or processed in connection with the proposed use or occupancy as identified in the United States Environmental Protection Agency list of priority pollutants, Section 3001 of the Resource Conservation and Recovery Act (40 CFR Part 261) and Connecticut Department of Environmental Protection regulations for hazardous wastes.

(2) Site plan. A site plan shall be included, drawn on one or more sheets 24 inches by 36 inches and at a scale of not less than 40 feet to the inch. Three copies shall be submitted. Additional details and specifications shall be drawn at the same sheet size and scale or such other size and scale as may be appropriate in accordance with good design practice. The site plan shall be prepared by a professional engineer, architect, land surveyor and/or landscape architect licensed to practice in the State of Connecticut and as required by law.

(a) The site plan, including details and specifications, shall show all of the following information, both existing on the premises and proposed to be established, to the extent applicable to the particular application:

[1] Property lines of the lot and any lines delineating a portion of the lot to be used under the application.

[2] Existing contours and proposed grading contours, at an interval not exceeding two feet, or equivalent ground elevations, based on mean sea level (National Geodetic Vertical Datum of 1929), including identification of a

benchmark at the site.

[3] Buildings, structures and retaining walls.

[4] Signs and illumination specifications therefore.

[5] Outdoor illumination facilities, including the height and specifications for luminaries.

[6] Street rights-of-way adjoining or serving the lot.

[7] Street pavement, driveways, curbs, sidewalks and terraces and the specifications therefore.

[8] Off-street parking and loading spaces and access aisles and turning areas therefore.

[9] Outside storage areas, including underground storage tanks, and provision for solid and liquid waste storage and disposal.

[10] All other paved areas.

[11] Watercourses, water bodies, inland wetlands, state-regulated tidal wetlands and the boundaries of United States Natural Resources

Conservation Service soil

types.EN(9)

[12] Storm drainage, sewage disposal and water supply facilities and the soil test locations, results and engineering computations therefore.

[13] Docks, wharves, piers, bulkheads and navigable waters and navigation channels.

[14] Provisions and program for erosion and sedimentation control.

[15] In a Floodplain District, the floodplain boundary and the base flood and floor elevation data as specified in § 273-89B(3), based on the datum specified in Subsection B(2)(a)[2] of this section.

[16] Landscaping, including lawn, seeding, fences and screening, as well as planting details for trees and shrubs by common name and size and the method by which landscaping work will be supervised and maintained during the first growth year.

[17] The location of natural terrain not to be disturbed.

[18] A schedule specifying the area of the lot; the amount of floor area, lot coverage and total coverage by building and paving, in square feet and as a percent of the lot; and the basis for computation of required off-street parking and loading spaces.

[19] A location map showing the lot in relation to streets and properties in the neighborhood.

[20] A north arrow, the Assessor's Map and lot number, the Zoning Map district in which the lot is located and any zoning boundary within or near the lot.

[21] The words "Approved by the Guilford Planning and Zoning Commission," with a place for the signature of the Chairperson and date of signing.

(b) When more than one sheet is used to show the layout features of a site plan, a master or composite sheet shall be provided at an appropriate scale

showing the principal features of the site plan, such as, but not limited to, lot lines, buildings, parking and loading, driveways, systems for drainage, sewage disposal and water supply, wetlands and watercourses, soil types and the Floodplain District.

(3) Architectural plans. Architectural plans, which shall include all proposed buildings, structures and signs and all existing buildings, structures and signs proposed to be reconstructed, enlarged, extended, moved or structurally altered, shall accompany an application for approval of a site plan. Architectural plans may be in preliminary form but shall include exterior elevation drawings, exterior materials, generalized floor plans and perspective drawings prepared, except for drawings for signs, as may be required by law, by an architect or professional engineer licensed to practice in the State of Connecticut. Three copies of architectural plans shall be submitted.

(4) Reports. Written reports shall be included concerning the following:

(a) For shopping centers or other multiple-tenancy commercial or industrial complexes, a statement indicating the provisions to be made or actions to be taken by the owner or lessor to prevent supplies, merchandise, equipment or refuse from being stored, located or placed on sidewalks, pedestrianways, buffer strips, landscaped areas, driveways or paved areas reserved for off-street parking and loading, except for approved sidewalk sales. (See § 273-47.)

(b) For site plans involving 50 or more parking spaces or uses projected to generate either more than 200 vehicle trips per day or more than 100 vehicle trips per day per 1,000 square feet of floor area, a traffic impact analysis, prepared by a recognized traffic engineer, indicating the expected average daily vehicular trips, peak hour volumes, access conditions at the lot, distribution of traffic, types of vehicles expected and the effect upon the level of service of the street giving access to the lot.

(5) Other permits. Where access to the lot is provided from a state highway, evidence that application has been made for a state highway encroachment permit shall be submitted to the Commission.

(6) Erosion and sediment control plan. As required by § 273-75G, an erosion and sediment control plan shall be submitted as part of an application for site plan approval. The soil erosion and sediment control plan shall contain proper provisions adequately to control accelerated erosion and sedimentation and reduce the danger from stormwater runoff on the proposed site, based on the best available technology. Such principles, methods and practices necessary for certification are found in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. Alternative principles, methods and practices may be used with prior approval of the Commission. Said plan shall contain, but not be limited to:

(a) A narrative describing:

[1] The development.

[2] The schedule for grading and construction activities, including start and completion dates and sequence of grading and construction activities, sequence for installation and/or application of soil erosion and sediment control measures and sequence for final stabilization of the project site.

[3] The design criteria for proposed soil erosion and sediment control measures and stormwater management facilities.

[4] The construction details for proposed soil erosion and sediment control measures and stormwater management facilities.

[5] The installation and/or application procedures for proposed soil erosion and sediment control measures and stormwater management facilities.

[6] The operations and maintenance program for proposed soil erosion and sediment control measures and stormwater management facilities.

(b) A site plan map 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 stormwater management facilities.

[6] The sequence of grading and construction activities.

[7] The sequence for installation and/or application of soil erosion and sediment control measures.

[8] The sequence for final stabilization of the development site.

(c) Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.

(7) Issuance or denial of certification.

(a) The 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.

(b) The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, 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 the provisions specified under Subsection D of this section.

(c) 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.

(d) Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.

(e) 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 or maintained.

(8) Definitions. As used in this section, the following terms shall have the meanings indicated:

CERTIFICATION -- A signed, written approval by the Commission that a soil erosion and sediment control plan complies with the applicable requirements of these regulations.

DEVELOPMENT -- Any construction or grading activities to improved or unimproved real estate.

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

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

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.

INSPECTION -- The periodic review of sediment and erosion control measures shown on the certified plan.

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

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.

C. Procedure.

(1) The Commission may request the applicant to submit such additional

information that the Commission deems necessary in order to decide on the suitability of the site plan. Upon request by the applicant, the Commission may determine that certain information required to be submitted under Subsection B may be deferred for later consideration and action or need not be submitted if found unnecessary to reach a decision on the suitability of the site plan and compliance with these regulations.

(2) Except for a site plan submission made in connection with a special permit application, the Commission shall either approve, approve subject to modifications or disapprove the site plan within 65 days after receipt thereof. Failure of the Commission to act on any site plan within 65 days of receipt shall constitute approval; provided, however, that the applicant may consent, in writing, to one or more extensions of the sixty-five-day period, for a total extension not to exceed 65 days. A decision to deny or modify a site plan shall set forth the reasons for such denial or modification. The Commission shall give notice of its decision as required by law.

D. Performance bond. The Commission may require and, when so required, the applicant shall file with the Board of Selectmen of the Town of Guilford a performance bond, in form and amount and with surety approved by the Commission, to guarantee the faithful performance of the site work in accordance with the approved site plan.

E. Conditions. Site plan approvals may be granted subject to appropriate conditions and safeguards deemed necessary by the Commission to protect the health, safety and general welfare of the community, to protect property values in the neighborhood or zoning district and to preserve the purpose and intent of these regulations.

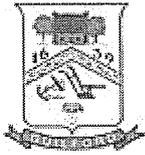
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The Town of
Guilford, Connecticut



ARTICLE XIII: Special Permit

273-98. Special permit for earth removal operations.

A. Application. Before any special permit for the excavation, removal or deposit of earth, loam, topsoil, sand, gravel, clay, stone or other material shall be granted, a written application shall be submitted to the Commission.

- (1) The application shall be accompanied by a statement of the time period proposed for completion of all work and by maps and plans drawn to scale of not less than 60 feet to the inch and prepared by and bearing the seal of a registered land surveyor or professional engineer, showing the following:
 - (a) The names of the applicant and owner of the land.
 - (b) The location and limits of the area to be excavated or filled.
 - (c) Existing and proposed contour lines, shown at intervals not to exceed two feet.
 - (d) Existing and proposed drainage on the premises.
 - (e) Existing rivers, streams, watercourses or salt marshes on or adjacent to the premises.
 - (f) Adjoining lot lines, with the names of owners of record of adjacent land and streets with names.
 - (g) Proposed vehicular access from a street.
 - (h) The location of wooded areas, existing and proposed buildings, structures and any processing equipment proposed to be used on the premises.
 - (i) The zone district of the area.
 - (j) Where required under the Connecticut General Statutes or a public act of the State of Connecticut, written approval of the maps and plans by the United States Army Corps of Engineers, the State Water Resources Commission, the State Highway Department, the State Public Health Department and/or, in the case of an area including wetlands as defined by Public Act No. 69-695, F-N(IO) a permit from the Commissioner of Agriculture and Natural Resources.
 - (k) Such further information as the Commission may deem necessary.
- (2) Where the size of the proposed removal or deposit operation is small and does not substantially affect the surrounding area, the Commission may, upon written request, waive any of the requirements of Subsection A(1) that are not deemed essential to a decision.

B. Hearing and decision. After receipt of complete application with all required documents, the Commission shall hold a public hearing on the application, shall decide thereon and shall give notice of its decision as required by law. The Commission may grant a special permit, for a period of time not exceeding two years, if it finds that such excavation, removal or deposit will not result in the creation of any sharp declivities, pits or depressions, soil erosion or fertility problems, depressed land values, drainage or sewerage problems or other conditions that would impair the future use of the lot in accordance with these regulations and that such excavation, removal or deposit will be in harmony with the general purpose and intent of these regulations.

C. Bond. The applicant shall file with the Commission a performance bond, in form and amount and with surety acceptable to the Commission, to guarantee the faithful performance of the work to be undertaken in accordance with the terms of the special permit. In addition, the Commission may require, when the type and size of the removal operation warrants it, a bond in form and amount and with surety acceptable to the Board of Selectmen to protect the town from any damage caused to town roads, bridges or drainage facilities as a result of the removal operation.

D. Renewal. A special permit may be renewed by the Commission in accordance with the procedures and standards of these regulations.

E. Revocation and suspension.

(1) Any special permit issued pursuant to the provisions of this section may be revoked by the Commission after notice, in writing, to the permittee and a hearing for violation of any condition of the permit, violation of any provision of this section or any other law or other regulation relating to the work permitted or the existence of any condition or the doing of any act constituting or creating a nuisance or endangering the life or property of another.

(2) Notice. The notice shall describe the violation charged and may be either delivered personally or mailed by certified mail to the permittee address appearing on the application.

(3) Suspension. Any permit may be suspended for cause by the Zoning Enforcement Officer for a period not exceeding seven days without a hearing.

(4) Other remedies. The remedies and procedures provided in this Subsection E shall be in addition to all other remedies and procedures as are provided by law to the permittee.

273-99. Special permit procedure. A. Application.

(1) Application for a special permit shall be submitted, in writing, in quadruplicate, to the Commission and shall be accompanied by the

following:

- (a) Statement of use. A written statement, in quadruplicate, describing the proposed use shall be included.
- (b) Site plan. A site plan, in accordance with § 273-97B(2) shall be included.
- (c) Architectural plans. Preliminary architectural plans, in quadruplicate, of all proposed buildings, structures and signs, including general exterior elevations, exterior materials, perspective drawings and generalized floor plans and including drawings for proposed signs shall be included.
- (d) Other information. Such additional information shall be included as the Commission may deem necessary in order to reach a decision on the application.

(2) Waiver. The Commission may waive any item required under Subsection A(1)(b) or (c) if it finds such item unnecessary to its consideration of the application.

B. Hearing and decision. After receipt of a completed application, the Commission shall hold a public hearing on the application, shall decide thereon and shall give notice of its decision as required by law. The Commission may approve, approve with conditions or deny approval of the special permit.

C. Conditions. All special permits may be granted subject to appropriate conditions and safeguards, including limitations on time for construction and commencement of use, necessary to conserve the public health, safety and general welfare and property values in the neighborhood.

D. Bond. The Commission may require the applicant to file with the Board of Selectmen of the Town of Guilford, within such time as the Commission may require, a performance bond, in form and amount and with surety approved by the Commission, to guarantee the faithful performance of the work to be undertaken.

E. Any enlargement, extension, moving or structural alteration of a special permit use or any building or structure in connection therewith shall require submission of a special permit application, which shall be subject to the procedures for such application set forth in this section.

§ 273-100. Special permit for planned residential development.

A. General. In accordance with the procedures and requirements hereinafter specified, the Commission may approve a special permit for a planned residential development (PRD). A special permit approved under this section, with or without conditions, authorizes application for a certificate of zoning compliance that includes design plans and a management program as provided in § 273 -1 0 1. Prior to the submission of a special permit

application for a PRD, the applicant is requested to attend an initial conference with the Commission or its duly designated representatives to gain general information about the area of the town in which the PRD is proposed, to review the criteria and procedures for PRD's and to receive guidance in the preparation of the application.

B. PRD application, Area A. The application for a special permit for a planned residential development (PRD) located in Development Program Area A shall be submitted to the Commission and shall include the following:

- (1) A PRD special permit application form as prescribed by the Commission, completed and signed by the applicant, in duplicate, and also signed by the owner of the land included in the PRD, if different from the applicant.
- (2) A written declaration by the applicant, furnished in triplicate, in which there is set forth the following information:
 - (a) An evaluation of the proposed PRD as it relates to the criteria set forth under § 273-83 of Article XI.
 - (b) A statement regarding the nature of all proposed open spaces and the means by which they will be maintained and their continuity guaranteed.
 - (c) A statement regarding the proposed types of dwelling units, methods of ownership, occupancy and general design concepts.
 - (d) A statement regarding provision that is to be made, if any, for occupancy of dwelling units by lower-income families, including the means for assuring continuity of lower cost of occupancy.
 - (e) A statement regarding provision that is to be made, if any, for transfer of development potential from farmland or other managed open spaces to the PRD, including the means of assuring continuity of preservation of such farmland or open space from development.
 - (f) A statement regarding the types and uses of 0 nonresidential structures proposed.
 - (g) A statement regarding the type of water supply and sewage disposal facilities proposed, the method of establishment of such utilities and the intended ownership, financing and management arrangements.
 - (h) Computations and data showing compliance with the area requirements under § 273-83 of Article M.
 - (i) A proposed schedule for development of the PRD, including provision for any phasing of construction of dwellings, utilities, recreation facilities and other services.
 - (j) A general description of how the project design standards of § 273-84 of Article M will be met.
 - (k) Such other information that the applicant deems will be of assistance in the consideration of the PRD application.

(3) Maps and plans of the PRD tract, in six clear, legible prints, each drawn to a scale of not less than one inch equals 100 feet, as follows:

(a) An existing conditions evaluation map. A map of the entire PRD tract shall be included, showing the following:

[1] Boundaries of the tract and approximate dimensions and the names of all abutting owners.

[2] Existing contours at an interval not exceeding two feet.

[3] Significant topographic features, such as all wetlands and watercourses, rock outcroppings, wooded and other vegetation areas, by type, and other natural features.

[4] General soil types by National Cooperative Soil Survey classifications, which soils shall be confirmed by competent field investigation in areas of the tract that are proposed to be disturbed for building development and sewage disposal.

[5] The location of any existing structures, travel ways, fences and walls.

[6] An identification of land form features, such as views, scenic areas, drainage basins and locations of ecological systems.

(b) Sketch subdivision plan. Using a reproducible copy of the existing conditions evaluation map, six clear legible prints of a sketch subdivision plan showing how the tract could reasonably be divided into individual building lots conforming to the requirements of the residential district where located, having a practical building site with potential for water supply and on-site sewage disposal on each lot and served by roads that could conform to the alignment, grade and other requirements of Chapter 272, Subdivision of Land, shall be included. The sketch subdivision plan may be based on information from the existing conditions evaluation map and field observation. Field survey and soils tests are not required. EN(11)

(c) Site use plan. A plan of the same scale and orientation as the existing conditions evaluation map shall be included, showing the following for the entire tract:

(11) The location of proposed vehicular access into the tract and the principal system of circulation driveways or streets within the tract.

[2] Areas, with boundaries delineated, for dwelling construction and accessory services and with data on the acreage of such areas and the number and type of dwelling units proposed for each.

[3] Areas or sites proposed for recreation facilities, and any nonresidential structures.

[4] Areas proposed for on-site sewage disposal leaching systems.

[5] Proposed connection to a public water supply or proposed site for water supply wells.

- [6] Areas, with boundaries delineated, for reservation as open space land.
- [7] Proposed restricted areas, such as setbacks from the boundary of the tract, channel encroachment lines and zone boundaries, including floodplains.

(d) Concept architectural drawings, in four clear legible sets of prints, illustrating the type of dwellings proposed in the PRD shall be included; provided, however, that such drawings are not required for single-family detached dwellings proposed to be individually constructed and owned on separate lots.

(4) A sanitation study report, in three copies, presenting estimates of water supply and sewage disposal requirements; the results of soils investigations, including borings, seepage tests and test pits, for areas proposed for sewage disposal; a description and schematic layout of proposed sewage disposal facilities; and a description of the proposed water supply system. The report shall be prepared by a qualified professional engineer.

(5) An application fee in the amount of \$150, by check or money order, made payable to the Town of Guilford; provided, however, that the Commission may, by resolution, determine that a fee is not required for an application submitted by the Town of Guilford or by the Housing Authority of the Town of Guilford.

C. Commission action, Area A. The following procedures are applicable for consideration of special permit applications for planned residential development (PRD) located in Development Program Area A:

(1) Application review and notification. The Commission shall review the submission for completeness and may request the submission of additional information deemed necessary to clarify or complete the application. Any incomplete application may be rejected by the Commission as ineligible for consideration under these regulations. Upon receipt of a completed PRD special permit application meeting the requirements of Subsection B, the Commission shall so notify the applicant, in writing.

(2) Hearing and decision. In acting on any application, the Commission shall hold a public hearing, shall decide thereon and shall give notice of its decision as required by law. The following additional procedures are applicable:

(a) At least 10 days before such hearing, a copy of the application and a copy of a map showing the boundaries of the tract proposed for a PRD shall be filed in the office of the Guilford Town Clerk.

(b) The Commission may approve the application, approve it subject to conditions or disapprove the application.

(c) The Commission may approve an application, with or without conditions,

only when

the Commission determines that the proposed planned residential development meets the criteria set forth in § 273-83 of Article M and is reasonably capable of having a design plan and management program conforming to the standards of §§ 273-84 and 273-85 of Article M, otherwise the Commission shall disapprove the application.

(d) In approving an application, the Commission may impose such conditions that are deemed necessary to conform the PRD to the criteria and standards of Article XI, to protect the public health, safety and property values and to maintain the purpose and intent of the Comprehensive Plan of Zoning, which conditions may include, but are not limited to, specification as to the maximum number and the type of dwelling units, a program for scheduling the PRD and the provisions for ownership and management of the PRD, including sewage disposal and water supply systems.

(e) Within 45 days after any conditional approval is granted by the Commission, the applicant shall, in writing, accept or reject the conditions imposed by the Commission, and failure of the applicant so to accept such conditions within the 45 days or as such period may be extended by mutual agreement between the Commission and the applicant shall render the Commission approval null and void and constitute a disapproval.

(3) Effective date and Zoning Map. A PRD special permit, approved by the Commission, shall become effective upon notice and filing as required by law and, in the case of conditional approval, after acceptance of the conditions by the applicant under Subsection C(2)(e). Promptly after the effective date, the Commission shall cause the PRD tract area to be delineated on the Zoning Map, with the date of Commission approval duly noted.

(4) Expiration. A PRD special permit approved by the Commission, with or without conditions, expires two years after the effective date, unless an application for a certificate of zoning compliance that includes design plans and a management program has been received for consideration under § 273-101 of these regulations; provided, however, that the Commission may, by resolution, extend one year for PRD's that are in conformity with the regulations in effect at the time of such extension. In the event of expiration of the special permit, the Commission may notify the applicant and shall delete the PRD delineation from the Zoning Map.

D. PRD Application, Area B. Development Program Area B is established under § 273-8B of these regulations in recognition of the lack of community services, severe limitations for land development and the presence of important conservation resources. Planned residential development (PRD) in Area B is made a part of the Comprehensive Plan of Zoning, since a PRD, with careful planning and special development precautions, can be a reasonable and preferred method of land utilization that supports the program

for Area B. The additional procedures and requirements hereinafter specified are necessary in connection with PRD's located in Area B.

(1) Notice of intent; preapplication. No application for a special permit for a planned residential development (PRD) in Development]Program Area B shall be made to the Commission and no such application shall be received by the Commission until a notice of intent and preapplication has been filed with the Commission. The notice and preapplication shall consist of at least the following elements:

- (a) A notice of preapplication form as prescribed by the Commission, completed and signed by the applicant.
- (b) An existing conditions evaluation map as set forth in Subsection B(3)(a), except that field confirmation of soil types is not required and existing contours may be mapped at an interval not exceeding 10 feet.
- (c) A tentative PRD program of possible use and occupancy of the tract, numbers and types of dwelling units, form of ownership, project services and facilities and provision for water supply and sewage disposal, which program shall be accompanied by a preliminary or sketch site use plan showing elements as specified in Subsection B(3)(c).
- (d) An environmental and community impact assessment, consisting of a written report and appropriate maps, covering no less than the following subjects:

[1] Estimates of population occupancy of a PRD, age groups and school enrollment.

[2] Identification and general evaluation of environmental systems in the sector of the town where the tract is located, such as soil types, watersheds, general vegetation and special conservation features, and identification and evaluation of existing land utilization in such sector.

[3] An evaluation of the existing road system in such sector as to current condition and standards, traffic flows and traffic generation potential of the tract and other land in the sector.

[4] Projections of municipal service requirements that would be generated by a PRD and evaluations of the current or future availability of municipal services to meet such requirements.

[5] An evaluation of how a PRD will support the purpose and intent of the Comprehensive Plan of Development and Conservation for the town.

(2) Commission response. After receipt of a notice of intent and preapplication, the Commission shall, within 65 days, call the prospective applicant into consultation and may advise of additional information that would be of assistance in considering a PRD. Within four months after receipt of the notice and preapplication, the Commission shall either invite the submission of an application for a special permit for a PRD or shall advise that a PRD appears to be inconsistent with these regulations. Within

15 days after such invitation or advice, notice thereof, in writing, shall be sent to the prospective applicant, including the reasons therefore. The Commission's invitations to submit an application may specify particular requirements to be set forth in the application, such as, but not limited to:

- (a) The maximum number and type of units.
- (b) The scheduling of development in relation to the provisions of municipal services.
- (c) The extent of provision of community services by and within the PRD.
- (d) Special provisions for conservation of natural features and farmland and other managed open space.

(3) Authorized application. Upon completion of procedures specified in Subsection D(2), application for a special permit for a PRD in Development Program Area B may be made and shall be acted upon in the same manner as provided in Area A under Subsections B and C of this section.

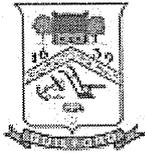
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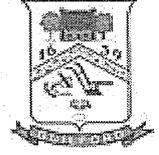
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The Town of
Guilford, Connecticut



ARTICLE XIII: Certif. of Zoning Compliance

§ 273-101. Certificate of zoning compliance for planned residential development.

A. General. Approval of a special permit for a planned residential development (PRD) under § 273 - 100 authorizes application for a certificate of zoning compliance under the procedures and requirements of this section. The special permit shall be in effect, as provided in § 273 - 100C(3) and (4), at the time of application under this section. An application for a certificate of zoning compliance for a PRD may be approved by the Zoning Enforcement Officer only upon authorization by the Commission under this section. Prior to submission of such application the applicant may confer with the Commission or its duly designated representatives to review plans in progress and to receive guidance in the preparation of the application.

B. Preparation of maps and plans. The following are applicable to the preparation of maps and plans required to be submitted under this section:

(1) Professional requirements. All site plans and landscape plans shall be prepared by a registered landscape architect, registered architect or registered civil engineer; all structures intended primarily for human occupancy shall be designed by a registered architect- boundary surveys shall be prepared by a registered land surveyor- and engineering work, road and utility layouts and sanitary sewerage facilities shall be prepared by a qualified registered engineer. All such plans shall bear the seal of the registered professional or professionals involved when submitted to the Commission for approval. As used herein, the term "registered" shall mean registered or licensed by the appropriate authority of the State of Connecticut.

(2) Subdivision regulations. It is the intent of this section that the applicable requirements of Chapter 272, Subdivision of Land, as amended, be adhered to in the submission and consideration of the PRD application. The submissions, reviews, approvals and filing of record maps required under Chapter 272, Subdivision of Land, will be carried out as an integral part of the review and approval of an application for certificate of zoning compliance for a PRD. In preparing maps and plans as set forth herein and in Chapter 272, Subdivision of Land, wherever the word "subdivision" appears, the words "planned residential development" shall be substituted, and wherever the words "lots" and "lot numbers" appear, the words "areas" and "area letter designations" shall be substituted.

C. Application. The application for a certificate of zoning compliance for a planned residential development (PRD) located in either Development Program Area A or B shall be submitted to the Zoning Enforcement Officer, in quadruplicate, except as otherwise noted, and shall include the following:

(1) A PRD certificate of zoning compliance application form as prescribed by the Commission, completed and signed by the applicant, in duplicate, and also signed by the owner of the land included in the PRD, if different from the applicant.

(2) A written statement by the applicant, furnished in triplicate, in which there is set forth the following information:

(a) An explanation of the manner in which the design plans and management program for the PRD relates to the special permit as approved by the Commission.

(b) The action taken to comply with any conditions imposed by the Commission in connection with approval of the PRD special permit.

(c) A proposed time schedule for carrying out the entire plan for the PRD, as related to the approval date under this section, including any phasing for the entire tract with regard to completion of dwellings, nonresidential structures, recreational and other facilities, utilities, roads and open space improvements by sections.

(d) A general financial statement sufficient to indicate the financial ability of the applicant to carry out and complete the specific elements and sections of the PRD as proposed.

(3) Record map. This map shall cover the entire PRD tract or section proposed for final approval. It shall be prepared and submitted in accordance with the requirements for a record subdivision map as set forth in Chapter 272, Subdivision of Land (§ 272-24, as amended), except that it shall include the following:

(a) The delineation of areas by letter designation, identifying parcels or areas for separate ownership, control and restriction, and the delineation of building lots and lot numbers only when single-family detached dwellings are proposed to be individually constructed and owned on separate lots.

(b) The addition of a table showing, for each area letter designation, the land use and proposed ownership, the square footage of each area and the total square footage of the PRD tract or section, as applicable.

(4) Site improvement construction plans. These plans shall cover an proposed streets; driveways; utilities, including drainage, water supply and distribution systems and sewage disposal systems; provisions for erosion and sedimentation control; and other improvements for the area covered by the record map and shall be prepared and submitted in accordance with the

requirements of construction plans as set forth in the Chapter 272, Subdivision of Land (§ 272-26, as amended).

(5) Grading plans. These plans shall cover a areas of the proposed record map where construction of structures or shifting or grading of the terrain is necessary and shall be drawn and submitted in accordance with the requirements for grading plans as set forth in Chapter 272, Subdivision of Land (§ 272-27, as amended).

(6) Landscape plans. These plans shall cover all areas included in and at the same scale as the grading plans and shall show at least the following information:

- (a) The title of the planned residential development.
- (b) The date, scale, north point, town and state.
- (c) The layout of proposed areas to be seeded or landscaped.
- (d) The proposed type of planting, by common name and general location.
- (e) The type of trees, existing and proposed, by common name, location and size (approximate height and caliper of trunk).
- (f) The designation of areas that will be privately maintained, as contrasted to public common areas.
- (g) A statement as to the type of organization that will maintain and be responsible for upkeep of common landscaped or seeded areas.

(7) Architectural drawings. Architectural drawings of all typical buildings, other than single-family detached dwellings, to be individually constructed and owned on separate lots, as proposed for construction, prepared by a registered architect, shall be submitted for design review to determine whether they meet the standards of PRD'S. These shall include, but not be limited to:

- (a) Basement plans (if any).
- (b) First, second and third floor plans as proposed.
- (c) Front, side and rear elevations of all dwellings and supporting recreational and nonresidential structures.
- (d) Front and side elevations of garages (if any).
- (e) Overall perspectives of typical grouping, courtyards or other views of proposed structures.
- (f) General specifications showing types of construction proposed and adequate to obtain a building permit under the Building Code as adopted by the Town of Guilford. EN(12)

(8) Sanitation report. This report shall consist of three copies of a sanitation report, prepared by a qualified professional engineer, presenting results of soils investigations, including borings, seepage tests and test pits, for the sewage disposal design- computations for water supply and sewage disposal systems; the results of test well pumping, if public water supply is not to be provided; the design plan for sewage disposal and water supply-, and the

program for operation, maintenance and financing of such systems.

(9) Legal documentation. This documentation shall consist of two copies of applicable legal documentation, such as the following:

- (a) Any covenants and restrictions for land within the PRD, including areas to be preserved as open space.
- (b) Proposed bylaws of an association of occupants of the PRD or the declaration for establishment of a condominium.
- (c) Documents related to the use, control and maintenance of and liability for open spaces, common facilities and private roads.
- (d) Proposed conveyances for open space, roads or facilities to the Town of Guilford or other entities.
- (e) Proposed conveyances of development rights on farmland or other managed open spaces, if any, for which credit is proposed for additional dwelling units in the PRD.
- (f) Documentation supporting the provision that is to be made, if any, for occupancy of dwelling units by lower-income families, including the means for assuring continuity of lower-cost occupancy.
- (g) Documentation for any special taxation district covering the PRD.

(10) Other requirements. Plans and reports necessary to meet any of the conditions imposed by the Commission at the time of its approval of the application for a PRD special permit shall be included.

(11) Sections. If the application is for only a section of the PRD tract, the applicant shall submit written evidence, satisfactory to the Commission, that a contiguous portion of the total open space necessary to serve the section will be so dedicated and controlled by an association, a condominium or a public or legally qualified nonprofit land trust organization. The area of open space so dedicated shall at least bear the same ratio to the total open space of the PRD as the number of bedrooms in the section bears to the total approved number of bedrooms in the PRD.

(12) Fee. The application shall be accompanied by a fee, in lieu of the fee schedule established for subdivision applications. This fee shall be based on \$ 1 0 for each dwelling unit, with a minimum of \$150. AD checks or money orders shall be made payable to the Town of Guilford. The Commission may, by resolution, determine that the application fee is not required for any PRD application that is a revised submission of an application disapproved by the Commission within the previous six months or for an application submitted by the Housing Authority of the Town of Guilford or by the Town of Guilford.

D. Commission action. The following procedures are applicable for consideration of applications for a certificate of zoning compliance for a planned residential development located in either Development Program Area A or B:

(1) Application review and notification. The Commission shall review the submission for completeness and may request the submission of additional information deemed necessary to clarify or complete the application. Any incomplete application may be rejected by the Commission as ineligible for consideration under these regulations. Upon receipt of a completed PRD application meeting the requirements of Subsection C, the Commission shall so notify the applicant, in writing.

(2) Decision. The Commission shall decide on the application and give notice of its decision as required by law. The following additional procedures are applicable:

(a) The Commission may approve the application, approve it subject to modifications or disapprove the application. Approval, with or without conditions, authorizes the Zoning Enforcement Officer to approve the application for a certificate of zoning compliance.

(b) The Commission may approve an application, with or without conditions, only when the Commission determines that the proposed PRD conforms to the special permit approved under § 273-100 and conforms to the standards of §§ 273-84 and 273-85 of Article XI, otherwise the Commission shall disapprove the application.

(c) In approving an application, the Commission may impose such conditions that are deemed necessary to conform the PRD to the special permit and the standards of Article M, to protect the public health, safety and property values and to maintain the purpose and intent of the Comprehensive Plan of Zoning. The Commission may require resubmission of the PRD application for a certificate of zoning compliance within six months, if the plans and documents are not generally in accord with the special permit and the requirements of these regulations.

(3) Performance bond. The Commission shall require a performance bond guaranteeing completion of 0 public improvements and erosion and sedimentation control. An additional site performance bond may be required to guarantee completion of all utilities and other site improvements before a certificate of occupancy is issued. Said bonds may specify minimum and/or maximum times for performance and shall be filed with the Board of Selectmen in form and amount and with surety acceptable to the Board of Selectmen and to the Commission.

(4) Filing of plan. Upon approval of the application by the Commission, the Chairperson shall be authorized to endorse the record map, and said map shall be filed and recorded by the applicant in the office of the Guilford Town Clerk in accordance with and within the time limits set forth by law for subdivisions. Said endorsement by the Chairperson shall not be executed until all applicable conditions of approval have been met and any

performance bonds as required by Subsection D(3) have been filed.

E. Failure to begin development. The applicant shall commence actual construction of the approved PRD or section thereof within a period of six months of the filing of the record map. If the applicant fails to commence and proceed with the PRD within the six-month period or within any extension granted, in writing, by the Commission, the approval of the Commission shall become null and void.

F. Changes in approved PRD. If, during the development or construction of the PRD, any changes are proposed or required that affect the approved record map and supporting plans or are not in accordance with the approved special permit, the appropriate maps, plans and documents showing such changes shall be submitted to the Commission prior to effecting or implementing such changes. If the changes do not affect the approved density of bedrooms, reduce the amount of open space or alter conditions imposed by the Commission, the Commission may approve the changes by resolution, and notice of such action shall be sent to the applicant within 10 days, and thereafter, such approved changes may be effected or implemented. If the changes do affect the approved density of bedrooms, reduce the amount of open space or alter the conditions imposed by the Commission, such changes may be made only after a new submission of a PRD application, which shall be considered by the Commission in accordance with these regulations.

G. Violations. Whenever the Commission shall find, in the case of an approved PRD, that any of the terms, conditions or restrictions set forth in the final plans and documents or imposed in connection with said approval are not being complied with, the Commission may revoke such approval. Notice of such Commission action shall be sent to the applicant, by certified mail, within five days of such action. Failure to carry out a PRD in accordance with approved plans and documents or in accordance with filed maps and documents as endorsed by the Chairperson of the Commission shall constitute a violation under § 273-108 of these regulations.

H. Adherence to time schedule. The establishment of open spaces and the construction or development of public or common facilities shown on the PRD plans, as approved pursuant to § 273 -I 00 of these regulations, shall proceed substantially in accordance with the timetable established pursuant to Subsection C(2)(c). After general construction commences, the Zoning Enforcement Officer shall review, at least once every three months, all building permits issued and shall compare them with the overall timetable set forth and report his or her findings to the Commission. If the Commission finds that the rate of construction of residential units or nonresidential facilities or structures differs substantially from the proposed timetable in relation to the establishment of open space and construction or development of public or

common facilities, it shall notify@ the applicant, in writing, and if the applicant does not conform to said timetable within a reasonable time thereafter, the Commission may suspend the applicant from further construction of dwelling units or nonresidential structures until compliance is achieved.

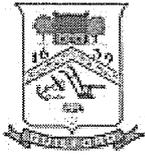
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The Town of
Guilford, Connecticut



ARTICLE XIV: Enforcement

ARTICLE XIV, Enforcement

§ 273-102. Administrative regulations.

The Commission may adopt administrative rules and procedures necessary to enforce these regulations.

§ 273-103. Zoning Enforcement Officer.

The Commission shall appoint a Zoning Enforcement Officer, who shall have the responsibility and authority to enforce the provisions of these regulations. The Commission may appoint Deputy Zoning Enforcement Officers to act for him or her. No application for a certificate of zoning compliance shall be approved and no certificate of zoning compliance or other form of zoning order shall be issued unless signed or countersigned by the Zoning Enforcement Officer or a Deputy Zoning Enforcement Officer.

§ 273-104. Inspections.

The Zoning Enforcement Officer is authorized to inspect or cause to be inspected any building, structure or premises in the Town of Guilford to determine compliance with these regulations. No certificate of zoning compliance shall be issued until such inspection has taken place.

§ 273-105. Stop orders.

The Zoning Enforcement Officer is authorized to issue a stop order if, in his or her judgment, the use of any land, building or other structure or the construction, reconstruction, enlargement, extension, moving or structural alteration of a building or other structure is not being carried out in compliance with these regulations. The Zoning Enforcement Officer shall withdraw such order when he or she determines that corrective action has been taken to comply with these regulations.

§ 273-106. Records.

The Zoning Enforcement Officer shall keep records of all applications and fees received, all applications for certificates of zoning compliance approved, all certificates of zoning compliance issued and all stop orders and permit

suspensions issued by him or her and the action taken thereon.

§ 273-107. Board of Appeals

The Board of Appeals shall have all of the powers and duties prescribed by these regulations and the General Statutes of the State of Connecticut and may adopt rules and procedures necessary to exercise its authority.

§ 273-108. Penalties for offenses.

Any person, firm or corporation who or which shall violate any provision of these regulations shall be subject to penalties in accordance with the General Statutes of the State of Connecticut or ordinances of the Town of Guilford.EN(13)

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The Town of
Guilford, Connecticut



ARTICLE XV: Amendments; Severability;

Article XV, Amendments; Severability; When Effective; Repealer

273-109. Amendments.

These regulations, including the Zoning map that is a part hereof, may be amended by the Commission on its own initiative or when initiated by a petition. Any amendment may be adopted only after due notice and public hearing, as prescribed by the General Statutes of the State of Connecticut. Any petition for amendment shall be accompanied by the following:

- A. For petitions concerning the text of these regulations, three copies of the existing and proposed sections of the text shall be submitted.
- B. For petitions concerning the Zoning Map, three copies of a map shall be submitted, drawn to a scale of not less than 200 feet to the inch, covering the area of the proposed change and all areas in the town within 500 feet of the proposed change and showing for such area the existing and proposed zoning district boundary lines, the existing property lines and the names and addresses of the current property owners as indicated in the Guilford Assessor's records.

The Commission shall notify by mail all property owners identified in this Subsection B of the pending public hearing. Said notification shall have been mailed at least 14 days prior to the hearing. [Amended 1-21-1998]

§ 273-110. Severability.

The invalidity of any section, paragraph or provision of these regulations shall not invalidate any other section, paragraph or provision hereof.

§ 273-11 1. When effective; repealer.

- A. These regulations and any amendment or change hereto shall be in full force and effect from the date established by the Commission in accordance with the General Statutes of the State of Connecticut.
- B. The Zoning Regulations of the Town of Guilford, Connecticut, made effective by the Commission on September 1, 1960, and all amendments thereto are repealed coincident with the effective date of these regulations. The repeal of the above regulations and all amendments thereto shall not affect or impair any act done, offense committed or right accruing, accrued or acquired or any liability, penalty, forfeiture or punishment incurred prior

to the time such repeal took effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted as fully and to the same extent as if such repeal had not been effected.

**Table 3 Area, Location and Bulk Standards
Town of Guilford
Table 3 Area
Location and Bulk Standard
[Revised 4-20-1994]**

C-3	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8	C-1	C-2	C-2M
1. Lot each lot shall have a 20,000 minimum area of (sq. ft.)	10,000	10,000	20,000	30,000	40,000	60,000	80,000	160,000	5,000	10,000	10,000
2. Lot shape. Each lot created 100 by the division of acquisition of land after February 28, 1969, shall be of such shape that a square with the following number of feet on each side will fit the lot:	80	80	100	110	125	150	200	300	50	80	80
3. Lot frontage. Each lot shall have 100 a frontage of the following number of feet or more on a street, said frontage to be a minimum of 50 feet in depth: (See also 273-25 for interior lots and 273-33) See also 273-2B, definition of street.)	80	80	100	110	125	150	200	200	50	80	80
4. Height. No building or other 40 structure shall exceed a height of (feet):	35	35	35	35	35	35	35	40	40	40	40
5. Setback from street line or 25 centerline. Subject to the additional standards of 273-38, no building or other structure shall be closer than the following distances from the street line or the centerline of the traveled way of any street, whichever is greater. (See also 273-26 through 273-30.)	15	15	15	20	20	20	20	20	25	25	25
Street line (feet): 20	15	15	20	30	30	30	30	30	5	20	20
Center line (feet): 45	40	40	45	55	55	55	55	55	30	45	45
Local street: 45	40	40	45	55	55	55	55	55	30	45	45
Collector Road: 75	75	75	75	75	75	75	75	75	75	75	75
State highway: 100	100	100	100	100	100	100	100	100	100	100	100
6. Setback from rear property line. 12 No building or other structure shall be closer than the following distance from any rear lot line (feet): (See also 273-26 through 273-31.)	15	15	20	30	50	50	50	50	10	10	10
7. Setback from side property line. 12 No building or other structure shall be closer than the following distance from any side lot line (feet):	8	8	12	16	20	20	20	20	10	10	10
a. The sum of the setbacks from N/A the two side lot lines shall not be less than the following number of feet: (See also 273-26 through 273-31)	24	24	30	36	50	50	50	50	N/A	N/A	N/A

8.Setback for residential accessory building. Notwithstanding the requirements of Line Nos. 6 and 7, a detached building or structure accessory to a residential use, when located not less than 60 feet from any street line and with a floor area of 200 square feet or less, may extend to within the following distances from any lot line (feet): (See also 273-28 through 273-32)	8	8	10	10	10	10	10	10	N/A	N/A	N/A
9.Setback from residential district boundary line. No building or other structure in any Commercial, Industrial or Marine Recreation District shall be closer than the following distance from any residential district boundary line (feet):See also 273-30	N/A	10	20								
10.Projections, as defined in 273-2B of these Zoning Regulations, may project not more than the following number of feet into the area required for setbacks from a lot line(2) (See also 273-60C, Projecting and hanging signs.)	3	3	3	3	3	3	3	3	3	3	3
11.Lot coverage. The aggregate coverage on any lot by buildings and other structures shall not exceed the following percentage of the area of the lot:	15%	15%	20%	20%	20%	15%	10%	5%	50%	25%	25%
12.Total floor area. The aggregate floor area (as defined in 273-2B) on any lot shall not exceed the following percent of the area of the lot(3)	30%	30%	40%	40%	40%	30%	20%	10%	100%	50%	

- Notes:
1. If the lot is less than 160,000 square feet, the maximum height is 35 feet.
 2. Projections into the required setbacks shall not be allowed on accessory buildings.
 3. See also 273-75Q. (N/A "Not Applicable")

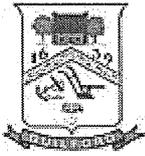
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The Town of
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APPENDIX

Appendix

Chapter A300 Special Acts

§ A300-1. A Resolution Establishing the Line Between the Towns of Guilford and Killingworth.

Passed December 1790.

Resolved by this Assembly, That a straight line from the mouth of Dudley's Creek in said Hammonasset river, running south 50 deg. 10 min. east to West Rock so called, upon the sound, being 216 rods, be, and the same is hereby established to be the dividing line between the said towns of "Guilford and Killingworth." And that the lands lying east of said line be, and the same are hereby annexed to the said town of Killingworth, exclusive of the power and authority in town meetings to make rules and ordinances for regulating the fisheries of clams and oysters, which power and authority is hereby reserved to the town of Guilford in the same manner as though this alteration in the line between said towns had not been made.

§ A300-2. Resolve Incorporating the Town of Madison. Passed May 1826

Resolved by this Assembly, That all that part of the town of Guilford, lying east of the following lines, via: beginning at the centre of Munger's Island on the margin of the Sound; thence in a right line to the extreme point of land between the East and Neck Rivers; thence to the channel of the East River; thence following the channel of the East River as far north as the abutment of Chittenden's landing; thence easterly to the north-east corner of said wharf, thence north-easterly in a right line to the Parish line a little south of David Dudley's dwelling house, where the centre of the road intersects said Parish line; thence on the Parish lines of East Guilford and North Bristol, to the north line of the **town**, with all the inhabitants residing therein, be, and the same is hereby incorporated into a distinct town, by the name of "Madison;" and the inhabitants aforesaid, and their successors forever residing within said limits, shall have and enjoy all the powers, privileges and immunities, which are enjoyed by other towns in this State, with the privilege of sending one Representative to the General Assembly of this State.

And said new town shall pay its proportion, according to the list of 1825, of all debts, charges, expenses, suits, petitions and claims already due and accrued, commenced or existing against said town of Guilford, or for which said town may hereafter be rendered liable, by force of any claim now existing; and the poor of said town of Guilford, who were born within the limits hereby incorporated, and have not gained a settlement elsewhere, or who have gained a settlement by residence within said limits, shall be deemed inhabitants of said town of Madison, and shall be maintained accordingly, whether said poor are now maintained by said town of Guilford or not; and said town of Madison shall be liable to maintain all such poor of said town of Guilford, as are or may be absent there from, provided such poor person or persons, at the time of departure, belonged to that part of the town of Guilford, hereby incorporated into the town of Madison. The collectors of the State and town taxes, in the town of Guilford, are hereby authorized to collect their respective taxes already laid, and in their rate books contained, in the same manner as though this resolve had not passed. Said new town shall be entitled to their just proportion of any town property according to the list of 1825, excepting the Town House, which shall belong to the town of Guilford- and if the two towns do not agree as to dividing the property of said town, or as to the amount of debts, the County Court for the County of New Haven, are hereby authorized and empowered to make said division or apportionment, giving reasonable notice to the parties concerned. The first town meeting in said town of Madison, shall be holden at the Presbyterian meeting house in the Society of East Guilford, on the third Monday of June, A.D. 1826, and Frederick Lee Esq. shall be moderator thereof, and shall warn said meeting by setting up a notification thereof on the public sign posts in the societies of East Guilford and North Bristol, and at such other places as he may deem proper, at least six days before said first meeting.

Said town of Madison shall have all the powers at said first meeting incident to the other towns in this State, and full right to act accordingly; and the officers elected at such first meeting,, shall hold their offices until others are legally chosen and sworn in their stead.

§ A300-3. Annexing a Part of the Town of Branford to the Town of Guilford. Approved June 20, 1860

Upon the petition of John B. Norton and others, praying for the annexation of a part of the town
of Branford to the town of Guilford:

Resolved by this Assembly, That all that part of the town of Branford lying east and South of a line commencing at a large cedar tree on the shore of Long Island Sound, a little south-west of
the house of Nelson T. Crowell; thence, running north five degrees west of

the magnetic meridian, eighty rods, to a stake and stones; thence, north seventeen degrees east, ninety-two and a half rods, to a stake and stones on the south bank of the New Haven, New London and Stonington Railroad- thence, north seventy-two and a half degrees east, seventy-three rods, to an ancient bounds on the line between said towns; and bounded south by said Long Island Sound; with all the inhabitants residing thereon, be and the same is hereby incorporated into and made a part of the town of Guilford, and the same is also, in like manner, annexed to and made a part of the Leete's Island school district, in said Guilford: always provided, however, that the jurisdiction of the fisheries in said sound waters, in front of said territory so annexed, shall remain a part of and be subject to said town of Branford, as fully as if this resolution had not passed. And this act shall take effect from and after the first day of September next.

§ A300-4. Setting Off a Part of the Town of Guilford to North Branford. Approved July 14, 1871

Resolved by this Assembly:

Section 1. That so much of the town of Guilford as lies within the bounds commencing at a heap of stones on land of Wooster Ives, at the North Branford town line, and running easterly forty-five rods, to the bridge across or on the highway; thence easterly across the land of the estate of Levi Fowler, deceased, one hundred and twenty-five rods, to a heap of stones on the highway- thence north-easterly along said highway three hundred and seventy-four rods, thence easterly by a highway twelve rods, to the comer of land of estate of Henry Eliot, deceased; thence northerly, by the easterly line of said last mentioned land, to the line of the town of Durham; and thence along said Durham line, westerly, to the fine of the town of Wallingford, with all the inhabitants residing therein, be, and the same is hereby annexed to and made, to all intents and purposes, a part of the said town of North Branford.

Section 2. That all the territory described and bounded in the foregoing section of this resolution, with all the inhabitants thereof, be, and the same is hereby, annexed to and made part of the Wallingford probate district: provided, that this resolution shall not interfere with any estates now in settlement, or any suits now pending.

§ A300-5. Concerning Mystic Island and Faulkner's Island. Approved, April 14, 1881

Resolved by this Assembly: That Mystic Island be, and it is hereby, added to and made a part of the fourth voting district of the town of Stonington: and Faulkner's Island be, and it is hereby, added to and made a part of the town of Guilford.

**§ A300-6. Changing Boundary Line Between Branford and Guilford.
Approved, April 1, 1885**

Resolved by this Assembly: That all that part of the town of Branford lying east and south of the line commencing at a point in the center of Hoadley's Creek, at Leete's Island, so called, where the present boundary line between Branford and Guilford crosses said creek, and running southerly from said point along the center or channel of said creek to the mouth of said creek on Long Island Sound, with all the inhabitants residing therein, be and the same is hereby incorporated into and made a part of the town of Guilford, and the same is in like manner annexed to and made a part of the Leete's Island school district in said Guilford- provided, however, that the jurisdiction over a the fisheries in the waters of Long Island Sound which lie South of the territory hereby annexed, and which are now within and under the jurisdiction of the town of Branford, shall remain a part of and be subject to said town of Branford as fully as if this resolution had not passed; and provided further, that the town of Guilford shall pay to the town of Branford on or before August first, 1885, such proportion of the present indebtedness of the town of Branford as the assessed valuation of the taxable property in said transferred territory bears to the whole grand list of said Branford.

**§ A300-7. An Act Creating the Guilford Soldiers' Monument
Commission. Approved March 19,1931**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. There shall be in the town of Guilford a commission, which commission shall be known

as "The Guilford Soldiers'Monument Commission." The members of said commission shall be as hereinafter set forth.

Section 2. Said commission is authorized to receive, hold, invest and reinvest the sum or sums of money on deposit in The Guilford Savings Bank, in the name of "Guilford Soldiers'Monument Association. "

Section 3. Said commission is empowered to use so much of the income of said fund as, in its opinion, is reasonable and necessary to maintain the soldiers' monument erected on the green in the town of Guilford in memory of those who served in the civil war, and to make all necessary repairs thereto.

Section 4. Any income not used for said purpose may be either added to the principal of said fund or allowed to accumulate for future use on said monument, whichever in the judgment of said commission is advisable.

Section 5. Said commission is authorized to accept other properties, moneys, gifts or donations and to hold the same for the purposes aforesaid, or as set forth in the deed of conveyance or to said commission.

Section 6. Said commission shall consist of three residents of the town of

Guilford of which the first selectman and the treasurer of the town of Guilford shall be, ex officio, members, and the third member shall be appointed on or before the first day of September, 193 1, by the board of selectmen for the term of three years beginning September 1, 193 1, and triennially thereafter the board of selectmen shall appoint one member of said commission for the term of three years.

§ A300-8. An Act Including a Highway in the Town of Guilford in the Trunk Line System.

Approved, May 26, 1941

Be it enacted by the Senate and House of Representatives in General Assembly convened:

The highway beginning with the southerly end of route number 77 in the town of Guilford, thence along Broad street in the town of Guilford to Whitfield street, south along the west side of the Guilford green to route number 146, is included in the trunk line system of highways.

§ A300-9. An Act Concerning Maintenance by the Highway Commissioner of a Section of Town Road Now Locally Maintained in the Towns of Branford and Guilford.

Approved, May 24, 1955

The highway commissioner is directed to take over responsibility for maintenance of those sections of route 146 in the towns of Branford and Guilford presently maintained by said towns.

§ A300-10. An Act Concerning Monthly Reports of the Tax Collector of Guilford. Approved June 18, 1965

Number 201 of the special acts of 1951 is amended to read as follows: Notwithstanding the provisions of section 12-147 of the general statutes, the tax collector of the town of Guilford, with the approval of the state tax commissioner, may omit from his monthly report to the treasurer of the town the list of names of persons from whom tax moneys were collected. The cash report kept by the tax collector shall be examined monthly by the treasurer.

§ A300-1 1. An Act]Providing for a Feasibility Study of an East Shore Career Education Center.

Effective October 1, 1973

Be it enacted by the Senate and House of Representatives in General Assembly convened: The state board of education and the Connecticut State Advisory Council on Vocational Education shall conduct a feasibility study

with respect to an East Shore Career Education Center to serve the towns of Branford, East Haven, North Branford and Guilford and report the results thereof, with recommendations, to the governor and the general assembly on or before February 15, 1974.

§ A300-12. An Act Extending Time for Completion of the Duties of the Board of Tax Review and Town Clerk of the Town of Guilford.

Approved May 27, 1976

Section 1. The time within which the board of tax review of the town of Guilford shall determine the appeals of all taxpayers claiming to be aggrieved by the doings of the assessor of said town in making assessments for and upon the grand list of 1975, and complete its doings on all matters pending before it is extended to May 28, 1976. Said board shall mail each appellant written notice of the disposition of his appeal within one week after said date. Any person claiming to be aggrieved by the action of said board may appeal there from within two months from the date of the action by said board as provided in section 12-118 of the general statutes.

Sec. 2. Nothing in this act shall affect such rights as any taxpayer may have to relief under the provisions of section 12-119 of the general statutes and the time for initiating actions for relief under said section is extended to December 1, 1976.

Sec. 3. The time within which the town clerk is required to transmit an abstract of the assessment lists to the tax commissioner as provided in section 12-120 of the general statutes is extended to June 30, 1976.

§ A300-13. An Act Concerning the Budget Process in the Town of Guilford. Approved June 19, 1979

Notwithstanding the provisions of section 7-344 of the general statutes, the town of Guilford, in preparing its annual budget recommendations shall follow the procedure set forth in section 7.3(b) of the charter of the town of Guilford, as approved by a majority of the electors on November 7, 1978.

DISPOSITION LIST

The following is a chronological listing of legislation of the Town of Guilford adopted since the publication of the Code, indicating its inclusion in the Code or the reason for its exclusion. [Enabling legislation which is not general and permanent in nature is considered to be non-Code material (NCM).] Information regarding legislation which is not included in the Code nor on this list is available from the office of the Town Clerk. The last legislation reviewed for the original publication of the Code was an Ordinance Establishing Penalties for Violations of Zoning Regulations, adopted by the Board of Selectmen on December 2, 1996. A complete

listing, including disposition, of all legislation reviewed in conjunction with the original publication of the Code is on file in the office of the Town Clerk.

Enacted by	Adoption Date	Subject	
Board of Art. I Selectmen	6-2-1997	Adoption of Code	Ch. 1,
Board of Selectmen	12-15-1997	Code of ethics amendment	Ch. 31
Planning and Zoning Commission	1-7-1998	Zoning amendment	Ch. 273
Planning and Zoning Commission	1-21-1998	Zoning amendment	Ch. 273
Planning and Zoning Commission	2-18-1998	Zoning amendment	Ch. 273
Planning and Zoning Commission	2-18-1998	Subdivision of land amendment; Zoning amendment	Ch. 272; Ch. 273
Planning and Zoning Commission	3-18-1998	Zoning amendment	Ch. 273
Board of Selectmen	4-20-1998	Boards, commissions and committees amendment	Ch. 9
Board of Selectmen	4-20-1998	Shellfish commission: establishment amend- ment	Ch. 106, Art. I
Planning and Zoning Commission	5-6-1998	Subdivision of land amendment	Ch. 272
Planning and Zoning Commission	5-6-1998	Zoning amendment	Ch. 273
ATM alternate members	5-11-1998	Shellfish commission: Art. I I amendment	Ch. 106,
Planning and Zoning Commission	8-5-1998	Zoning amendment	Ch. 273
Planning and Zoning Art. 11 Commission	10-7-1998	Acceptance of Code by Zoning Commission	Ch. 270, Planning and

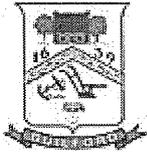
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Endnotes

Endnotes

1 (Popup)

Editor's Note: The first paragraph of original Section 1.2.3, the definition of "floodplain," which immediately followed this definition, was deleted at time of acceptance of Code (see Ch. 270, General Provisions, Art. II).

2 (Popup)

Editors Note: Amended at time of acceptance of Code (see Ch. 270, General Provisions, Art. II).

3 (Popup)

Editor's Note: Amended at time of acceptance of Code (see Ch. 270, General Provisions, Art. II).

4 (Popup)

Editor's Note: See Section 8-18 of the Connecticut General Statutes.
Amended at time of acceptance of Code (see Ch. 270, General Provisions, Art. II).

5 (Popup)

Editor's Note: See Ch. 166, Fees, Art. II.

6 (Popup)

Editor's Note: Amended at time of acceptance of Code (see Ch. 270, General Provisions, Art. II).

7 (Popup)

Editor's Note: Amended at time of acceptance of Code (see Ch. 270, General Provisions, Art. II).

8 (Popup)

Editor's Note: Amended at time of acceptance of Code (see Ch. 270, General Provisions, Art. II).

9 (Popup)

Editor's Note: Table 3 is included at the end of Ch. 273, Zoning.

10 (Popup)

Editor's Note: Amended at time of acceptance of Code (see Ch. 270, General Provisions, Art. II).

11 (Popup)

Editor's Note: Amended at time of acceptance of Code (see Ch. 270, General Provisions, Art. II).

12 (Popup)

Editor's Note: Amended at time of acceptance of Code (see Ch. 270, General Provisions, Art. II).

13 (Popup)

Editor's Note: Amended at time of acceptance of Code (see Ch. 270, General

Provisions, Art. II).

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