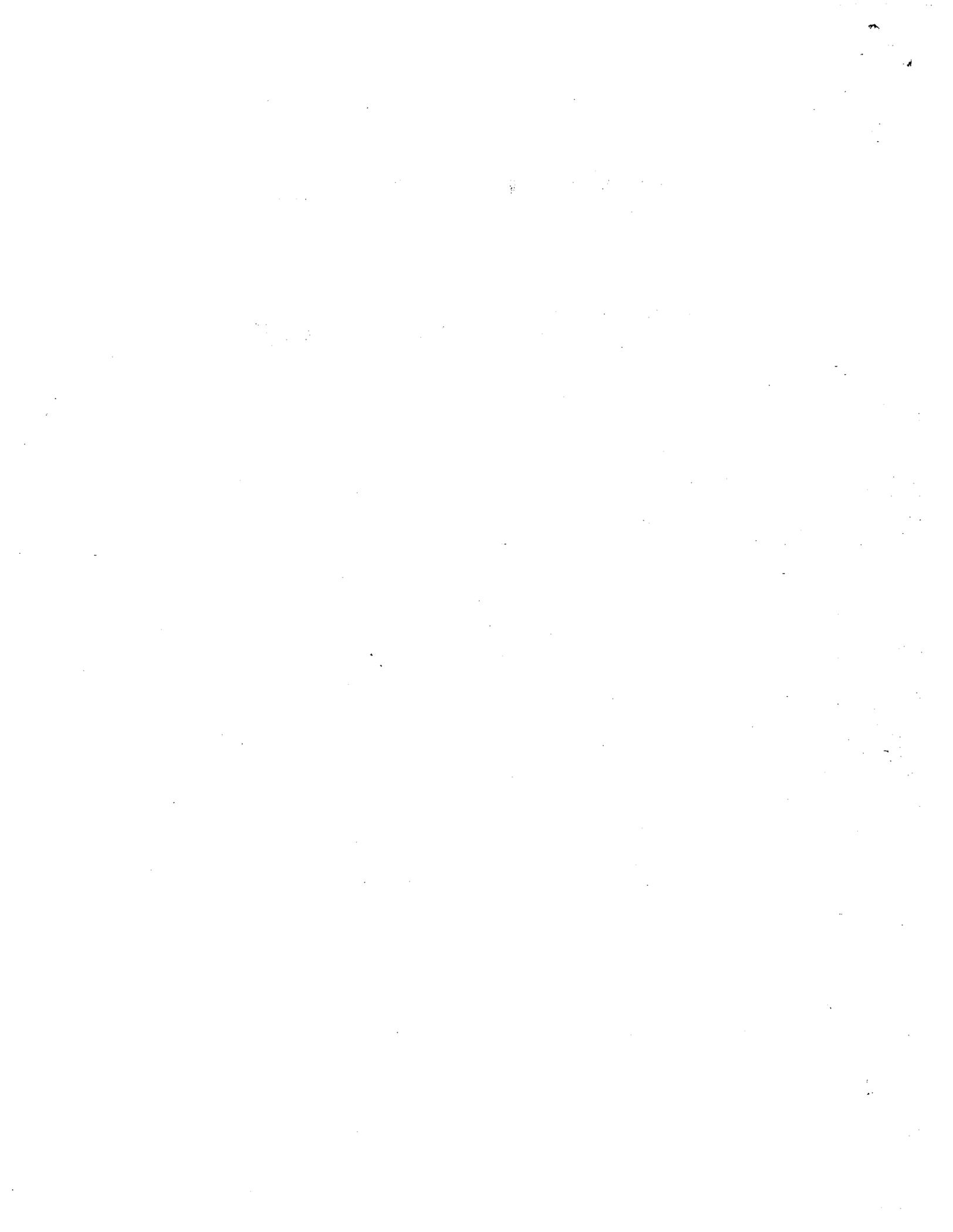


TOWN OF MONTVILLE

ZONING REGULATIONS

1996



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1.0 PREAMBLE

These zoning regulations are designed to further the purposes set forth in Chapter 124, Section 8-2 of the Connecticut General Statutes, particularly in the following ways: to regulate the height, number of stories and size of buildings and other structures, the percentage of the area of the lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures and land for trade, industry, residence and other purposes; and the height, size and location of advertising signs within the limits of said town; to divide said town into districts of such number, shape and area as may best be suited to carry out the purposes of such act; to regulate the erection, construction, reconstruction, alteration or use of buildings or structures and the use of land in accordance with a comprehensive plan designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements, and with full consideration for the character of the districts and their particular suitability for particular use; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout said town, all in accordance with a comprehensive plan.

1.1 ENACTING CLAUSE, SHORT TITLE

The Montville Planning and Zoning Commission (Planning and Zoning Commission), acting under authority of Chapter 124 of the General Statutes of the State of Connecticut, hereby adopts and enacts these regulations as the "Zoning Regulations of the Town of Montville".

ADOPTED ON: DECEMBER 6, 1996

AMENDED: OCTOBER 11, 1997

AMENDED: FEBRUARY 16, 1999

AMENDED: APRIL 10, 1999

AMENDED: JUNE 27, 2002

AMENDED: MAY 9, 2003

AMENDED: OCTOBER 20, 2004

AMENDED: AUGUST 10, 2005

1.2 GENERAL - INTERPRETATION

For the purposes of these regulations certain terms, and words used herein shall be used, interpreted, and defined as set forth in this section.

A "person" includes an individual, a corporation, a partnership, an unincorporated association; "shall" is always mandatory; a "building" includes a "structure" a "building" or "structure" includes any part thereof; "used" or "occupied" as applied to any land or building shall be construed to include words "intended, arranged, or designed to be used or occupied".

The "Town" is the Town of Montville in the County of New London, State of Connecticut; the **Planning and Zoning Commission (Planning and Zoning Commission)** the **Zoning Board of Appeals** are respectively the Planning and Zoning Commission (Planning and Zoning Commission), the Zoning Board of Appeals of the Town.

1.3 DEFINITIONS

ACCESSORY. The term applied to a building or use which is clearly incidental or subordinate to, and customary in connection with, the principal building or use and located on the same lot with such principal building or use. Any accessory building attached to a principal building is deemed to be part of such principal building in applying the Bulk Regulations to such building.

AGE RESTRICTED HOUSING COMMUNITY: A residential housing development designed to provide housing and amenities predominantly for persons 55 years of age or older which complies with the requirements of Section 17.18 hereof. ** AMENDED EFFECTIVE 5/9/03

ANTENNA: A device used to receive and/or transmit electromagnetic waves. Examples include, but are not limited to, whip, panel, and dish antennae. ** AMENDED EFFECTIVE 2/16/99

AQUIFER. A water bearing rock formation, strata which are capable of yielding useful amounts of water.

BASEMENT. The portion of the building that is partly underground which has more than half of its interior height measured from floor to finished ceiling above the average finished grade of the ground adjoining the building.

BILLBOARD. See SIGN, ADVERTISING.

BOARDING HOUSE. DELETED 10/11/97.

BULK. The size and shape of buildings and non-building uses; and the physical relationship of their interior walls or their location to lot lines and other buildings or other walls of the same building and all open spaces required in connection with a building. Bulk Regulations include regulations dealing with building height, lot area per dwelling unit, lot frontage, required yards, courts, usable open space, spacing between buildings on a single lot, and length of buildings in a row.

BULK, NON-CONFORMING. That part of a building or non-building use which does not conform to one or more of the applicable Bulk Regulations of these regulations, either on its effective date, or as a result of subsequent amendments thereof.

CAMP, RECREATIONAL. A site conforming to the provisions of these regulations for the location of trailers, mobile camping facilities, tents or other recreational camping facilities of a temporary and transitory nature for limited periods of time in accordance with these regulations.

CELLAR. A story having more than half of its clear unobstructed height below the average finished grade of the ground adjoining the building.

CLUB. An association of persons which is the owner, lessee, or occupant of an establishment, building, or premises operated solely for a specific purpose (i.e., such as recreational, social, fraternities and sororities, religious, political, athletic, and the like) and whose activities are confined to members and guests, are not extended to the general public and include the establishment so operated. This definition shall be deemed not to include such activities which involve services customarily carried on primarily for business or gain.

CO-LOCATION: Locating wireless communications facilities of more than one provider on a single site.
**** AMENDED EFFECTIVE 2/16/99**

COMMERCIAL. A use facilitating the barter, sales or exchange of things of value.

COMMISSION. The Zoning and Planning (Planning and Zoning Commission) of the Town of Montville.

COMMUNITY RESIDENCE. A residential house with a maximum of ten (10) mentally retarded adults and a minimum two (2) persons with separate staff housekeeping facilities.

CONVALESCENT HOME. The term shall include (a) Home for the Aged; (b) a Rest Home with Nursing Supervision; (c) a Chronic and Convalescent Home with authorization to care for persons suffering from harmless chronic mental unsoundness; (e) a Children's Nursing Home; and (f) a Children's Nursing-home with authorization to care for persons suffering from harmless chronic mental unsoundness. Above items are defined in the "Public Health Code of the State of Connecticut", as amended.

CONVENIENCE/GASOLINE SALES ESTABLISHMENT. A premises at which common retail goods, including but not limited to motor fuels, lubricants, other motor vehicle supplies and parts, groceries and assorted convenience items, are made available for retail sale in or on any portion of the premises, unless otherwise specified elsewhere in these Regulations, in conjunction with the proposed or existing use of a Gasoline Filling Station, provided the gasoline portion of said use is self-service. This definition shall be deemed to prohibit auto repair work or service activities regulated by general statute to be performed at such establishments.

COUNTY SOIL AND WATER CONSERVATION DISTRICT (SCS). New London County Soil and Water Conservation District established under subsection (a) of Section 22a-315 of the General Statutes.

DAY CARE. A "child day care center" which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis for a part of the twenty-fours in one or more days in the week. A "group day care home" which offers or provides a program of supplementary care to not less than seven nor more than twelve related or unrelated children on a regular basis for a part of the twenty-four hours in one or more days in the week. A "family day care home" which consists of a private family home caring for not more than six children, including the provider's own children not in school full time, where the children are cared for not less than three nor more than twelve hours during a twenty-four hour period and where care is given on a regularly recurring basis except that care may be provided in excess of twelve hours but not more than seventy-two consecutive hours to accommodate a need for extended care or intermittent short-term overnight care. During the regular school year, a maximum of three additional children who are in school full time, including the provider's own children, shall be permitted, except that if the provider has more than three children who are in school full time, all of the provider's children shall be permitted.

DEVELOPMENT. The manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

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

DWELLING UNIT. A building, or part thereof, used by one (1) family for cooking, living and sleeping purposes. The minimum size of which is 600 square feet.

DWELLING, SINGLE-FAMILY. A building on a lot occupied for residential purposes by one dwelling unit only.

DWELLING, SINGLE-FAMILY DETACHED. A single-family residence which is separated from lot lines or lease lines or other buildings by open space. Must have a minimum floor area of 600 square feet.

DWELLING, TWO-FAMILY. A building on a lot containing two (2) dwelling units each having separate utility connections, designed for occupancy by not more than two (2) families. ** AMENDED EFFECTIVE. 5/13/96

DWELLING, MULTI-FAMILY. A building or part thereof containing three (3) or more dwelling units, with the number of families in residence not exceeding the number of dwelling units provided.

ELDERLY HOUSING. Dwelling units with an interior design and layout of buildings and units specifically suited for the needs of elderly persons, meeting Federal and State program requirements.

ELECTRONIC SIGN: A sign whose message may be changed at intervals by electronic process or by remote control, including the device known as a commercial electronic variable message sign. ** AMENDED: 10/11/97

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

FAMILY. A single person keeping house separately or any number of individuals related by blood, marriage, or adoption living together as a single housekeeping unit. A group of not more than five (5) unrelated persons keeping house together, shall also be considered a family for the purpose of these Regulations. This definition shall also be deemed to include community residences for the mentally handicapped, authorized by Section 8-3c of the Statutes, who occupy a single family dwelling, but shall not include a group occupying a boarding house, lodging or rooming house, a tourist home, inn, motel, or hotel, club or supervised group quarters not authorized elsewhere by law or these Regulations regardless of ownership.

FARM. A farm shall be construed to mean at least five (5) acres of land with buildings which are mainly used for and incidental to farming or the keeping of farm animals.

FARM ANIMALS. Any domestic animal maintained primarily for milk or food production including horses maintained for recreational purposes.

FARM BUILDING. A building in which farm animals are housed or fed.

FARM WINERY. Any place or premises at which grapes are grown and wine is manufactured, stored and sold in a manner which meets the requirements of Section 30-16(5) of the Connecticut General Statutes, as amended.

FIRE LANE. An unobstructed area which may be required by the Fire Marshal.

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

FLOOD INSURANCE RATE MAP. The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the Town.

FLOOR AREA, LIVABLE. The floor area of a residence which is adequately protected by heat and assured of availability of light and ventilation. It may include finished basement or attic space, enclosed porches.

GAME FARM. DELETED 10/11/97

GROUP. Two (2) or more persons, objects, or items.

HEIGHT. The vertical distance measured from the average elevation of the proposed finished grade along the wall of a building to the highest point of such building.

HELIPORT PRIVATE. DELETED 10/11/97

HOME OCCUPATION. An occupation, not otherwise permitted in the district, which is clearly accessory and secondary to the residential use of the dwelling and conducted by at least one of the family residing on the premises, and which conforms to the following: (a) the occupation shall be carried on wholly within an enclosed building; (b) not more than 25 percent of the floor area of the principal building shall be employed in such home occupation; (c) all advertising displays for the premises shall not exceed two (2) square feet of area; (d) occupations entailing substantial patronage in excess of

three (3) patrons per hour, or which create public health nuisances, glare or odor shall not be "**Home Occupations**". Home Occupations may include, but not be limited to: artist, craftsman, dressmaker, teacher, professional office, consultant, barber or beautician (limited to two (2) stations), but does not include auto repair, restaurant, massage parlor, tavern, or club. Animal Hospitals and veterinarians' office are restricted to the R-80, R-120 and WRP-160 zones.

HOSPITAL. A facility licensed by the State of Connecticut for the treatment and care of patients.

HOSPITAL, ANIMAL. A facility licensed by the State of Connecticut for the treatment and care of animals.

HOTEL. A facility offering transient lodging accommodations on a daily or weekly rate to the general public and providing additional services such as restaurants, retail shops, meeting rooms and recreational facilities. A hotel room may contain kitchen facilities. A hotel must contain a minimum of 50 rooms.

JUNKYARD. Any place in or on which old material, glass, paper, cordage, other discarded waste or second hand material which is not intended to be a part of a registered motor vehicle, is stored or deposited. It includes also any business and any place of storage or deposit, whether in connection with another business or not, which has stored or deposited two or more unregistered motor vehicles which are no longer intended or in condition for legal use on the public highways, or used parts of motor vehicles or old iron, metal, glass, paper, cordage or other waste or discarded or second hand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles. Said terms shall also include any place of business or storage or deposits of motor vehicles purchased for the purpose of dismantling the vehicles for parts or for use of the metal for scrap and where it is intended to burn material which are parts of motor vehicles or to cut up parts thereof.

KENNEL, BOARDING. A place open and/or enclosed in which a total of four (4) or more pets limited to dogs or cats are kept for breeding, boarding, grooming, or medical attention.

LOT. One or more contiguous parcels of land under single ownership or control, designated by its owner, at the time of filing an application for building permit, as a tract to be used, developed, or built upon as a unit. It may or may not coincide with the deed description thereof filed for record or the boundaries of the same as shown on a map thereof filed for record or otherwise, and it may be subsequently divided into two or more lots, provided all such lots conform to all regulations of the district.

LOT, CORNER. DELETED 10/11/97

LOT FRONTAGE. The linear distance measured along full length of the front lot line. A front lot line along an expressway is not considered to be lot frontage.

LOT, NON-CONFORMING. A parcel of land owned individually and separately and separated from any adjoining tract of land on the effective date of these regulations which does not meet the dimensional area, width, or design requirements for the zoning district in which it is located.

LOT LINE. A boundary line of a lot.

LOT LINE, FRONT. A front lot line is the line of a street R.O.W. or access line on which abuts a lot. The line of a street shall be considered to be no closer than twenty-five feet (25') from the centerline of the street for a local street, no closer than thirty feet (30') from the centerline of a street for a collector street and no closer than thirty-five feet (35') from the centerline of the street for an arterial street.

LOT LINE, REAR. A rear lot line is any lot line, other than another front lot line on another street, which is the farthest lot line from the street.

LOT LINE, SIDE. A side lot line is any lot line not a front lot line, or a rear lot line, bounding a lot and extending from the street toward the rear in a direction approximately perpendicular to the street.

LOT, THROUGH. A through lot is a lot having frontage on two streets.

LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage, an area other than a basement area is not considered a building's lowest floor.

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

MANUFACTURED HOME PARK. A private development consisting of not less than 20 acres under single ownership which is owned, operated and maintained by or through the owner and its successors. The ownership and maintenance of all roads, drainage, and sewer facilities within the park shall remain vested in the owner.

MARINA. A boat basin offering berthing, securing, and other commonly associated services for recreational craft, including servicing of these craft, sale of marine motors, sale and brokerage of recreational craft, facilities for provision of supplies, storage, fueling, and other needs of same.

MEAN SEA LEVEL. The National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on Montville's Flood Insurance Rate Map are referenced.

MOBILE HOME. See **MANUFACTURED HOME.**

NON-BUILDING USE. A principal use of land to which the buildings on the lot, if any, are accessory, including but not limited to a junkyard, public parking lot, or an open storage yard for materials.

NON-CONFORMING USE. See **USE, NON-CONFORMING.**

OPEN SPACE. An area that is designed for either environmental, scenic, or recreational purposes. Open space may include, but is not limited to, lawns, natural areas, decorative planting, active and passive recreation areas. **(DEFINITION NOT ZONE). AMENDED 10/11/97.**

PARKING, OFF-STREET. Parking space as required for specific uses which is located off and has connection to a public right-of-way.

PERFORMANCE STANDARDS. Standards specified by the Commission or referred to in these Regulations.

PREMISES. A lot and all the buildings and uses thereon.

PROFESSIONAL PARK/BUSINESS PARK: A planned coordinated development of a tract of land, or tracts of land under common ownership, with two or more separate buildings. The uses in a Professional Park may include office buildings, hotels, convention centers, and golf courses. Retail sales, such as gift shops are permitted in interior sections of buildings only. Such development shall be planned, designed, constructed, and managed on an integrated and coordinated basis with special attention given to on and off site vehicular circulation, parking, utility needs, building design, orientation and open space. Each project shall contain a minimum of 15% open space.

PUBLIC GARAGE. A building used for the storage of registered motor vehicles owned by persons other than the owner or occupants of the premises, or in which accessory repairs are made upon motor vehicles for profit, or which consists of four or more storage bays.

PUBLIC PARKING LOT. A lot used for the storage of motor vehicles which contains space available to the general public by the hour, day, week, month, or year.

PUBLIC WATER SUPPLY. Any water supply which has received a Certificate of Convenience and Necessity from the State of Connecticut Department of Public Utility Control and the State of Connecticut Department of Health Services pursuant to Connecticut General Statutes Section 16-262m.

PUBLIC WATER SUPPLY WATERSHED. The region which drains into a surface water supply which has been identified by the State of Connecticut as an existing or future public water supply source.

RECREATIONAL VEHICLE. A vehicle commonly referred to as a camper, trailer, bus, boat trailer, motor bus used for recreational purposes.

ROOMING OR LODGING HOUSE. A dwelling in which the owner resides and rents rooms or sleeping accommodations for compensation to less than ten (10) persons.

SCHOOL OR EDUCATIONAL INSTITUTION. A place for instruction in any branch of knowledge which has been accredited by proper authorities.

SCREEN OR SCREENING. Either (a) a strip at least four feet (4') wide, densely planted (or having equivalent natural growth) with shrubs or trees at least six feet (6') high at the time of planting and be of a type that will form year round a dense screen; or (b) an opaque wall or barrier or uniformly painted fence at least six feet (6') high.

SEASONAL DWELLING. A dwelling unit in which occupancy is limited to a maximum of six (6) months in any one calendar year.

SIGN. Any structure or part thereof, or any device attached to a building or painted or represented thereon, which shall display or include any letter, word, model, flag, insignia, device or representation which is in the nature of, or which is used as, an announcement, direction, or advertisement for commercial purposes or otherwise. A sign includes a billboard and a neon tube, string of lights, or similar device outlining or hung upon any part of a building or lot, but does not include the flag or insignia of any nation or group of nations, or of any governmental agency or of any political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement or event which must be located on the same premises as the product or service offered. All signs must be in accordance with State and Local Building Codes (BOCA).

SIGN, ADVERTISING. A sign, excluding the type commonly known as a billboard, which directs attention to a business, commodity, service, or entertainment conducted, sold or offered on the premises.

SIGN, AREA. The area within the shortest line that can be drawn around the outside perimeter of a sign.

SIGN, BUSINESS. A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered upon the same lot where such sign is displayed.

SIGN, DIRECTIONAL. A sign with sign area of not over two (2) square feet indicating the direction or route to an establishment.

SIGN, DIRECTLY ILLUMINATED. Any sign designed to give forth any artificial light directly (or through any transparent or translucent material) from a source of light connected with such sign.

SIGN, FLASHING. Any directly or indirectly illuminated sign on which the artificial light is not maintained stationary, and constant in intensity and color, at all times when in use.

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

SIGN, TEMPORARY. A sign advertising the sale, rental, building contractor or special features of the building or lot on which they are located for short or sporadic time periods. A temporary sign shall be removed within seven (7) days after termination of such sale or special feature.

SOIL. Any unconsolidated material, organic or inorganic material of any origin.

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

SPECIAL FLOOD HAZARD, AREA OF (SFHA). The land in the flood plain having a one percent or greater chance of flooding in any given year, as specifically identified in the Flood Insurance Study cited in Section 16.4 of these Regulations. (Special Flood Hazard Area Federal Insurance Administration) requirements for the purposes of interpreting and enforcing Section 16.4 of these Regulations.

START OF CONSTRUCTION. Start of Construction includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including manufactured home) on a site, such as the pouring of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, or filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

STREET. Any existing state, or town highway, or a street shown (a) on a subdivision approved by the Planning and Zoning Commission; or (b) on a map or plan duly filed and recorded in the office of the Town Clerk of the Town of Montville prior to November 1963, provided such street shall have been suitably improved to the satisfaction of the Planning and Zoning Commission after November 1963.

STREET, CENTER LINE. A line equidistant from each street line; or if no street line is established, the centerline of the existing pavement, or if the street is unpaved, the centerline of the existing traveled way.

STREET LINE. The right-of-way line of a street.

STRUCTURAL ALTERATION. Any change in the supporting members of a structure, such as bearing walls or any partitions, beams, or girders or any substantial change in the exterior walls or roof of a structure.

STRUCTURE. Anything constructed or erected including a building or sign which has a permanent location on the ground or anything attached to something having a permanent location on the ground intended for the shelter, storage, housing or enclosure of persons, businesses, industries, animals, poultry, equipment or materials. Any other structures, including an accessory structure to a permitted use, and including fences and walls, any of which are more than six (6) feet high, shall be considered as structures. Antenna structures for individual dwellings (excluding ground-mounted satellite dish antennae and amateur radio antennae), flagpoles, public utility poles, bridges, ornamental walls, mailboxes, or ornamental lights are not considered structures under these Regulations.

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

SUBSTANTIAL IMPROVEMENT. Shall mean for the purposes of Section 16.4 of these Regulations any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during a one-year period, in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure. The market value of the structure should be either the appraised value of the structure prior to the start of the initial repair or improvement, or, in the case of damage, the value of the structure prior to the damage occurring. For purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions.

TOWER: A structure intended to support equipment used to receive and/or transmit electromagnetic waves. Examples of towers include, but are not limited to, self-supporting lattice, guyed, and monopole.

****AMENDED EFFECTIVE 2/16/99**

TRAILER. A structure designed to be transported on wheels and not having motive power of its own. The trailer must be at least twelve feet wide and fifty feet long and have a total living area of at least 600 square feet. It must be so designed so as to allow connection to sanitary, water, and electric facilities and must be suitable for human habitation.

UNLICENSED WIRELESS SERVICES: Means the offering of telecommunication services using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services.
**** AMENDED EFFECTIVE 2/16/99**

USE. The term employed to refer to any purpose for which buildings or other structures or land may be occupied.

USE, NON-CONFORMING. A previously existing use of a building or land or both, which does not conform to the applicable Use Regulations of these Regulations, either on its effective date, or as a result of subsequent amendments thereof. It may or may not involve any principal building or land use.

WATER SURFACE ELEVATION. The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

WATERSHED. See **PUBLIC WATER SUPPLY WATERSHED.**

WETLANDS. Areas defined as wetlands in Sections 22a-29 and 22a-38 of the Connecticut General Statutes, as amended.

WIRELESS COMMUNICATION FACILITIES: The equipment involved in receiving and/or transmitting electromagnetic waves associated with wireless communication services. ****AMENDED EFFECTIVE 2/16/99**

WIRELESS COMMUNICATION SERVICES: Unlicensed wireless services associated with the transmission and/or reception of wireless telecommunications. These services may include, but are not limited to cellular, personal communication services, specialized mobilized radio and paging. ****AMENDED EFFECTIVE 2/16/99**

YARD, REQUIRED. Open and unobstructed minimum ground area of the lot extending inward from a lot line to any structure or building for the distance specified in the regulations for the district in which the lot is located.

YARD, REQUIRED FRONT. Required unoccupied space between the building line and the front lot line extending the full width of the lot.

YARD, REQUIRED REAR. Required unoccupied space between the rear building line and the rear lot line extending the full width of the lot.

YARD, REQUIRED SIDE. Required unoccupied space between the side building line and the side lot line extending from the required front yard (or from the required lot line if there is not a required front yard) to the required rear yard (or the required rear lot line if there is not a required rear yard.)

2.1 STREET CLASSIFICATIONS

For the purposes of providing for the development of a system of major streets and highways in the Town and for the future improvements, reconstruction and necessary widening of all streets and highways, each road in the Town is hereby designated by one of the following street classifications as presented in the Montville Plan of Development.

Expressway:

I-395 (Connecticut Turnpike) and Route 2A.

Arterials:

Route 163	Norwich-New London Turnpike (Route 32)
Flanders Road (Route 161)	Hartford-New London Turnpike (Route 85)
Old Colchester Road	Norwich-Salem Turnpike (Route 82)

****AMENDED: 10/11/97**

35' setback from centerline is required.

Collector Streets:

Black Ash Road	Fitch Hill Road	Jerome Road	Maple Avenue
Chapel Hill Road	Forsyth Road	Kitemaug Road	Massapeag Road
Chesterfield Road	Fort Shantok Road	Lathrop Road	Moxley Road
Fire Street	Gallivan Lane	Leffingwell Road	Raymond Hill Road

**** AMENDED 10/11/97**

30' setback from centerline is required.

Local Streets:

All other roads in Montville not designed or intended to serve as an expressway, arterial, or collector street.

25' setback from centerline required.

SECTION 3. ESTABLISHMENT OF DISTRICTS, DISTRICT BOUNDARIES AND SCOPE OF CONTROLS

3.1 ESTABLISHMENT OF DISTRICTS

The Town of Montville is hereby divided into the following districts, the respective symbol for each type of district being set forth opposite the title:

<u>SYMBOL</u>	<u>TITLE</u>
WRP-160	Water Resource Protection R-160 District
R-120	Residential R-120 District
R-80	Residential R-80 District
R-40	Residential R-40 District
R-20	Residential R-20 District
TC	DELETED 10/11/97
NC	DELETED 10/11/97
C	DELETED 10/11/97
C-1	Commercial-1 (C-1) District
C-2	Commercial-2 (C-2) District
C-3	Commercial-3 (C-3) District
G	Government
LI	Light Industrial (LI) District
I	Industrial (I) District
CI	DELETED 10/11/97
OS	Open Space (OS) District

Each such district may be designated on the zoning map referred to in Section 3.2 and elsewhere in the text of these Regulations by its symbol only.

**** AMENDED: 10/11/97**

3.2 ZONING MAP

The areas and boundaries of such districts are hereby established (a) as shown on a map entitled "Zoning Map, Town of Montville" and (b) as specified in Section 3.3. Such map bearing the same date as these Regulations, referred to herein as the "Zoning Map", together with everything shown thereon, is hereby made part of the Regulations. A copy of the Zoning Map and any amendments thereof shall be maintained in the office of the Town Clerk and the Planning and Zoning Department.

3.3 DISTRICTS ON ZONING MAP

District boundaries and map dimensions on the zoning map shall be determined according to the following rules:

- 3.3.1 Where district boundaries are indicated as approximately following the center line of a street, highway, railroad, brook, stream, right-of-way or easement, such lines shall be construed to be such district boundaries.
- 3.3.2 **DELETED 10/11/97**
- 3.3.3 **DELETED 10/11/97**
- 3.3.4 Where district boundaries are indicated as approximately following lot lines of record at the time of adoption of these Regulations, such lot lines shall be construed to be such boundaries.
 - A. Where a district boundary line divides a lot which was in single ownership at the time of adoption of these Regulations, the Planning and Zoning Commission or Enforcement Officer may permit the

extension of the regulations for either portion of the lot a maximum of 100 feet beyond the district line into the remaining portion of the lot.

3.3.5 DELETED 10/11/97

3.4 SCOPE OF CONTROLS

After the effective date of these Regulations, all new construction or development, and every change, enlargement, or relocation of use, and every reconstruction or structural alteration of a building or non-building use shall conform to these Regulations.

SECTION 4. ADMINISTRATIVE PROCEDURES AND ENFORCEMENT

4.1 CLASSIFICATION OF USES

Uses of land or buildings are classified and regulated by these Regulations as either **PERMITTED USES** or as **SPECIAL PERMIT USES**.

- 4.1.1 Permitted uses are those which are allowed by right in a zoning district. Applications for permitted uses are submitted to the Enforcement Officer or the offices of the Commission. Applications are acted upon by the Enforcement Officer or by the Planning and Zoning Commission depending upon the nature of the proposed use. Applications for permitted uses in Commercial and Industrial Zones must be accompanied by a site plan.
- 4.1.2 Special Permit uses are permitted only after meeting the special provisions of Section 17 of these Regulations. Applications for Special Permits are submitted to the office of the Commission and are acted upon by the Commission.

4.2 ZONING PERMIT

No building shall be erected, moved, structurally enlarged or reduced, or changed to another use and no use shall be established or changed in any area of Montville without a Zoning Permit issued in conformance with these Regulations.

- 4.2.1 Application for a zoning permit shall be made on a form provided for that purpose and obtainable from the Enforcement Officer or at the offices of the Commission. Any fees shall be in accordance with the schedule of fees adopted by the Town of Montville.
- 4.2.2 Applications for permitted single-family dwellings, accessory buildings, inground swimming pools, additions or reductions to such buildings on residential lots; accessory buildings or expansions of or additions to other existing conforming principal uses provided that such building or expansions do not exceed 1,000 square feet, and such other uses as herein prescribed by these Regulations, may be approved by the Enforcement Officer provided they meet the requirements of these Regulations. The Enforcement Officer may require an appropriate plan prepared, signed, and sealed by a licensed land surveyor or registered professional engineer to insure compliance with these Regulations. The Enforcement Officer may further require that location markers for the building foundation be set by a licensed land surveyor in accordance with the plot plan prior to commencement of construction.
*** AMENDED: 10/11/97**
- 4.2.2.1 Applications for the conversion of dwelling units, including two-family or multi-family, to professional office space may be approved by the Commission if the following criteria are met:
 - 1. The lot on which the dwelling is located has frontage on Norwich-New London Tpke. (Connecticut Route #32).
 - 2. The Applicant submits a Class "D" site plan.
 - 3. Parking requirements shall conform to Section 19 of these regulations.
 - 4. The structure and parking area must be in compliance with all applicable handicapped access, building and fire safety codes.
 - 5. Signs shall conform to Section 20 of these Regulations.
 - 6. Access drives shall be combined with access drives on abutting properties whenever possible.****AMENDED: EFFECTIVE 5/13/96.**
- 4.2.3 Applications for all other uses and buildings shall be reviewed by the Commission and shall be submitted together with the required fee, a site plan as prescribed in Section 18 of these Regulations at least fourteen (14) days prior to a regular meeting of the Commission. The Commission shall review all such applications and site plans in accordance with these Regulations. The Commission may require

that location markers for the building foundation be set by a licensed land surveyor in accordance with the site plan prior to commencement of construction.

- 4.2.4 A permit may not be issued for buildings or for uses of land or buildings not clearly permitted by these Regulations in the various zoning districts. In any case where a use is alleged to be similar to a specified use permitted by these Regulations, its status shall be determined by the Commission by reference to the most clearly similar use or uses permitted by these Regulations, it shall be declared that the use is similar. When the status of a use has been so determined, such determination shall thereafter have a general applicability to all uses of the same type.
- 4.2.5 No building permit shall be issued by the Building Official's office for a building or use subject to these Regulations without certification in writing from the Enforcement Officer that such building or use is in conformity with these Regulations or is a valid non-conforming use or building under these Regulations.
- 4.2.6 Site plans shall be required for all commercial and industrial non-accessory uses.

4.3 CERTIFICATE OF COMPLIANCE

It shall be unlawful for any newly erected building, or addition for which a zoning permit has been issued to be occupied or used, for any building or premises or part thereof to be converted or changed from one type of use or occupancy to another until a Certificate of Compliance has been issued by the Enforcement Officer. The Certificate of Compliance shall be issued within ten (10) days of request by the Enforcement Officer upon completion of the work if the building and use comply with these Regulations and the approved application. The Enforcement Officer may require an adequate as-built site plan to facilitate this review.

- 4.3.1 A Certificate of Compliance shall remain valid only so long as the building, the use thereof, or the use of the land remains in full conformity with these Regulations or of an amendment thereto.
- 4.3.2 A Temporary Certificate of Compliance may be issued by the Zoning Enforcement Officer if the requirements of Section 4.3 and 4.3.1 above can be met up to 150 days after issuance of the Temporary Certificate of Compliance.
- 4.3.3 After the effective date of these Regulations, the Zoning Enforcement Officer will issue, upon request of the owner or occupant, a Certificate of Compliance for any legal non-conforming building or use existing on the effective date of these Regulations upon provision of adequate proof of same, except where such building or use was in violation of regulations in force prior to the effective date of these amended Regulations.

4.4 RECORDING

No variance or special permit shall become effective and no subsequent permit shall be issued until a copy thereof, certified by the Zoning Board of Appeals or this Commission, as appropriate, containing a description of the premises to which it relates and specifying the nature of such variance or special permit, including the zoning provision which is varied in its application or to which a special permit is granted, and stating the name of the owner of record, is recorded in the Town's land records. The Town Clerk shall index the same under the grantor's index under the name of the then record owner and the record owner will pay for such recording.

- 4.5 All zoning permits for site plans as required in Section 18 shall expire five (5) years after the date of approval if all permitted work has not been completed. The right to construct improvements pursuant to a special permit shall expire five (5) years after the date of issuance of said permit unless specified otherwise by the Commission. The Commission may extend the time period within which to complete improvements pursuant to a special permit in accordance with Section 8-3c of the Connecticut General Statutes. All other zoning permits shall expire one (1) year after the date of approval if all permitted work has not been completed.

4.6 OTHER PERMITS

A zoning or special permit indicates that the application complies with the provisions of these Regulations. However, other local, state and federal permits may be required before the applicant can begin the regulated building or use, such as those concerned with driveways, wetlands, water and sewer facilities, fire protection, water quality, air quality, traffic conditions, solid waste, building code and health code. Determining what other permits are required and obtaining such other permits is the responsibility of the applicant.

4.6.1 ABOVE-GROUND SWIMMING POOLS AND SHEDS (One (1) story, 18' x 18' maximum).

A swimming pool and shed, if accessory to a residential use, may be located anywhere on the premises except in a required front yard provided it shall not be located less than 10 feet from any side or rear lot line. All pump and filter installations shall not encroach within the 10 foot required setback. Any lighting used to illuminate the swimming pool area shall be so arranged so as to prevent the light from shining or reflecting on adjoining properties.

****AMENDED effective 5/13/96)**

4.6.2 HOME OCCUPATION PERMITS

4.6.2.1 Definition

A home occupation is defined as any business or commercial activity that is conducted from property that is zoned exclusively for residential use and is an owner-occupied structure.

4.6.2.2 Purpose

The purpose of this section is to regulate the conduct of business in residential areas; ensure compatibility of home occupations with other uses permitted in residential districts; maintain and preserve the character of residential neighborhoods.

4.6.2.3 Conditions and criteria

1. Not more than 25% of the floor area of the principal building shall be used for a home occupation
2. No more than one home occupation shall be permitted within any residential dwelling unit.
3. The occupation shall be carried on wholly within an enclosed building. No outside storage of material shall be permitted. Indoor storage of materials or products shall not exceed the limitations imposed by building, fire, or health codes.
4. No one other than bonafide residents of the dwelling shall be employed in the conduct of the home occupation. The applicant must show proof of residency. The property owner must sign the request for the home occupation permit.
5. There shall be no entrance or exit specifically provided in the dwelling or on the premises for the conduct of the home occupation.
6. There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products, provided that orders previously made by telephone or fax or at a sales party may be filled on the premises. Direct sales of products off display shelves or racks is prohibited.
7. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by

such home occupation shall be met off the street and other than in a required front yard. Deliveries from commercial suppliers shall not restrict traffic circulation.

8. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the provisions of any applicable government code. There shall be no illegal discharge of any materials, fluids, or gases into the sewer system or any other manner of discharging such items in violation of any applicable government code.
9. The following uses are specifically prohibited from being home occupations (1) vehicle repair and modification; (2) restaurant; (3) massage parlor; (4) tavern; (5) club; (6) tattoo parlor; (7) repair of heavy equipment or machinery.
10. Animal hospitals and veterinarians' office are restricted to R-120 and WRP-160 zones. A barber or beautician is limited to 2 stations and location must be served by public water and sewer.
11. There shall be no exterior evidence that a home occupation exists on the premises other than a sign which does not exceed 2 square feet in size.
12. The initial permit shall be granted for one year at which time the applicant shall notify the abutting property owners of the intent to renew the permit.**

**** AMENDED EFFECTIVE OCTOBER 1, 1994**

4.6.3. PARKING LOTS

The Commission may approve, subject to the requirements of Sections 18 and 19.5 of these Regulations, the construction of a parking lot, in any zoning district, on lands which are contiguous to lands held in trust by the United States of America.**

**** AMENDED EFFECTIVE JULY 13, 1996**

4.6.4 TELECOMMUNICATION TOWERS

4.6.4.1 PURPOSE

To regulate the location and number of telecommunication facilities, towers, and antennae; minimizing their adverse visual effect through careful design and siting; and to encourage the co-location of facilities. These regulations are consistent with the Federal Communications Act of 1996 in that they do not discriminate among providers of functionally equivalent services, prohibit or act to prohibit the provisions of personal communication services or regulate the placement and construction of personal wireless communication facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC regulations regarding such emissions. To encourage the use of non-residential buildings and structures, such as water storage tanks. To reduce the number of towers and/or antennae needed in the future.

4.6.4.2 PERMITTED USES

1. Unlicensed wireless communication facilities are permitted in all zones.
2. Unlicensed wireless communication facilities using existing structures shall be issued a zoning permit by the Zoning Officer provided a sketch plan showing the orientation of the device on the structure and a map showing coverage area and level of service ranges of the proposed facility and any adjacent facilities is provided in paper and electronic media and a report from a licensed telecommunications systems engineer showing that the proposed wireless telecommunication

facility will comply with FCC radio frequency emission standards and that the installation will not interfere with other communication services.

3. Unlicensed wireless communication facilities requiring the installation of a tower or structure require a special permit in accordance with Section 17 of these regulations.
4. The commission may require the use of Sections 16-50aa of the Connecticut General Statutes in order to co-locate for wireless communication equipment providing unlicensed services.

****AMENDED EFFECTIVE 2/16/99**

4.7 ADMINISTRATION AND ENFORCEMENT

These Regulations shall be administered and enforced by the Commission or its designated agent, the Enforcement Officer, as provided in these Regulations.

- 4.7.1 The Commission or its designated agent may inspect any building or land at any reasonable time and order in writing any violation of these Regulations to be corrected or terminated.

4.8 SOIL EROSION AND SEDIMENT CONTROL PLAN

A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half acre. The soil erosion and sediment control plan shall be submitted pursuant to Section 16.3 of these Regulations. A single-family dwelling that is not part of a subdivision of land shall be exempt from this soil erosion and sediment control plan requirement.

4.9 INLAND WETLANDS

If an application for a permitted use or special permit involves an activity regulated under the provisions of Chapter 440 of the General Statutes, the applicant shall submit an application for a permit to the Montville Inland Wetlands Commission not later than the day such application is filed with the Montville Planning and Zoning Commission. The decision of the Planning and Zoning Commission shall not be rendered until the Montville Inland Wetlands Commission has submitted a report with its final decision to the Planning and Zoning Commission. In making its decision, the Planning and Zoning Commission shall give due consideration to the report of the Montville Inland Wetlands Commission.

4.10 NOTICE TO NEIGHBORING MUNICIPALITIES

The Commission shall notify the clerk of any adjoining municipality of the pendency of any site plan or special permit concerning any project on any site when: (1) any part of the property affected by the Commission's decision is within 500 feet of the adjoining municipality; (2) a significant portion of the traffic to the completed project will use streets within the adjoining municipality to enter or exit the site; (3) a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewer systems within the adjoining municipality; or (4) water runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality. Such notice shall be made by certified mail return receipt requested and shall be mailed within seven (7) days of the date of receipt of the application or site plan and no hearing shall be held on the application or site plan until after the adjoining municipality received such notice. A representative from the adjoining municipality may appear and be heard at any hearing on any such application or site plan.

4.11 PENALTIES

In accordance with Chapter 124, Section 8-12 of the Connecticut General Statutes, any person, firm, or corporation, violating any of the provisions of these Regulations, shall for each violation upon conviction thereof, pay a penalty of not less than ten (\$10.00) nor more than one hundred (\$100.00) dollars for each day that such violation shall continue; but if the offense be willful, the person convicted thereof shall be fined not less than one hundred (\$100.00) nor more than two hundred fifty (\$250.00) dollars for each day that such violation shall continue, or imprisoned not more than ten (10) days for each day such violation shall continue, or both. Any person, firm, or corporation who, having been served with an order to discontinue any such violation, fails to comply with such order within ten (10) days of such service, or having been served with a cease and desist order with respect to a violation involving grading of land or removal of earth fails to comply with such order immediately, or continues to violate any provision of these Regulations shall be subject to a civil penalty not to exceed two thousand five hundred dollars (\$2,500.00). The Planning and Zoning Commission shall have such other remedies as are provided by law to restrain, correct or abate any violation of the zoning regulations.

4.12 INTERPRETATION OF REGULATIONS

These Regulations are not intended to interfere with, abrogate, or annul any other ordinance, regulations, or other provisions of law, or any easement, or other private agreement or legal relationship. When these Regulations or any section thereof impose restrictions on use or dimensions different from those imposed by any other section of these Regulations, or statute, ordinance, covenant, or private agreement or legal relationship, whichever provisions are more restrictive, or impose higher standards, shall control.

4.13 NON-CONFORMING LOTS AND USES, AND STRUCTURES

A non-conforming use, lot, or structure is one which existed lawfully, whether by variance or otherwise, prior to the original date of these Regulations, or any amendment thereto became effective, and which fails to conform to one or more of the applicable requirements of these Regulations or any amendment thereto.

- 4.13.1 For the purposes of these Regulations, a non-conforming use shall be defined as a use of land and/or building which lawfully existed prior to the enactment of the Zoning Regulations or any amendment thereto, which does not comply with the uses permitted within the zoning district in which it is located and which has been continuously maintained since the enactment of the Zoning Regulations.
- 4.13.2 No non-conforming use of land or structure shall be enlarged, extended, expanded or altered except in changing the use to one which is permitted in the District in which the use is located.
- 4.13.3 When a non-conforming use has been changed to a conforming use, it shall not hereafter be changed to any use not permitted in the District in which the use is located.
- 4.13.4 Any non-conforming use or structure which has been abandoned shall not thereafter be reestablished. The term abandonment, as used herein, shall mean the voluntary discontinuance of a use, when accompanied by an intent not to reestablish such use. In the case of a structure, use of land, or combination thereof, the discontinuance of the non-conformity for twelve (12) consecutive months or for a total of eighteen (18) months during any three-year period shall constitute abandonment.
- 4.13.5 For the purposes of these Regulations, a non-conforming lot shall be defined as a lot which was separately owned prior to the enactment of the Zoning Regulations or any amendment thereto or which is located in and part of a subdivision plan which has been given final approval by the Planning and Zoning Commission and filed in the land records of the Town prior to the date of the Zoning Regulations. No lot may be divided or subdivided if the division or subdivision will result in the creation of a non-conforming lot.
- 4.13.6 Lots for single family detached residences which meet the definition of non conforming lot in Section 4.13.5 which have a total area or lot frontage less than the minimum required in the district may be used for single family detached residences provided such lots shall conform to use regulations and all other applicable setback requirements of the district or the Table which follows:

FRONTAGE

MINIMUM SIDE YARD WIDTH

0 to 55 feet	5 ft., but the sum of both yards not less than 35% of lot width
56 to 65	8 ft., but the sum of both yards not less than 33% of lot width
66 to 75	10 ft., but the sum of both yards not less than 33% of lot width.

Lots having less than 30 ft. of frontage on a town accepted road must be served by a perpetual R. O. W. as evidenced by deed recorded in the Town land records. Said R. O. W. must be unobstructed and maintained so as to be accessible for emergency vehicles.

For the purposes of this table round fractions of a foot off to the next lowest whole number.

- 4.13.7 In order to assure that structures containing non-conforming uses will be maintained in a safe condition for so long as such non-conforming use continues nothing in these Regulations shall be deemed to prohibit work done as ordinary maintenance, or repair or replacement of walls, ceilings, floors, fixtures, electrical or plumbing provided such work does not expand or increase the non-conformity. For residential structures, expansion, modification or alteration is permitted provided that no new non-conformity or increased encroachments into required setbacks or height limitations results, or no non-conforming use is expanded.
- 4.13.8 Nothing in these Regulations shall be deemed to prohibit the restoration of any non-conforming structure and its use where such structure has been destroyed by means out of control of the owner, provided the restoration of such structure and its use in no way increases any former non-conformity and provided further that restoration of such structure is begun within one year after the date of such destruction and all construction is diligently pursued to completion within two years following the date of such destruction.
- 4.13.9 No requirement contained in Section 4.3 thru 4.13.8 shall supersede the provision of Section 8-26a, 8-28a, 8-28b, 8-29, 8-6, and 8-7 of the Connecticut General Statutes.

4.14 TRAILERS

No trailers shall be permitted in any district except as follows:

- 4.14.1 At a location which has an approved trailer permit dated prior to the effective date of these Regulations, except that if a trailer is removed from the site for twelve (12) consecutive months, it may not thereafter occupy such location.
- 4.14.2 The Commission may approve the replacement of a trailer on a lot if the use has not been abandoned, the trailer will meet the criteria in Section 1.3 (Definition-Trailer), the location has been approved by the Town Sanitarian, and the site meets the criteria in Section 4.14.I.
- 4.14.3 The Commission or its designated agent may approve the replacement of a trailer in a trailer park if the trailer site complies with Sections 4.14.1 and 4.14.2 of these Regulations. In addition, any new trailer site within a park must have a minimum area of 10,000 square feet. For the purpose of these Regulations, a trailer park is any lot or site on which two or more trailers are located.
- 4.14.4 The Commission may authorize the issuance of a temporary zoning permit for a trailer to be used in connection with a construction project. Such temporary permit shall not exceed six months. The Commission may authorize renewal of the permit in six month increments. If the trailer is to be connected to sanitary facilities, the Zoning Enforcement Officer shall not issue the permit until the Town's sanitarian has determined that the sanitary facilities comply with the state health code.

4.15 INTERIOR LOTS (REAR LOTS)

****DELETED EFFECTIVE AUGUST 10, 2005**

SECTION 5. WATER RESOURCE PROTECTION ZONE - WRP 160 DISTRICT

5.1 PURPOSE

The Commission recognizes the direct correlation between the overall level of development that exists in a drainage basin or aquifer recharge area and water quality. The water resources protection zone is designed to protect public water supply watersheds and groundwater sources which are capable of yielding a long term water supply. The clearing of natural ground cover and the filling of wetlands should be kept to an absolute minimum in this district. Public sewers should be extended to correct existing pollution problems only, not for the purposes of accommodating new development at increased density. The intent of the district is to limit land use to low density uses.

5.2 PERMITTED USES

The following uses shall be permitted within the district:

- 5.2.1 Single-family dwelling
- 5.2.2 Farm
- 5.2.3 Parks and playgrounds
- 5.2.4 Public utility substation or equipment facility, utility R. O. W.
- 5.2.5 **DELETED 10/11/97**
- 5.2.6 Seasonal roadside stands for farm produce
- 5.2.7 Nursery schools and day care facilities up to six (6) children
- 5.2.8 Accessory buildings and uses
- 5.2.9 Home occupations

5.3 SPECIAL PERMITS

The following uses may be permitted if approved by the Commission in accordance with the provisions of Section 17 of these Regulations.

- 5.3.1 Governmental offices, libraries, schools, police and fire protection facilities
- 5.3.2 Kennels
- 5.3.3 Wineries
- 5.3.4 Recreational camps and other large scale uses such as riding academies, stables, sportsmen's clubs and reserved open space.
- 5.3.5 Temporary gatherings such as fairs or outings
- 5.3.6 Churches and other places of worship
- 5.3.7 Ambulance facilities
- 5.3.8 Community centers
- 5.3.9 Nursery school and day care facility serving more than six (6) children
- 5.3.10 Excavations or filling operations greater than 500 cubic yards (solid waste landfills are prohibited)

5.3.11 Transmission tower

5.3.12 Cluster development

5.4 MINIMUM LOT SIZE

The minimum lot size in this district is 160,000 square feet

5.5 MINIMUM LOT FRONTAGE

Each lot in this district shall have at least 200 feet of frontage on a street.

5.6 MINIMUM SETBACKS

5.6.1 **FRONT YARD** 75 feet

5.6.2 **SIDE YARD** 30 feet

5.6.3 **REAR YARD** 75 feet

5.6.4 No farm building or manure pile may be located within 150 feet of any property line.

5.7 MAXIMUM BUILDING HEIGHT

No building shall exceed thirty-five (35') feet in height.

5.8 ENVIRONMENTAL PROTECTION

5.8.1 The following uses and/or activities are prohibited within this district:

- a. underground storage tanks
- b. salt storage
- c. hazardous waste storage
- d. septage lagoons
- e. the use of pesticides within 1000 feet of the highwater mark of a public water supply reservoir
- f. sewage disposal systems within 100 feet of the highwater mark of a public water supply reservoir or within 75 feet of a watercourse flowing into a reservoir
- g. cemeteries
- h. sanitary landfills
- i. the location of any building within 75 feet of any regulated wetland, body of water, or watercourse

5.8.2 The Commission may require special drainage facilities to insure groundwater recharge and/or non-point source pollution containment for stormwater runoff or hazardous materials spills. Land clearing activity for new construction shall be kept to the minimum necessary for building and road development. The Commission may require the submission of an environmental impact study for any special permit or subdivision activity in this district.

5.9 OFF-STREET PARKING

Off-street parking shall be provided for each lot in this district in accordance with the provisions of Section 19 of these Regulations.

5.10 SIGNS

All signs in this district shall conform with the provisions of Section 20 of these Regulations.

Section 5.A OPEN SPACE (OS) DISTRICT

5.A.1 PURPOSE

The open space zone is designed to protect environmentally fragile areas particularly those with steep slopes. In addition it is to define areas of scenic, historical, recreational and other natural areas. The clearing of natural ground cover and the filling of wetlands should be kept to an absolute minimum in this district. Public sewers should be extended to correct existing pollution problems only, not for the purposes of accommodating new development at increased density. The intent of this district is to limit land use to low density uses.

5.A.2 PERMITTED USES

The following uses shall be permitted within this district:

5.A.2.1 Single-family dwelling

5.A.2.2 Cemeteries

5.A.2.3 Parks and playgrounds

5.A.2.4 Public utility substation or equipment facility, utility right of way, railroads

5.A.2.5 Accessory buildings and uses

5.A.2.6 Home occupations

5.A.3 SPECIAL PERMITS

NONE

5.A.4 MINIMUM LOT SIZE

5.A.4.1 Existing cemeteries (none)

5.A.4.2 New cemeteries. Five (5) acres

5.A.4.3 Single family dwellings. Four (4) acres

5.A.5 MINIMUM LOT FRONTAGE

Each residential lot in this district shall have at least 150 feet of frontage on a street.

Cemeteries are not required to have frontage

5.A.6 MINIMUM SETBACKS

5.A.6.1 **FRONT YARD** 50 feet

5.A.6.2 **SIDE YARD** 30 feet

5.A.6.3 **REAR YARD** 50 feet

5.A.7 MAXIMUM BUILDING HEIGHT

No building shall exceed thirty-five (35') feet in height.

5.A.8 ENVIRONMENTAL PROTECTION

Any improvements proposed to be located within the wetlands buffer, as set by the Wetlands Commission, or have any impact on the wetlands shall require approval by the Wetlands Commission and meet the health code of the State of Connecticut.

5.A.9 OFF-STREET PARKING

Off-street parking shall be provided for each lot in this district in accordance with the provisions of Section 19 of these Regulations.

5.A.10 SIGNS

All signs in this district shall conform with the provisions of Section 20 of these Regulations.

SECTION 6. R-120 DISTRICT

6.1 PURPOSE

The zone is intended to provide a transition area between the higher density R-80 District and the lower density WRP-160 and OS Districts. These areas of the R-120 District are usually remote from existing or planned public water and sewer services and may present physical obstacles for development.

6.2 PERMITTED USES

The following uses shall be permitted within this district:

- 6.2.1 Single-family dwelling
- 6.2.2 Farm
- 6.2.3 Parks and playgrounds
- 6.2.4 Public utility substation or equipment facility, utility right of way, railroads
- 6.2.5 Governmental offices, libraries, schools, police and fire protection facilities
- 6.2.6 **DELETED 10/11/97**
- 6.2.7 Seasonal roadside stands for farm produce
- 6.2.8 Nursery schools and day care facilities up to six (6) children
- 6.2.9 Accessory buildings and uses
- 6.2.10 Home occupations

6.3 SPECIAL PERMITS

The following uses may be permitted if approved by the Commission in accordance with the provisions of Section 17 of these Regulations.

- 6.3.1 Kennel
- 6.3.2 Winery
- 6.3.3 **DELETED 10/11/97**
- 6.3.4 Recreational camps and other large scale uses such as riding academies, stables, sportsmen's clubs and golf courses
- 6.3.5 Temporary gatherings such as fairs or outings
- 6.3.6 Churches and other places of worship
- 6.3.7 Ambulance facilities
- 6.3.8 Community Centers
- 6.3.9 Nursery school and day care facility serving more than six (6) children
- 6.3.10 Excavations or filling operations greater than 500 cubic yards
- 6.3.11 Cemeteries

6.3.12 Transmission tower

6.3.13 Cluster development

6.3.14 Water dependent uses consistent with Connecticut Coastal Area Management Act.
****AMENDED EFFECTIVE 4/10/99**

6.3.15 Age Restricted Housing Community
****AMENDED EFFECTIVE 3/27/04**

6.4 MINIMUM LOT SIZE

The minimum lot size in this district is 120,000 square feet

6.5 MINIMUM LOT FRONTAGE

Each lot in this district shall have at least 200 feet of frontage on a street

6.6 MINIMUM SETBACKS

6.6.1 **FRONT YARD** 60 feet

6.6.2 **SIDE YARD** 25 feet

6.6.3 **REAR YARD** 60 feet

6.6.4 No farm building or manure pit may be located within 150' of any property line

6.7 MAXIMUM BUILDING HEIGHT

No building shall exceed thirty-five (35') feet in height

6.8 ENVIRONMENTAL PROTECTION

Any improvements proposed to be located within the wetlands buffer, as set by the Wetlands Commission, or have any impact on the wetlands shall require approval by the Wetlands Commission and meet the health code of the State of Connecticut.

****AMENDED effective 5/13/96.**

6.9 OFF-STREET PARKING

Off-street parking shall be provided for each lot in this district in accordance with the provisions of Section 19 of these Regulations.

6.10 SIGNS

All signs in this district shall conform with the provisions of Section of these Regulations.

SECTION 7. R-80 DISTRICT

7.1 PURPOSE

These areas contain large amounts of reasonably good building land, but are not conveniently located with respect to existing and planned utility service areas. The intent is that the density of development in these areas be low enough to permit dependence on individual wells and septic systems far into the future.

7.2 PERMITTED USES

The following uses shall be permitted within this district:

- 7.2.1 Single-family dwelling
- 7.2.2 Farm
- 7.2.3 Parks and playgrounds
- 7.2.4 Public utility substation or equipment facility, utility right-of-way, railroads
- 7.2.5 Governmental offices, libraries, schools, police and fire protection facilities
- 7.2.6 Nursery school and day care facility serving up to six (6) children
- 7.2.7 **DELETED 10/11/97**
- 7.2.8 Seasonal roadside stands for farm produce
- 7.2.9 Accessory buildings and uses
- 7.2.10 Home occupations

7.3 SPECIAL PERMITS

The following uses may be permitted if approved by the Commission in accordance with the provisions of Section 17 of these Regulations.

- 7.3.1 Kennel
- 7.3.2 Winery
- 7.3.3 **DELETED 10/11/97**
- 7.3.4 Recreational camps and other large scale uses such as riding academies, stables, sportsmen's clubs and golf courses
- 7.3.5 Temporary gatherings such as fairs or outings
- 7.3.6 Churches and other places of worship
- 7.3.7 Ambulance facilities
- 7.3.8 Community Centers
- 7.3.9 Nursery school and day care facility serving more than six (6) students
- 7.3.10 Excavations or filling operations greater than 500 cubic yards

7.3.11 Cemeteries

7.3.12 Transmission tower

7.3.13 Cluster development

7.3.14 Water dependent uses consistent with Connecticut Coastal Area Management Act
****AMENDED EFFECTIVE 4/10/99**

7.4 MINIMUM LOT SIZE

The minimum lot size in this district is 80,000 square feet

7.5 MINIMUM LOT FRONTAGE

Each lot in this district shall have at least 180 feet of frontage on a street.

7.6 MINIMUM SETBACKS

7.6.1 **FRONT YARD** 50 feet

7.6.2 **SIDE YARD** 20 feet

7.6.3 **REAR YARD** 50 feet

7.6.4 No farm building or manure pit may be located within 150 feet of any property line

7.7 MAXIMUM BUILDING HEIGHT

No building shall exceed thirty-five (35') feet in height.

7.8 ENVIRONMENTAL PROTECTION

Any improvements proposed to be located within the wetlands buffer, as set by the Wetlands Commission, or have any impact on the wetlands shall require approval by the Wetlands Commission and meet the health code of the State of Connecticut.

AMENDED effective 5/13/96.

7.9 OFF-STREET PARKING

Off-street parking shall be provided for each lot in this district in accordance with the provisions of Section 19 of these Regulations.

7.10 SIGNS

All signs in this district shall conform with the provisions of Section 20 of these Regulations.

SECTION 8. R-40 DISTRICT

8.1 PURPOSE

These areas provide an opportunity for medium density residential development. These areas generally contain good building land are generally serviceable by existing and planned public utilities. The major portion of future residential growth should be directed towards these areas.

8.2 PERMITTED USES

The following uses shall be permitted within this district:

- 8.2.1 Single-family dwelling
- 8.2.2 Farm
- 8.2.3 Parks and playgrounds
- 8.2.4 Public utility substation or equipment facility, utility right-of-way, railroads
- 8.2.5 Governmental offices, libraries, schools, police and fire protection facilities
- 8.2.6 Nursery school and day care facility serving up to six (6) children
- 8.2.7 **DELETED 10/11/97**
- 8.2.8 Seasonal roadside stands for farm produce
- 8.2.9 Accessory buildings and uses
- 8.2.10 Home occupations

8.3 SPECIAL PERMITS

The following uses may be permitted if approved by the Commission in accordance with the provisions of Section 17 of these Regulations.

- 8.3.1 Cluster Development
- 8.3.2 Elderly housing developments
- 8.3.3 Temporary gatherings such as fairs or outings
- 8.3.4 Churches and other places of worship
- 8.3.5 Ambulance facilities
- 8.3.6 Community centers
- 8.3.7 Nursery school and day care facility serving more than six (6) students
- 8.3.8 **DELETED 10/11/97**
- 8.3.9 Cemeteries
- 8.3.10 Manufactured home park--must comply with Section 17.10
- 8.3.11 Two-family dwelling

8.3.12 Age Restricted Housing Community ****AMENDED EFFECTIVE 5/09/03**

8.4 MINIMUM LOT SIZE

The minimum lot size in this district is 40,000 square feet. Cluster Developments shall conform with the provisions of Section 17 of these Regulations. For elderly housing developments, the minimum lot area shall be 4,000 square feet per dwelling unit.

8.5 MINIMUM LOT FRONTAGE

Each lot shall have at least 150 feet of frontage on a street.

8.6 MINIMUM SETBACKS

8.6.1 **FRONT YARD** 50 feet

8.6.2 **SIDE YARD** 15 feet

8.6.3 **REAR YARD** 50 feet

8.6.4 No farm building or manure pit may be located within 150 feet of any property line

8.7 MAXIMUM BUILDING HEIGHT

No building shall exceed thirty five (35') feet in height

8.8 ENVIRONMENTAL PROTECTION

Any improvements proposed to be located within the wetlands buffer, as set by the Wetlands Commission, or have any impact on the wetlands shall require approval by the Wetlands Commission and meet the health code of the State of Connecticut.

AMENDED effective 5/13/96.

8.9 OFF-STREET PARKING

Off-street parking shall be provided for each lot in this district in accordance with the provisions of Section 19 of these Regulations.

8.10 SIGNS

All signs in this district shall conform with the provisions of Section 20 of these Regulations.

SECTION 9 - R-20 DISTRICT

9.1 PURPOSE

These areas comprise the urban portions of Montville. In addition to being served by existing or planned public utilities, these areas are close to governmental, commercial and transportation facilities. They are also close to or include areas of existing high-density residential developments.

9.2 PERMITTED USES

The following uses shall be permitted within this district:

- 9.2.1 Single-family dwelling
- 9.2.2 Parks and playgrounds
- 9.2.3 Public utility substation or equipment facility, utility right-of-way, railroads
- 9.2.4 Governmental offices, libraries, schools, police and fire protection facilities
- 9.2.5 **DELETED 10/11/97**
- 9.2.6 Parking lots and garages
- 9.2.7 Nursery school and day care facility serving up to six (6) children
- 9.2.8 Accessory buildings and uses
- 9.2.9 Home occupation

9.3 The following uses may be permitted if approved by the Commission in accordance with the provisions of Section 17 of these Regulations.

- 9.3.1 Cluster Development
- 9.3.2 Multi-family dwellings
- 9.3.3 Elderly housing developments
- 9.3.4 Manufactured home parks--must comply with Section 17.10
- 9.3.5 Convalescent hospitals
- 9.3.6 Temporary gathering such as fairs or outings
- 9.3.7 Churches and other places of worship
- 9.3.8 Ambulance facilities
- 9.3.9 Community centers
- 9.3.10 Nursery school and day care facility serving more than six (6) children
- 9.3.11 **DELETED 10/11/97**
- 9.3.12 Cemeteries
- 9.3.13 Two-family dwellings

9.3.14 Age Restricted Housing Community

9.4 MINIMUM LOT SIZE

The minimum lot size in this district is 20,000 square feet for single-family dwellings if the lot is served by public sewers. If the lot is not served by public sewers, minimum lot size is 40,000 square feet. Cluster developments shall conform with the provisions of Section 17 of these Regulations. For elderly housing developments, the minimum lot area shall be 4,000 square feet per dwelling unit. For manufactured home parks, the minimum lot area shall be 10,000 square feet per dwelling unit. For multi-family developments, the maximum density shall be one dwelling unit per 10,000 square feet of lot area.

9.5 MINIMUM LOT FRONTAGE

Each lot shall have at least 100 feet of frontage on a street

9.6 MINIMUM SETBACKS

9.6.1	FRONT YARD	40 feet	MULTI-FAMILY	50 feet
9.6.2	SIDE YARD	15 feet	MULTI-FAMILY	40 feet
9.6.3	REAR YARD	40 feet	MULTI-FAMILY	40 feet

9.7 MAXIMUM BUILDING HEIGHT

No building shall exceed thirty-five (35') feet in height

9.8 ENVIRONMENTAL PROTECTION

Any improvements proposed to be located within the wetlands buffer, as set by the Wetlands Commission, or have any impact on the wetlands shall require approval by the Wetlands Commission and meet the health code of the State of Connecticut.

AMENDED effective 5/13/96.

9.9 OFF-STREET PARKING

Off-street parking shall be provided for each lot in this district in accordance with the provisions of Section 19 of these Regulations.

9.10 SIGNS

All signs in this district shall conform with the provisions of Section 20 of these Regulations.

SECTION 10. TOWN CENTER (TC) DISTRICT

DELETED 10/11/97

SECTION 10.A COMMERCIAL-1 (C-1) DISTRICT

10.A.1 PURPOSE

This zone is intended for businesses that provide day-to-day convenience goods and services to nearby residents. Activities would be limited to those sites which are compatible in scale with the intensity of development in the surrounding area. It is the intention of the Commission to require traffic access management within this District.

10.A.2 PERMITTED USES

The following uses shall be permitted within this district:

- 10.A.2.1 Retail stores
- 10.A.2.2 Customer service establishments
- 10.A.2.3 Business and professional offices
- 10.A.2.4 Restaurants, excluding drive-up or drive-thru facilities used for the delivery of food or beverages
- 10.A.2.5 Post office, fire protection facilities
- 10.A.2.6 Public utility substation or equipment facility, utility right-of-way
- 10.A.2.7 Child day care center, 12 or more children
- 10.A.2.8 Accessory buildings and uses
- 10.A.2.9 **DELETED 10/11/97**

10.A.3 SPECIAL PERMITS

- 10.A.3.1 Convenience gasoline sales establishments
- 10.A.3.2 **DELETED 10/11/97**
- 10.A.3.3 Apartments located in space not occupied by the primary commercial use on the property provided they are not at ground level

10.A.4 MINIMUM LOT SIZE

The minimum lot size in this district is 10,000 square feet if the lot is served by public sewers. If the lot is not served by public sewers, minimum lot size is 40,000 square feet.

10.A.5 MINIMUM LOT FRONTAGE

Each lot in this district shall have at least 150 feet of frontage on a street. The minimum frontage may be reduced to 100 feet by a vote of the Commission for contiguous commercial developments that combine driveways.

SECTION 11. NEIGHBORHOOD COMMERCIAL (NC) DISTRICT

DELETED 10/11/97

SECTION 11.A COMMERCIAL-2 (C-2) DISTRICT

11.A.1 PURPOSE

This zone allows for a full range of commercial uses. It is the intention of the Commission to require traffic access management within this District.

11.A.2 PERMITTED USES

The following uses shall be permitted within this district:

- 11.A.2.1 Retail stores
- 11.A.2.2 Customer service establishments
- 11.A.2.3 Business and professional offices
- 11.A.2.4 Restaurants and eating establishments, including fast food restaurants - located internally on a lot which contains another principal use other than a restaurant.
- 11.A.2.5 Parking lots and garages subject to the provisions of Sections 18 and 19 of these regulations
- 11.A.2.6 Hotels
- 11.A.2.7 Conference Centers
- 11.A.2.8 Indoor recreation facilities, stadiums, theme park, cultural facilities
- 11.A.2.9 Public utility substation or equipment facility, utility right-of-way
- 11.A.2.10 Child day care center, 12 or more children
- 11.A.2.11 Accessory buildings and uses
- 11.A.2.12 **DELETED 10/11/97**

11.A.3 SPECIAL PERMITS

The following uses may be permitted if approved by the Commission in accordance with the provisions of Section 17 of these Regulations:

- 11.A.3.1 Gasoline filling and repair stations
- 11.A.3.2 Convenience gasoline sales establishments
- 11.A.3.3 Water dependent uses consistent with Connecticut Coastal Area Management Act.
- 11.A.3.4 **DELETED 10/11/97**

SECTION 12. GENERAL COMMERCIAL (C) DISTRICT

DELETED 10/11/97

12.A COMMERCIAL- 3 (C-3) DISTRICT

12.A.1 PURPOSE

This zone allows for large scale multiple commercial uses, that would be compatible with business and tourist destinations. It is the intention of the Commission to require traffic access management within this District.

12.A.2 PERMITTED USES

The following uses shall be permitted within this district:

- 12.A.2.1 Professional Parks
- 12.A.2.2 Hotels
- 12.A.2.3 Convention Centers
- 12.A.2.4 Golf Courses
- 12.A.2.5 Museums and Galleries
- 12.A.2.6 Theme Parks
- 12.A.2.7 Retail Store Parks
- 12.A.2.8 Parking lots and garages as accessory uses (Subject to the provisions of Section 19 of these Regulations).
- 12.A.2.9 Public utility substation or equipment facility, utility right-of-way
- 12.A.2.10 Child day care center, 12 or more children
- 12.A.2.11 Accessory buildings and uses
- 12.A.2.12 **DELETED 10/11/97**

12.A.3 SPECIAL PERMITS

- 12.A.3.1 Shared parking lots
- 12.A.3.2 **DELETED 10/11/97**

12.A.4 MINIMUM LOT SIZE

The minimum lot size shall be 160,000 square feet.

12.A.5 MINIMUM LOT FRONTAGE

The minimum lot frontage shall be 200 feet

12.A.6 MINIMUM SETBACKS

- 12.A.6.1 **FRONT YARD** 75 feet
- 12.A.6.2 **SIDE YARD** 30 feet
- 12.A.6.3 **REAR YARD** 75 feet

12.A.6.4 The minimum setback to any parcel zoned residential and containing a residential structure shall be 300 ft. from the residential property line. The setback (buffer) area must remain undisturbed. The Commission may require additional screening within the setback (buffer) area such as trees, shrubs, and fences.

(ADDED)

**** AMENDED 10/20/04**

One side yard may be reduced to 0 feet for contiguous commercial developments that combine driveways and share a common property line. The side yard reduction shall be adjacent to the common property line.

12.A.7 MAXIMUM BUILDING HEIGHT

The maximum building height shall be 70 feet. The maximum building height may be waived by a majority vote of the Commission.

12.A.8 ENVIRONMENTAL PROTECTION

Any improvements proposed to be located within the wetlands buffer, as set by the Wetlands Commission, or have any impact on the wetlands shall require approval by the Wetlands Commission and meet the health code of the State of Connecticut.

12.A.9 OFF-STREET PARKING

Off-street parking shall be provided for each lot in this district in accordance with the provisions of Section 19 of these Regulations.

12.A.10 SIGNS

All signs in this district shall conform with the provisions of Section 20 of these Regulations. The Commission may waive any provision of Section 20, where in the Commission's opinion a larger sign, more signs, etc., would be in keeping with the scope of the project and/or would facilitate the flow of traffic by clearly marking the location of the project.

SECTION 13. LIGHT INDUSTRIAL (LI) DISTRICT

13.1 PURPOSE

These areas are intended to provide a range of industrial office and research facilities that can be located relatively close to residential uses without negative influences and which will have minimum impacts on the natural resource base of the Town.

13.2 PERMITTED USES

The following uses shall be permitted within this district:

- 13.2.1 Corporate headquarters
- 13.2.2 Business, professional offices
- 13.2.3 Office buildings
- 13.2.4 Research, design and development facilities
- 13.2.5 Warehousing, wholesale businesses, exterior storage
- 13.2.6 Studios for recording, television, radio, and motion pictures including transmitters, antennae, and ancillary equipment
- 13.2.7 Public utility substation or equipment facility, utility right-of-way, railroads
- 13.2.8 Governmental offices, libraries, police, fire and public works facilities
- 13.2.9 **DELETED 10/11/97**
- 13.2.10 Accessory buildings and uses
- 13.2.11 **DELETED 10/11/97**
- 13.2.12 Other industrial uses which can be operated using onsite septic systems which have been approved by the agent for the Director of Health **
- 13.2.13 Automobile and heavy equipment dealers **
- 13.2.14 Lumber yards **

**** AMENDED: 10/11/97**

13.3 SPECIAL PERMITS

The following uses may be permitted if approved by the Commission in accordance with the provisions of Section 17 of these Regulations:

- 13.3.1 Trade and technical schools and facilities of higher learning
- 13.3.2 Indoor recreation and cultural facilities such as a bowling alley, tennis court, swimming pool, skating rink, nightclub, art gallery, museum or theater (excluding drive-in theater)
- 13.3.3 Temporary gatherings such as fairs, outings or job marts
- 13.3.4 **DELETED 10/11/97**

- 13.3.5 Ambulance facilities
- 13.3.6 Community Center
- 13.3.7 Nursery school and day care facility serving more than six (6) children
- 13.3.8 Excavation or filling operations greater than 500 cubic yards
- 13.3.9 Bituminous concrete and concrete manufacturing operations subject to the performance standards set forth in Section 17.8.A.1-4*****AMENDED EFFECTIVE 1/1/94.**

13.4 MINIMUM LOT SIZE

The minimum lot size in this district is 80,000 square feet

13.5 MINIMUM LOT FRONTAGE

Each lot in this district shall have at least 200 feet of frontage on a street

13.6 MINIMUM SETBACKS

- 13.6.1 **FRONT YARD** 50 feet
- 13.6.2 **SIDE YARD** 30 feet
- 13.6.3 **REAR YARD** 50 feet to residential
30 feet to Commercial or Industrial **

AMENDED: 10/11/97

13.7 MAXIMUM BUILDING HEIGHT

No building shall exceed fifty feet (50') in height. The maximum building height may be waived by a 2/3 vote of the Commission.

13.8 ENVIRONMENTAL PROTECTION

Any improvements proposed to be located within the wetlands buffer, as set by the Wetlands Commission, or have any impact on the wetlands shall require approval by the Wetlands Commission and meet the health code of the State of Connecticut.

****Amended effective 5/13/96.**

- 13.8.1 The Commission may require the applicant to submit an environmental evaluation report for a proposed development located in an environmentally sensitive area. Evaluation reports by Commission approved independent professionals and other experts such as hydrologists, geologists, and soil scientists may be required at the expense of the applicant.

13.9 OFF-STREET PARKING

Off-street parking shall be provided for each lot in this district in accordance with the provisions of Section 19 of these Regulations.

13.10 SIGNS

All signs in this district shall conform with the provisions of Section 20 of these Regulations.

SECTION 14. INDUSTRIAL (I) DISTRICT

14.1 PURPOSE

The intent of this district is to provide for a full range of industrial and manufacturing facilities which benefit the residents of Montville and have minimum impacts on the natural resource base of the Town.

14.2 PERMITTED USES

14.2.1 The manufacture, assembly, processing, fabrication, compounding, treatment, maintenance, repair or packaging of raw materials, goods, or products provided that such uses are not dangerous, injurious, or detrimental to the community by reason of noise, odor, dust, vibration, refuse matter, smoke, fire, explosion, toxic fumes, or water, air and ground pollution.

14.2.2 Printing and publishing establishments

14.2.3 Bulk storage of fuel oil, coal, bottled gas, and other open storage yards

14.2.4 Business, professional offices

14.2.5 Office buildings

14.2.6 Research, design and development facilities

14.2.7 Warehousing and wholesale businesses

14.2.8 Trucking, bus, railroad, and moving terminals or establishments

14.2.9 Public utility substation or equipment facility, utility right-of-way, railroads

14.2.10 Police, fire and public utility facilities

14.2.11 **DELETED 10/11/97**

14.3 SPECIAL PERMITS

The following uses may be permitted if approved by the Commission in accordance with the provision of Section 17 of these Regulations

14.3.1 Trade and technical schools and facilities

14.3.2 **DELETED 10/11/97**

14.3.3 Temporary gatherings such as fairs, outings, job marts

14.3.4 **DELETED 10/11/97**

14.3.5 Ambulance facilities

14.3.6 Community center

14.3.7 Nursery school and day care facility serving more than six (6) children

14.3.8 Excavations or filling operations greater than 500 cubic yards

14.4 MINIMUM LOT SIZE

The minimum lot size in this district is 40,000 square feet

