

ZONING REGULATIONS

TOWN OF LISBON, CONNECTICUT

LISBON PLANNING AND ZONING COMMISSION

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ZONING REGULATIONS
TOWN OF LISBON, CONNECTICUT

SECTION 1 - TITLE, AUTHORITY, PURPOSE

- 1.1 Title. These Regulations shall be known and may be cited as the "Zoning Regulations, Town of Lisbon, Connecticut," and are referred to herein as "these Regulations."
- 1.2 Authority. These Regulations have been promulgated by the Lisbon Planning and Zoning Commission, hereinafter referred to as the Commission, in accordance with and under the authority prescribed by Chapter 124 of the General Statutes of the State of Connecticut.
- 1.3 Purpose. These Regulations are intended to lessen congestion in the streets; to secure safety from fire, panic, flood 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; to facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements; to preserve the character of the various parts of the Town; to conserve the value of buildings; to protect historic factors; to control soil erosion and sedimentation; to encourage energy efficient patterns of development, the use of solar and other renewable forms of energy, and energy conservation; and to encourage the most appropriate use of land throughout the Town of Lisbon, further these regulations, and subsequent amendments thereto, are enacted to carry out the purposes defined in Section 8-2 and Section 8-2j, Connecticut General Statutes, and any subsequent amendments thereto.

SECTION 2 - ENFORCEMENT AND ADMINISTRATION

2.1 Interpretation of Regulations. The provisions of these Regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and welfare. It is not intended by these Regulations to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by these Regulations, or with private restrictions placed upon property. Where these Regulations pose a greater restriction upon land, buildings or structures than is imposed or required by such existing provisions of law or ordinance, these Regulations shall apply. Where two differing standards are provided herein, the more stringent shall apply.

2.2 Enforcement of Regulations: These Regulations shall be enforced by the Zoning Commission, acting by and through the Zoning Enforcement Officer. The Zoning Enforcement Officer may cause any building, structure, place or premises to be inspected and examined, and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of these Regulations. The owner or agent of a building or premises where a violation of any provision of such Regulations has been committed or shall exist, or the lessee or tenant of any entire building or entire premises where such violation shall have been committed or shall exist, or the owner, agent, lessee, or tenant of any part of the building or premises in which such violation has been committed or exists, shall be subject to fines, civil penalties and other remedies in accordance with the General Statutes of the State of Connecticut.

The Zoning Commission and/or the Zoning Enforcement Officer in addition to other remedies may institute an action or proceeding to prevent the unlawful erection, construction, alteration, conversion, maintenance, or use of a building or land, or to restrain, correct, or abate such violation, or to prevent the unlawful occupation of buildings, structures, or land, or to prevent any illegal act, conduct, business, or use in or about such premises, as to remedy, correct, abate or prohibit any violations of these regulations.

2.3. Zoning Permit. No building shall be erected, moved or structurally altered and no use shall be established or changed without a zoning permit from the Zoning Enforcement Officer (ZEO), issued in conformance with the provisions of these Regulations.

2.3.1 Application: Every application for a zoning permit shall be made on a form provided for that purpose and obtainable from the Zoning Enforcement Officer, and shall be accompanied by such information and exhibits, e.g. site plan, soils data, topography, drainage computations etc., as are required herein or may be reasonably required by the ZEO and/or Commission in order that the proposal of the applicant may be adequately interpreted and judged as to its conformity with the provisions set forth in these Regulations.

2.3.2 Jurisdiction: Applications for all permitted uses as of right in Sections 4.1.1 thru 4.1.7 and Section 4.1.9 in Residential Districts may be approved by the Zoning Enforcement Officer provided they meet the requirements of these Regulations. Applications for all other buildings and uses shall be reviewed by the Commission and shall be submitted, together with a site plan as prescribed in Section 12 of these Regulations, to the Zoning Enforcement Officer, and shall

be reviewed by the Commission. Upon approval of such application and site plan by the Commission, the Zoning Enforcement Officer may issue a zoning permit.

2.3.3 Issuance. The Zoning Enforcement Officer shall issue a zoning permit only when it is determined that the proposed activity is in conformance with these Regulations and the requirements of any applicable special permit or variance. The property owner shall submit a plan showing all property lines, setback lines, easements, location of new construction, septic and well locations, driveway, wetlands and watercourses, and any other information required to demonstrate compliance with these Regulations. For new dwellings, commercial/business and industrial construction, such plan shall be prepared by a Connecticut licensed surveyor. The Zoning Enforcement Officer may require the submission of a survey with Class A-2 level of accuracy in order to determine zoning compliance. The Zoning Enforcement Officer may also require the plans to be prepared by a Connecticut licensed engineer.

a. A permit may not be issued for buildings or structures or for uses of land, buildings, or structures not clearly permitted by these Regulations in the various districts.

2.3.4 Prohibitions. Any structure or use not specifically permitted by these Regulations is prohibited in the Town of Lisbon. No activity shall be engaged in and no zoning permit nor variance shall be issued for any use which creates, or may reasonably be expected to create: a hazardous or unwholesome condition; noxious or objectionable vibrations, noise, smoke, dust, gas, odor or fumes; discharge or dispersal of liquid or solid wastes in a manner or amount as to cause damage to surface or groundwater, either on or off site. Without limiting the generality of the foregoing provisions, the following uses are expressly prohibited in the Town of Lisbon:

- a. Landfills, except lined ash landfills operated in conjunction with and adjacent to waste-to-energy, resource recovery and recycling facilities located in Town.
- b. Junk yards, private dumps, dumping or incineration of toxic substances, effluent, garbage or rubbish.
- c. Uses, including and not limited to adult movie theaters, adult book stores, peep or strip shows and massage parlors which involve the display of obscene activities or the display or sale of obscene materials. For the purposes of this subsection, the meanings of the words "obscene" and "material" shall be as set forth in Section 53a-193 of the Connecticut General Statutes.
- d. Billboards and flashing signs. See Section 15.3.
- e. Temporary structures, such as quonset huts, tents, camper trailers, etc., used as permanent dwellings.
- f. Removal of topsoil (A and B horizons) from a lot, except by special permit. See Section 10.4.
- g. Artificial lighting with light sources which are visible from beyond the lot boundaries.
- h. Circuses, amusement parks and related activities, except for Town

- sponsored events for a temporary period only, not to exceed four (4) consecutive days or no more than 12 calendar days in one year.
- i. In residential districts, commercial poultry, the distillation of bones, commercial animal slaughter or processing of animal products, and tanneries.
- j. Coal or petroleum distillation or derivation of byproducts; blast furnaces or smelting of ores or metal, manufacture of explosives; manufacture of cement, asphalt, bituminous, lime, gypsum, or plaster of paris, or chlorine, or carbolic, hydrochloric, nitric, picric or sulphuric acid; fat rendering in the manufacture of tallow, grease or oil; refining and recovery of products from fish or animal refuse; composting in excess of 100 cubic yards per year; gas manufacture and storage by other than a public utility company except for on-site use, except that the storage for local retail distribution purposes and local retail distribution of liquified petroleum products may be permitted, provided the standards of the National Board of Fire Underwriters and applicable state laws are complied with.
- k. Mini Storage/self storage facilities.
- l. Automated carwashes and self service carwashes, except for town sponsored events for a temporary period only, not to exceed four (2) consecutive days or no more than 6 calendar days in one year.
- m. Truck washes and self service truck washes.
- n. Truck stops.

- 2.4 Certificate of Zoning Compliance. The Zoning Enforcement Officer shall issue a Certificate of Zoning Compliance when it is determined that the permitted activity has been implemented according to these Regulations and the permit. In the case of new construction, the Zoning Enforcement Officer may require an as-built survey at the A-2 level as prepared by a State licensed surveyor showing the location of the new structure before issuance of the Certificate of Zoning Compliance.
- 2.5 Site Plan Review. For uses subject to the site plan review process, such uses shall be permitted only after approval from the Commission. (See Section 12)
- 2.6 Special Permits. Applications for Special Permits shall be made on a form provided for such use and available from the Zoning Enforcement Officer. Such applications, together with site plans as specified in Section 12 of these Regulations, shall be submitted to the Zoning Enforcement Officer and shall be processed in accordance with the provisions of Section 11 of these Regulations.
- 2.7 Variance. Any applicant whose proposal for zoning permit approval is denied because of failure to achieve compliance with these Regulations may make application to the Zoning Board of Appeals for a variance of these Regulations.
- 2.8 Changes of Business/Commercial or Industrial Uses of Buildings and Properties. Any proposed change in use of, or enlargement, or reconfiguration, to a business/commercial or industrial building, parking, access drives, structure, or developed site shall require completion of a Change of Use application and review by the Commission. If the Commission finds that the proposed use or structure shall create no changes and have no impact on the parking, circulation, drainage, sewage disposal requirements or traffic

flow, it may, at its discretion, direct the Zoning Enforcement Officer to issue a Zoning Permit. If the Commission determines that the proposed use or modification shall require site changes or shall have any impact on parking requirements, drainage structures, sewage disposal requirements, traffic flow/circulation, it shall deem the proposal a use which requires Site Plan or Special Permit review and approval by the Commission per the regulations.

- 2.9 Inland Wetlands. If an application for a special exception or site plan approval 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 Lisbon Inland Wetlands Commission not later than the day such application is filed with the Lisbon Planning and Zoning Commission. The decision of the Planning and Zoning Commission shall not be rendered until the Lisbon 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 Lisbon Inland Wetlands Commission. (Former Section 2.13)
- 2.10 Other Permits Required. Other Town, state or federal permits may be required before the applicant can begin the proposed construction or use, including and not limited to: water and sewer facilities, fire protection, building and health codes, and driveways. Determination of and receipt of other permits required for the proposed activity is the responsibility of the applicant.
- 2.10.1 No building permit shall be issued by the Building Official for a building, use or structure subject to these Regulations without certification in writing from the Zoning Enforcement Officer that such building, use or structure is in conformity with these Regulations or is a valid non-conforming use under these Regulations.
- 2.11 Recording. No variance or special permit shall become effective 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 under 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 shall pay for such recording.
- 2.12 Expiration of Permits.
- 2.12.1 Zoning Permits. Zoning permits issued by the Zoning Enforcement Officer for construction, erection or alteration of a building or structure are valid for one year from the approval date of such permit, or for such longer time as may be allowed under Section 2.12.2 or by state law.
- 2.12.2 Special permits and other permits issued by the Zoning Commission. Construction of structures, or the establishment of the approved use where no construction is proposed, shall commence within five years of approval, except as provided below. For the purposes of this section, commencement of construction is defined as placement of footings or piers.

- a. Extension for Appeal to Court. If an appeal is taken from any approval for a special permit or variance, the expiration date shall be extended by the number of days between the date the decision of the Commission is published and the date a judicial resolution of the appeal becomes final.
- b. Extensions for Permit Delays. If the Commission required that the applicant obtain permits from other governmental agencies before construction commenced, the expiration date may be further extended for an additional two year period if the applicant certifies by documentation delivered to the zoning enforcement officer that: specific permits were required in order to commence construction; the applicant applied for those required permits; and, despite the applicant's best efforts to secure those permits, the permits have not been issued to the applicant as of the date of the certification.
- c. Discretionary Extensions. For good cause shown by the applicant, the Commission may vote to extend the expiration date of an approval for additional periods of one year each.
- d. Maximum Period of Extension. Under no circumstances shall the period of approval exceed ten years from the date of original approval.
- e. Completion of Construction. For any special permit or permit issued by the Zoning Commission, the applicant shall complete construction or establishment of use and a Certificate of Zoning Compliance issued within two years of commencement of construction. After two years has elapsed, the Commission may use the posted performance bond to complete approved site work.
- f. Compliance with Time Limits. Any permit not commenced according to the time limits herein established shall be void upon action of the Commission, with notice thereof to be filed in the office of the Town Clerk.

2.13 Fees. The purpose of the fee is to defray the costs of notices associated with the application for any required public hearing and the cost associated with the review and processing of an application. Fees shall be charged according to the Town of Lisbon Ordinance (Planning and Zoning Commission Land Use Application Fee Schedule) as amended.

2.13.1 No fee shall be charged to an official municipal agency of the Town of Lisbon.

2.14 Notice to Neighboring Municipalities. The Commission shall notify the clerk of any adjoining municipality of the pendency of any special permit or site plan concerning any project on any site when: (1) any part of the property affected by the proposal 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 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 within seven (7) days of the date of receipt of the application and no hearing shall be held until after the adjoining municipality has received such notice. A representative of the adjoining municipality may submit correspondence and be heard

at the hearing on the application. (Former Section 2.14)

- 2.15 Soil Erosion and Sediment Control Plan. A soil erosion and sediment control plan shall be submitted with any activity or application for development when the disturbed area of such activity or development is cumulatively more than one-half acre. The soil erosion and sediment control plan shall be submitted pursuant to Section 10.4 of these Regulations. A single-family dwelling that is not a part of a subdivision of land shall be exempt from this soil erosion and sediment control plan requirement. The Commission, in its sole discretion, shall determine what constitutes the size of the disturbed area.

SECTION 3 - ZONING DISTRICTS AND MAP

- 3.1 List of Districts. The Town of Lisbon is hereby divided into the following Zoning Districts:
- 3.1.1 (R-80) Rural Residential District.
 - 3.1.2 (R-60) Low Density Residential District.
 - 3.1.3 (R-40) Moderate Density Residential District.
 - 3.1.4 (BV-I) Business Village District I.
 - 3.1.5 (BV-II) Business Village District II.**
 - 3.1.6 (IP-I) Industrial District - I.
 - 3.1.7 (IP-II) Industrial District - II.
- 3.2 Zoning Map. The boundaries of the said districts are as shown on the "Lisbon, Connecticut, Zoning Map" which accompanies, and which, with all explanatory matters thereon, is a part of these Regulations. A copy of said map, indicating the latest amendments, shall be kept up-to-date in the offices of the Town Clerk for the use and benefit of the public.
- 3.3 District Boundaries. In determining the boundaries of Zoning Districts shown on the map, the following rules shall apply:
- 3.3.1 Where district boundaries are indicated as approximately following the center lines of streets, highways, waterways or railroad rights-of-way or such lines extended, such center lines shall be construed to be said boundaries.
 - 3.3.2 Where district boundaries are not indicated as approximately following the center lines of streets, highways, waterways or railroad rights-of-way or such lines extended, the boundaries shall be determined in accordance with the following rules:
 - a. Where such boundaries are indicated as approximately following the property lines of parks or other publicly owned lands, such lines shall be construed to be such boundaries.
 - b. In all cases where a district boundary line is located not farther than fifteen (15) feet away from a lot line of record, such boundary line shall be construed to coincide with such lot line.
 - c. In all other cases where dimensions are not shown on the map, the location of boundaries shown on the map shall be determined by the use of the scale appearing thereon.
 - 3.3.3 The Commission shall determine the location of a zone boundary where such boundary is in question.
 - 3.3.4 Except as provided hereafter, if a lot of record is located within two or more zoning districts, the regulations to be applied to any proposed or existing use, building or structure shall be those of the district in which such use, building or structure is, or is proposed to be, located. However, if the area of the portion of the lot that is located in any one zoning district is less than the minimum lot area necessary to establish a principal building, structure or use otherwise permitted

in that district, the Commission may grant a special permit to allow, within that portion of the lot, a building, structure or use that is permitted under the regulations applicable to any portion of the lot within another zoning district.

SECTION 4 - R-40, R-60, and R-80 RESIDENTIAL DISTRICTS

- 4.1 Permitted Uses. The following uses are permitted in an R-40, R-60, and R-80 District, subject to issuance of a zoning permit from the Zoning Enforcement Officer, who shall issue such permit if it is determined that the proposed use is in conformance with all applicable Regulations.
- 4.1.1 Single-family dwelling not to exceed one such dwelling per lot, but excluding the use of tents, Quonset huts, Nielsen huts, and similar portable buildings for dwelling purposes.
 - 4.1.2 Two-family dwelling, new construction, not to exceed one such dwelling per lot. The minimum lot area per dwelling shall be not less than 175% of the required minimum lot area for single-family dwellings.
 - 4.1.3 Agriculture, forestry, truck and nursery gardening, greenhouses, livestock and poultry raising, dairy farming and buildings used for the storing and processing of agricultural and forestry products accessory to the farm are permitted provided that the minimum lot size shall be five (5) acres, except for commercial agricultural buildings as provided for in these Regulations. One horse, or one sheep, or one goat may be kept on a lot containing at least 120,000 square feet. For each such animal more than one, the lot shall contain an additional 22,000 square feet.
 - 4.1.4 Roadside stands for the seasonal sale of farm produce and agricultural products grown on site, provided they shall contain not more than 200 square feet in area. Such stand shall be not less than twenty-five (25) feet from any road line/edge of pavement, or less than 10 feet from a front property boundary which ever is greater, and not less than fifty (50) feet from any road intersections, and not less than twenty five feet (25) from the side property boundary. No less than two (2) off street parking spaces shall be provided for customers. Such spaces must allow for adequate sightlines for drivers traveling on the adjacent road and entering and existing such spaces for such road, with due consideration being given to the posted speed limit and other pertinent factors.
 - 4.1.5 Buildings, structures and uses that are accessory to principal uses permitted under section 4 of these Regulations.
 - 4.1.6 Trailer, mobile home, or other temporary units to be used on a lot by the lot owner only during construction of a dwelling (building permit must be issued for construction of dwelling), for a period not to exceed 12 months and such temporary units must be removed from the lot prior to issuance of a Certificate of Occupancy (C.O.) Permit approval is limited to one 12 month period and cannot be extended or renewed beyond the original 12 month period.

- 4.1.7 Wireless telecommunication facility where the antenna is mounted on the rooftop or facade of an existing non-residential building or is mounted to existing towers, water towers/tanks, utility poles, steeples, clock or bell towers, billboards, nonresidential chimneys, bridges, and silos, provided the requirements of Section 10.17 of these Regulations are met.
- 4.1.8 Yard Sales. Yard sales are permitted provided there are no more than three in any calendar year on a lot and provided each lasts no longer than two consecutive days.
- 4.2 Special Permits. The following uses are permitted by special permit in a R-40, R-60 and R-80 Districts, provided the dimensional requirements of Section 8 and the special conditions of Section 11 are met.
 - 4.2.1 Conversions of an existing residential dwelling from a one-family dwelling to a dwelling which will accommodate no more than one two (2) family dwelling unit. (See Section 10.2)
 - 4.2.2 Elderly housing projects. Redefine per elderly, convalescing, congregate care, etc. (See Section 10.3)
 - 4.2.3 Churches and schools, but not including correctional institutions and institutions/facilities for the mentally ill, intemperate, and/or substance abusers.
 - 4.2.4 Police stations, fire stations, or other municipal buildings.
 - 4.2.5 Home Occupations per Section 10.5.
 - 4.2.6 Excavation, removal and filling of earth materials pursuant to Section 10.4.
 - 4.2.7 Rear lots.
 - 4.2.8 Open Space Developments. (See Section 10.12)
 - 4.2.9 Commercial agricultural buildings.
 - 4.2.10 Year round retail outlets for agricultural/horticultural products, where 75% of such products are grown on site.
 - 4.2.11 Seasonal Campgrounds.
 - 4.2.12 Wireless telecommunication facilities not permitted under Section 4.1 of these Regulations, provided the requirements of Sections 10.17 and 10.18 of these Regulations are met.
 - 4.2.13 Non-motorized public parks and playgrounds developed by non-profit/not for profit entities and/or municipal organizations, excluding paint ball and/or similar activities.
 - 4.2.14 Golf Course Development.

- 4.2.15 Bed and Breakfast establishments. (See Section 10.7)
- 4.2.16 Cemeteries.
- 4.2.17 Farm Wineries and Farm Winery Cafes. (Added April 2, 2002)
- 4.2.18 Farm Animals Exhibit Area

SECTION 5 - BV-I BUSINESS VILLAGE DISTRICT

- 5.1 Permitted Uses Subject to Site Plan Review. The following uses are permitted in the BV-I Zone subject to the approval of a site plan by the Commission and issuance of a zoning permit by the ZEO.
 - 5.1.1 Retail businesses, such as variety stores, apparel stores, drug stores, grocery stores, eating/restaurant and drinking (liquor) establishments (restaurant must be primary use - drinking (liquor) accessory, calculated as primary use 75% of gross floor area excluding kitchen and storage areas - accessory use 25% of gross floor area excluding kitchen and storage areas), liquor stores, antique shops, music shops, sporting goods stores, and book, stationery, magazine candy and tobacco shops. Under the definition of retail sales the following items are specifically prohibited in BV-I Districts; 1) the sale of live animals, and 2) the sale of kerosine, gasoline and/or diesel fuel.
 - 5.1.2 Business services, such as: banks, credit unions, loan companies, and other financial institutions, accounting, legal, real estate and insurance agencies, utility offices, government and business, medical, clinical and professional offices.
 - 5.1.3 Personal services, such as hair care, fitness center/gym, beauty salons, photographic studios, tailor, dress-making, and millinery.
 - 5.1.4 Repair services, such as radio, television and appliance shops, plumbing shops, carpenter shops, upholstery shops, and shoe repair shops, but excluding vehicular repair and/or installation services as a primary use. Vehicular repair and/or installation services as an accessory use shall not exceed 10 percent of the total square footage dedicated to retail sales, excluding storage.
 - 5.1.5 This section has been intentionally left blank
 - 5.1.6 Assembling, converting, altering, finishing, cleaning or any other processing of products that is clearly incidental to a retail or service business and where goods so produced and/or processed are to be sold exclusively on the lot provided that:
 - a. The area used for such purposes shall be fully concealed from any street, and shall not be greater in area than 20% of the square feet devoted to retail sales or service;
 - b. Not more than four (4) employees are engaged in such production or

processing.

- 5.1.7 Buildings, structures and uses that are accessory to principal uses permitted under Section 5 of these Regulations.
 - 5.1.8 Signs in accordance with Section 15 of these Regulations.
 - 5.1.9 Wireless telecommunication facility where the antenna is mounted on the rooftop or facade of an existing nonresidential building or is mounted to existing towers, water towers/tanks, utility poles, steeples, clock or bell towers, billboards, nonresidential chimneys, bridges, and silos, provided the requirements of Section 10.17 of these Regulations are met.
 - 5.1.10 Wireless telecommunication facility where a tower is to be located on property occupied by one or more existing towers, provided the requirements of Section 10.17 of these Regulations are met.
- 5.2 Special Permits. The following uses are permitted by special permit in BV-I Districts, provided the dimensional requirements of Section 8 and Section 10.17 if applicable of these Regulations are met.
- 5.2.1 Wireless telecommunication facilities not permitted under Section 5.1 of these Regulations, provided the requirements of Sections 10.17 and 10.18 of these Regulations are met .
 - 5.2.2 Intentionally left blank.
 - 5.2.3 Drive thru windows as accessory uses to financial institutions and pharmacies, minimum stack ten (10) spaces.
 - 5.2.4 Intentionally left blank.
 - 5.2.5 Hotels with 100 or more rooms may contain a restaurant(s) as stated in Section 5.1.1.
 - 5.2.6 Multiple use commercial developments. Developments with more than one proposed use listed under this section shall require a special permit.
 - 5.2.7 New vehicle sales as primary use. Used vehicle sales shall not exceed 20% of the total number of new vehicles for sale. New vehicle sales facilities may include repair facilities as an accessory use. Used vehicle sales are specifically prohibited as a primary use in the BV-I District.

SECTION 5A - BV-II BUSINESS VILLAGE DISTRICT

- 5A.1 Permitted Uses Subject to Site Plan Review. The following uses are permitted in the BV-II District subject to the approval of a site plan by the Commission and issuance of a zoning permit by the ZEO.
 - 5A.1.1 All uses listed under Section 5.1

5A.2 Special Permits. The following uses are permitted by special permit in BV-II Districts, provided the dimensional requirements of Section 8 and Section 10.17 if applicable of these Regulations are met.

5A.2.1 All uses listed under Section 5.2.:

5A.2.2 Retail sale of Gasoline

5A.2.3 Drive-thru window as accessory uses to eating/restaurant establishments.

SECTION 5B - BV-III BUSINESS VILLAGE DISTRICT

5B.1 Permitted Uses Subject to Site Plan Review. The following uses are permitted in the BV-III District subject to the approval of a site plan by the Commission and issuance of a zoning permit by the ZEO.

5B.1.1 All uses listed under Section 5.1 through 5.1.8

5B.2 Special Permits. The following uses are permitted by special permit in BV-III Districts; provided the dimensional requirements of Section 8 and Section 10.13, if applicable, of these Regulations are met.

5B.2.1 Multiple use commercial developments.

5B.2.2 Retail sale of gasoline provided that not more than three pumps (six dispensers) contained on one island are used.

5B.2.3 Drive-thru window as accessory use to eating/restaurant establishments.

5B.3 In addition to the requirements of section 10.13 of these regulations the following standards shall apply to all uses involved in the retail sale of gasoline and uses involving drive-thru facilities for eating and restaurant establishments.

5B.3.1 Gasoline pumps and dispensers shall be located behind the rear most line of the building so that they are not visible from the adjacent street.

5B.3.2 Drive-thru windows associated with eating/restaurant establishments shall be located on the rear wall of the proposed building.

5B.3.3 Flat roofs shall not be allowed. Roofs shall be constructed at a pitch of not less than 6 in 12 and shall contain such architectural elements as fascia board and soffits and shall be finished with an architectural grade shingle. Metal and built-up roofs are not allowed.

5B.3.4 All buildings shall contain architectural elements consistent with New England architectural such as crown molding, rake boards, corner trim, and shall incorporate the use of natural materials such as wood on exterior finishes.

5B.3.5 All windows shall be true divided light, double hung with a minimum of 6 over 6 panes. Architectural features of windows shall included pediments and

appropriately detailed casements.

5B.3.6 Windows shall comprise at least 15% of the gross wall area of side and front walls.

SECTION 5C - BV-IV BUSINESS VILLAGE DISTRICT

5C.1 Permitted Uses Subject to Site Plan Review. The following uses are permitted in the BV-IV. District subject to the approval of a Site Plan by the Commission and issuance of a zoning permit by the ZEO.

5C.1.1 All uses listed under Section 5.1 excluding the retail sales of gasoline.

5C.2 Special Permits. The following uses are permitted by special permit in THE BV-IV Districts; provided the dimensional requirements of Section 8 and Section 10.17, if applicable, of these Regulations are met.

5C.2.1 All uses listed under Section 5A.2.

SECTION 6 - INDUSTRIAL PARK DISTRICTS - I (IP-I)

- 6.1 Purpose. The purpose of this zone is to foster development in an open and park-like setting with suitable landscaping, and preservation of natural features and open space.
- 6.2 Minimum Size. An Industrial Park District-I (IP-I) shall contain a minimum of twenty-five (25) contiguous acres.
- 6.3 Permitted Uses. The following uses are permitted in the IP-I District, provided the dimensional requirements of Section 8 are met.
- 6.3.1 Wireless telecommunication facility where the antenna is mounted on the rooftop or facade of an existing nonresidential building or is mounted to existing towers, water towers/tanks, utility poles, steeples, clock or bell towers, billboards, nonresidential chimneys, bridges, and silos, provided the requirements of Section 10.17 of these Regulations are met.
- 6.3.2 Wireless telecommunication facility where a tower is to be located on property occupied by one or more existing towers, provided the requirements of Section 10.17 of these Regulations are met.
- 6.3.3 Wireless telecommunication facility meeting the requirements of Section 10.17 of these Regulations, and also meeting these standards:
- a. The applicant must demonstrate that a good-faith effort was made to co-locate the antenna on existing towers, buildings or structures.
 - b. The applicant must demonstrate that a good-faith effort was made to mitigate adverse visual impacts on residential areas within 1,000 feet of the industrially zoned site.
- 6.4 Special Permits. The following uses are permitted by special permit in the IP-I District, provided the dimensional requirements of Section 8 and the special conditions of Section 10 are met.
- 6.4.1 The manufacture, processing, assembly or packaging of food, candy, pharmaceutical, textiles, cosmetics, toiletries, pottery and ceramic products, furniture, clothing, electronic apparatus, woodworking, wood products, optical equipment, glass, hardware, tools and dies, toys, novelties, sporting goods, musical instruments, signs and similar industries.
- 6.4.2 Printing and publishing establishments.
- 6.4.3 Research facilities and business offices.
- 6.4.4 Stone polishing, engraving, cutting or carving.
- 6.4.5 Sheet metal and light metal fabrication, including the manufacturing of light machinery.
- 6.4.6 Distribution, wholesaling, storing and warehousing, including building contractors, farming supply and building material yards. Combined retail and

wholesale operations shall be permitted in the same building only in those cases where the products offered for sale on a retail or wholesale basis are the same. This section shall not be deemed to allow self-storage or mini-storage facilities prohibited under Section 2.3.4.

- 6.4.7 Railroad, trucking and motor freight stations or terminals, moving, express or hauling establishments, excluding the storage of vehicles and bulk fuel; provided all material and equipment and vehicles are stored within a solid enclosure or provided with complete visual screening in a manner acceptable to the Commission.
- 6.4.8 Studios for motion picture, recording, television and radio production, including transmitters and other related equipment.
- 6.4.9 Trade and technical schools and facilities of higher learning.
- 6.4.10 Public and private recreation facilities (non-motorized) such as parks, play yards, golf course development, country clubs, tennis courts, racquetball-tennis clubs, health spas, gymnasiums, skating rinks and sports arenas.
- 6.4.11 Hotels with 100 or more rooms may contain a restaurant(s) as stated in Section 5.1.1.
- 6.4.12 Public utility buildings, substations.
- 6.4.13 Animal hospitals, veterinary hospitals and kennels.
- 6.4.14 Commercial agricultural buildings.
- 6.4.15 Waste-to-energy, resource recovery and recycling facilities for solid waste, and lined ash landfills operated in conjunction with and adjacent to waste-to-energy or resource recovery facilities. Solid waste excludes hazardous waste as defined by State of Federal Regulations.
- 6.4.16 Wireless telecommunication facilities not permitted under Section 6.3 of these Regulations, provided the requirements of Sections 10.17 and 10.18 of these Regulations are met.
- 6.4.17 Retail store (large scale) shall be permitted upon the following conditions:
 - a. The tract of land used for "retail store" (large scale) shall be a minimum of fifty (50) acres.
 - b. The floor space dedicated for use as retail (large scale) shall be a minimum of 100,000 square feet, but may be in more than one building. The sale of gasoline or diesel shall not be permitted.
- 6.4.18 Theaters shall be permitted upon meeting all of the following conditions:
 - a. The tract of land used for the theaters shall be a minimum of 10 acres.
- 6.4.19 Excavation, filling and removal of earth materials pursuant to Section 10.4
- 6.4.20 Buildings, structures and uses that are accessory to principal uses permitted under Section 6.4 of these Regulations.

6.4.21 Automotive service, such as service stations, repair garages and automotive supplies shall be permitted only as part of a “retail store” (large scale).

6.4.22 A tract of land to be used for retail stores (large scale) may be subdivided into two or more lots notwithstanding the provisions of the Lisbon Subdivision Regulations and the Lisbon Zoning Regulations provided the following conditions are met:

a. At least two (2) subdivided lots must be at least 9 acres in size and no subdivided lot shall be less than 1.75 acres in size. A lot to be utilized for public utility services by an entity regulated by the Connecticut Department of Public Utility Control and/or by a municipality may be less than 1.75 acres in size.

b. The retail store (large scale) land to be subdivided has received prior site plan approval by the Commission.

c. All lots to be created will have sufficient recorded cross easements and covenants to insure complete continual compliance with site plan approval and any conditions of said site plan approval.

d. The requirements of Section 8 (Dimensional Requirements) Section 13 (Parking and Loading) Section 14 (Landscaping) and Section 15 (Signs) shall not apply to a lot subdivided pursuant to this section 6.4.22, provided the overall site plan and special exception granted by the Commission for the entire retail stores (large scale) use satisfies sections 8,13,14 and 15 of these regulations.

e. No lot subdivided pursuant to this section 6.4.22, shall again be subdivided.

f. It is the intent of the Commission in permitting the subdivision of lots in an approved retail stores (large scale) site to afford to prospective owners of subdivided lots the ownership of individual lots provided the zoning integrity of the entire site which has been granted a special exception and approval of the site plan be maintained. At the time of subdivision, the applicant shall submit a restrictive covenants and easement document to be reviewed and approved by the Commission. The document shall maintain the integrity of the site as one cohesive development as approved in the original special permit for large scale retail.

6.4.23 Restaurant uses provided the restaurant is the primary use utilizing 75% of the gross floor area excluding kitchen and storage area. The sale of liquor is permitted provided such uses do not exceed 25% of the gross floor area excluding kitchen and storage areas and such facility is located in an IP-1 Zone situated southerly of I-395, westerly of Connecticut Route 12 easterly of the South Burnham Highway, and northeasterly of Mell Road.

SECTION 7 - INDUSTRIAL PARK DISTRICTS - II (IP-II)

7.1 Purpose. The purpose of this zone is to foster development in an open and park-like setting with suitable landscaping, and preservation of natural features and open space.

7.2 Minimum Size. An Industrial Park District-II (IP-II) shall contain a minimum of twenty-five (25) contiguous acres.

7.3 Permitted Uses. The following uses are permitted in the IP-II District, provided the dimensional requirements of Section 8 are met.

- 7.3.1 Wireless telecommunication facility where the antenna is mounted on the rooftop or facade of an existing nonresidential building or is mounted to existing towers, water towers/tanks, utility poles, steeples, clock or bell towers, billboards, nonresidential chimneys, bridges, and silos, provided the requirements of Section 10.17 of these Regulations are met.
 - 7.3.2 Wireless telecommunication facility where a tower is to be located on property occupied by one or more existing towers, provided the requirements of Section 10.17 of these Regulations are met.
 - 7.3.3 Wireless telecommunication facility meeting the requirements of Section 10.17 of these Regulations, and also meeting these standards:
 - a. The applicant must demonstrate that a good-faith effort was made to co-locate the antenna on existing towers, buildings or structures.
 - b. The applicant must demonstrate that a good-faith effort was made to mitigate adverse visual impacts on adjacent residential areas within 1,000 feet of the industrially zoned site.
- 7.4 Special Permits. The following uses are permitted by special permit in the IP-II Districts, provided the dimensional requirements of Section 8 and the special conditions of Section 10 are met.
- 7.4.1 The manufacture, processing, assembly or packaging of food, candy, pharmaceutical, textiles, cosmetics, toiletries, pottery and ceramic products, furniture, clothing, electronic apparatus, woodworking, wood products, optical equipment, glass, hardware, tools and dies, toys, novelties, sporting goods, musical instruments, signs and similar industries.
 - 7.4.2 Printing and publishing establishments.
 - 7.4.3 Research facilities and business offices.
 - 7.4.4 Stone polishing, engraving, cutting or carving.
 - 7.4.5 Sheet metal and light metal fabrication, including the manufacturing of light machinery.
 - 7.4.6 Distribution, wholesaling, storing and warehousing, including building contractors, farming supply and building material yards. Combined retail and wholesale operations shall be permitted in the same building, only in those cases where the products offered for sale on a retail or wholesale basis are the same. This section shall not be deemed to allow self-storage or mini-storage facilities prohibited under Section 2.3.4.
 - 7.4.7 Railroad, trucking and motor freight stations or terminals, moving, express or hauling establishments, excluding the storage of vehicles and bulk fuel; provided all material and equipment and vehicles are stored within a solid enclosure or provided with complete visual screening in a manner acceptable to

the Commission.

- 7.4.8 Studios for motion picture, recording, television and radio production, including transmitters and other related equipment.
- 7.4.9 Trade and technical schools and facilities of higher learning.
- 7.4.10 Public and private recreation facilities (non-motorized) such as parks, play yards, golf course development, country clubs, tennis courts, racquetball-tennis clubs, health spas, gymnasiums, skating rinks and sports arenas.
- 7.4.11 Hotels with 100 or more rooms may contain a restaurant(s) as stated in Section 5.1.1.
- 7.4.12 Public utility buildings, substations.
- 7.4.13 Animal hospitals, veterinary hospitals and kennels.
- 7.4.14 Commercial agricultural buildings.
- 7.4.15 This section has been intentionally left blank
- 7.4.16 Wireless telecommunication facilities not permitted under Section 7.3 of these Regulations, provided the requirements of Sections 10.17 and 10.18 of these Regulations are met.
- 7.4.17 Retail store (large scale) shall be permitted upon the following conditions:
 - a. The tract of land used for “retail store” (large scale) shall be a minimum of fifty (50) acres.
 - b. The floor space dedicated for use as retail (large scale) shall be a minimum of 100,000 square feet, but may be in more than one building. The sale of gasoline or diesel shall not be permitted.
- 7.4.18 Theaters shall be permitted upon meeting all of the following conditions:
 - a. The tract of land used for the theaters shall be a minimum of 10 acres.
- 7.4.19 Excavations, filling and removal of earth materials pursuant to Section 10.4.
- 7.4.20 Buildings, structures and uses that are accessory to principal uses permitted under Section 7.4 of these Regulations.
- 7.4.21 Automotive service, such as service stations, repair garages and automotive supplies shall be permitted only as part of a “retail store” (large scale).

SECTION 8 - DIMENSIONAL REQUIREMENTS

8.1 Minimum Lot Sizes.

R-80 - 80,000 square feet
R-60 - 60,000 square feet

BV-I - 40,000 square feet
BV-II - 40,000 square feet

R-40 - 40,000 square feet

BV-III - 40,000 square feet

BV-IV - 40,000 square feet

IP-I - 130,680 square feet (3 acres)

P-II - 130,680 square feet (3 acres)

8.2 Maximum Residential Density. The number of lots permitted on a parcel of land apply the density requirements of section 8.2, subject to the satisfaction of the buildable area requirements of section 8.4:

Maximum Density Requirements: Any parcel of land developed for residential use shall observe the following density requirements:

R-80 -0.20 Lots per acre of buildable area.

R-60 -0.40 Lots per acre of buildable area

R-40 -0.60 Lots per acre of buildable area

Renumber following Section:

8.3 Minimum Street Frontage.

R-80 - 200 feet

BV-I - 150 feet

R-60 - 175 feet

BV-II - 150 feet

R-40 - 150 feet

BV-III- 150 feet

BV-IV- 150 feet

IP-I - 300 feet

8.3.1 The frontage requirement may be reduced by no more than 25 percent for lots on the circular turn-around at the end of a dead-end street, provided the minimum buildable area required by Section 8.3, below, is maintained.

8.3.2 Rear lots, having less than the required street frontage, may be permitted by the Commission as a Special Permit under the provisions of Section 10 of these Regulations.

8.3.3 Access: the proposed frontage must be capable of accommodating a safe and convenient driveway for access to the main part of the lot. A right-of-way and/or a portion of a right-of-way shall not be considered part of the required frontage. At the time of application to the Commission, the applicant must demonstrate that the frontage can accommodate a driveway per the Town's regulations, including any other town, state and/or federal permits that may be necessary (i.e., Inland Wetlands, State of Connecticut Department of Transportation encroachment permit). Shared driveways shall not be allowed in any Residential District. The land on which the driveway is proposed to be located to access the parcel must be an undivided part of the parcel being developed and owned in fee.

8.4 Minimum. Buildable Area.

R-80 - Min. buildable area 40,000 sq. ft: Minimum width of rectangle 125 feet

R-60	-	Min. buildable area 37,500 sq. ft:	Minimum width of rectangle 125 feet
R-40	-	Min. buildable area 25,000 sq. ft:	Minimum width of rectangle 115 feet
BV-I	-	Min. buildable area 25,000 sq. ft:	Minimum width of rectangle 110 feet
BV-II	-	Min. buildable area 25,000 sq. ft:	Minimum width of rectangle 110 feet
BV-III	-	Min. buildable area 25,000 sq. ft:	Minimum width of rectangle 110 feet
BV-IV	-	Min. buildable area 25,000 sq. ft:	Minimum width of rectangle 110 feet
IP-I	-	Min. buildable area 40,000 sq. ft:	Minimum width of rectangle 150 feet
IP-II	-	Min. buildable area 40,000 sq. ft:	Minimum width of rectangle 150 feet

8.3.1 The intent of the minimum buildable area is to provide adequate contiguous area on each lot in which to locate the principal building, accessory uses and on-site water and sewer facilities.

8.3.2 For the purposes of [Section 8.2 and 8.4 above](#), ~~these Regulations~~, “buildable area” shall include the contiguous area of a lot exclusive of wetlands, watercourses, water bodies, wetlands buffer areas (50' minimum), detention areas, utility and drainage easements, rights-of-ways, the required front yard, and one-half (½) the side and rear yard setback. No more than 20% of the required minimum buildable area shall contain slopes in excess of 20%.

8.5 Yard Requirements. No building, structure, or use shall be located within the following required yard areas, except as expressly provided elsewhere in these Regulations:

R-80	Front yard 80 feet; side and rear yards 40 feet (1/1/90)
R-60	Front yard 60 feet; side and rear yards 30 feet
R-40	Front yard 40 feet; side and rear yards 20 feet
BV-I	Front yard 40 feet; side and rear yards 20 feet
BV-II	Front yard 40 feet; side and rear yards 20 feet
BV-III	Front yard 40 feet; side and rear yards 20 feet
BV-IV	Front yard 40 feet; side and rear yards 20 feet
IP-I	Front yard 75 feet; side yard 50 feet; rear yard 50 feet
IP-II	Front yard 75 feet; side yard 50 feet; rear yard 50 feet

8.5.1 Except as provided hereafter, parking areas, parking spaces, internal access drives may not be located within the required front, side, and rear yard setbacks.

- a. In Business (BV-I, BV-II, **BV-III and BV-IV**) Districts parking areas, parking areas, parking spaces, and internal access drives may be located within half the required setback, farthest from the property line, when appropriately screened from the street and/or abutting property with landscape materials including trees, shrubs and earthen berms.
- b. In Industrial Park District (IP-I or IP-II) parking areas, parking spaces, and internal access drives may not be located within the required front, side and rear yard setbacks. Except, parking areas, parking spaces, and

internal access drives may be located within forty (40%) percent of the required yard setbacks on any tract of land used for retail store (large scale) pursuant to Section 6.4.19 when appropriately screened from the street and/or abutting property with landscape materials including trees, shrubs and earthen berms.

- c. Fences may be installed no closer than **two (2) feet** from a side or rear yard property boundary and shall not exceed six (6) feet in height. A stone wall may be installed no closer than five (5) feet from a side or rear yard property boundary and shall not exceed four (4) feet in height. A stone wall under four (4) feet in height can be installed along a side and rear yard property boundary. A fence and/or stone wall may be constructed no closer than ten (10) feet from a front yard property boundary.
- d. The 75' well arc, required by the Connecticut Health Code, can not encroach on to another lot by more than ten (10) feet, unless the well is on a lot of record legally filed with the Town clerk and contained within the land records of the Town prior to September 29, 2000 (effective date of this revisions).

8.5.2 On streets with less than a fifty (50) foot right-of-way, the front yard shall be measured from the center line of the existing street, and twenty-five (25) feet shall be added to the front yard requirement.

8.5.3 On a corner lot, front yards are required on both street frontages, and one yard other than the front yards shall be deemed to be a rear yard and the other or others, side yards.

8.5.4 No yard or open space required in connection with any structure or use shall be considered as providing a required open space for any other structure on the same or any other lot.

8.5.5 Cornices, belt courses, sills, cantilevered roofs and other incidental or decorative architectural features may project not more than three (3) feet into a required yard.

8.5.6 No proposed one or two-family dwelling need have a front yard depth greater than the average depth of the existing dwellings within 400 feet on each side of the said proposed dwelling, on the same side of the street, within the same block, and the same district.

8.6 Buffers. In non-residential districts, where any lot or part thereof adjoins any residential district without separation by a street, there shall be a landscaped strip ~~fifteen~~ twenty-five (25) feet wide for a Business District and one hundred (100) feet wide for the Industrial Districts, seeded to grass and properly planted to evergreen trees and shrubs to insure a proper buffer between the different districts and the Commission may require a greater width if deemed necessary to achieve the stated intent.. Plans showing the work to be done, with assurance of completion and future maintenance, shall be filed with and approved by the Commission before such lot or portions thereof may be used for non-residential purposes. Such strip may be in either district, but the ownership of such

strip must be and remain in the same person, persons, firm or corporation as the lot, or portion thereof, devoted to such use. Prior to approval of any application for development of the nonresidential lot, the Commission shall approve a landscape plan for the buffer. Such plan shall show the species to be planted and a plan for maintenance. The Commission may require that the developer post a surety for such planting. Failure to maintain such strip in good condition shall constitute a violation of these Regulations by the owner of such lot or portion thereof. The planting standards of Section 14 shall apply. Additional buffer requirements for developments in the IP Zones are enumerated in Section 10.10.7 of these Regulations.

8.7 Maximum Lot Coverage.

8.7.1 Building Coverage. The following is the maximum portion of the lot that may be covered by buildings:

R-80 - 10%	BV-I - 50%
R-60 - 15%	BV-II - 40%
R-40 - 20%	BV-III - 40%
	BV-IV - 50%
	IP-I - 40%
	IP-II - 40%

8.7.2 Impervious Surface Coverage. The following is the maximum portion of the lot that may be covered by impervious surfaces, including buildings

R-80 - 35%	BV-1 - 60%
R-60 - 30%	BV-II - 40%
R-40 - 25%	BV-III - 40%
	BV-IV - 60%
	IP-I - 60%
	IP-II - 60%

8.8 Maximum Building Height. No building shall exceed the following number of stories or height:

8.8.1 Principal Structures:

R40/R60/R80 (Residential and farm buildings)	35 feet
BV-I	35 feet
BV-II	35 feet
BV-III	35 feet
BV-IV	35 feet
IP-I	40 feet
IP-II	40 feet

8.8.2 Accessory Structures:

R40/R60/R80	25 feet
BV-I	25 feet

BV-II	25 feet
BV-III	25 feet
BV-IV	25 feet
IP-1	30 feet
IP-II	30 feet

8.8.3 Where a lot has frontage on two (2) or more streets or other public rights-of-way, the height limitation shall apply only as measured from the curb level along the street or way with a higher elevation above sea level.

8.8.4 Structures such as chimneys, flues, spires, and radio and TV antennas, and other wireless telecommunications antennas on dwellings shall not extend more than 10' in height as measured from the highest point of a structures existing and/or proposed roof line.

8.8.5 The maximum height in the IP-I zone for uses enumerated in Section 6.4.15, shall be 155 feet, and chimneys, flues and exhaust structures constructed as part of any such uses are exempt from height restrictions.

8.8.6 The maximum height in the IP-1 zone for uses enumerated in Section 6.4.17 and 6.4.18, shall be 40 feet to the roofline except that the Commission may approve a parapet height to extend above the roofline as part of an architectural component not to exceed 55 feet in total height measured from the ground if in the commissions opinion will add to the overall appearance of the building.

8.9 Multiple Uses and Buildings. Unless expressly allowed elsewhere in these Regulations, no more than one principal use may be established on any lot, and no more than one principal building may be established on the lot in connection with such principal use. When the principal use of a lot is related to the provision of wireless telecommunications facilities, more than one building may be established on such lot in connection with such use, provided all such buildings are planned as a unit, with integrated access, building design and landscaping, and further provided that all other relevant provisions of these Regulations are met.

8.10 Outdoor storage and activities. Except as expressly provided hereafter, all material, merchandise, supplies, work in progress, finished, or semi-finished products, waste materials, commercial vehicles, construction or earth-moving equipment located on any lot used or permitted to be used for an industrial or commercial purpose must be stored within a building. Such materials, except merchandise, displays, and waste products, may, however, be stored in the rear portion of the lot (i.e. behind the principal building or buildings provided that the storage area is screened by landscaping, fencing, or both, which is in harmony with the principal structures and which has been approved by the Commission). There shall be no outside retail sales and/or display associated with such uses, except that

- (1) the retail sale of gasoline at a dispensing mechanism (gas pump) shall be allowed at a gas station as part of an approved site plan and special permit; and
- (2) The Commission may approve, as part of an approved special permit, retail sales and/or display associated with vehicle sales per Section 5.2.7. For such use, the Commission may allow retail sales in front or side of the principal building, but may also require perimeter landscaping.

(3) The Commission may approve, as part of an approval special permit, outdoor retail sales and/or display associated with a home improvement store (i.e. lumber/tool/plumbing/electrical retailer) containing at least 100,000 square feet of building area provided such facility is located in an IP-1 Zone. For such use, the Commission may allow outdoor retail sales and/or display area(s) of an aggregate footprint area up to 1.5% of the enclosed building (roofed) area in front of the principal building plus up to 2% of the enclosed building (roofed) area within the front or side parking area, but may also require additional landscaping, traffic controls, pedestrian safety measures and/or screening material. Additionally, the Commission may limit the height of any product to be displayed within the approved area(s).

SECTION 9 - NON-CONFORMING USES AND STRUCTURES

- 9.1 Intent. Lots, uses and structures that were lawful at the time these Regulations were adopted or amended but that would be prohibited, regulated or restricted under the provisions of these Regulations, are declared to be nonconforming. It is the intent of these Regulations to allow the continuation of such lots, uses and structures as they existed at the time they became nonconforming but to discourage their enlargement, expansion or extension in any way which would increase their nonconformity.
- 9.2 Applicability. Nothing in these Regulations shall be interpreted as authorization for or approval of the continuation of the use of land, buildings or structures if such use was not lawful at the time these Regulations or subsequent amendments became effective.
- 9.3 Nonconforming Lots. In any district, a lot recorded by deed in the Land Records prior to the effective date of zoning regulations or any amendment thereto which does not meet the requirements of these Regulations may be utilized for any use otherwise permitted in the district, under the following provisions:
- 9.3.1 That such lot became nonconforming by reason of the adoption of the Zoning Regulations of the Town of Lisbon on July 6, 1970 or any subsequent amendments and was in compliance with the Regulations, if any, at the time such lot was separately described in a deed on file in the Lisbon Land Records.
- 9.3.2 The owner(s) of the lot do not also own sufficient adjoining property which, if merged with the nonconforming lot, would cause such lot to comply with the provisions of these Regulations.
- 9.3.3 The use of the lot shall conform to the requirements of the State Public Health Code.
- 9.3.4 Yard dimensions as required in these Regulations must be maintained. The building area requirements of Section 8-3, above, shall not apply to subdivision lots existing as of September 20, 2000, that have not been built upon, provided such lots satisfy the Public Health Code.
- 9.4 Nonconforming Uses of Land. Where it can be successfully demonstrated by a property owner that a lawful use of land existed at the effective date of the adoption or amendment of these Regulations that is made no longer permissible under these Regulations, such use

may be continued, so long as it remains otherwise lawful, subject to the following provisions:

9.4.1 No such use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of these regulations.

9.4.2 No such use intentionally abandoned for more than 12 consecutive months shall be allowed to resume. The cessation of such use for 365 consecutive days shall be deemed to constitute intentional abandonment unless the property owner can subsequently provide clear evidence to the Commission of a continuous intention to maintain the use. Any subsequent use of such land shall conform to the requirements of the district in which such land is located.

9.5 Nonconforming Structures. Where a lawful structure exists at the effective date of the adoption or amendment of these Regulations that could no longer be built under these Regulations by reason of restrictions on area, lot coverage, height, yard requirements, or other characteristics of the structure or its location on the lot, such structure may continue to exist so long as it remains otherwise lawful, subject to the following provisions:

9.5.1 No structure may be enlarged or altered in such a way as to increase the nonconformity, except as follows:

- a. If the structure extends into a required yard, the footprint area of that portion of the structure extending into the required yard may be increase by no more than five (5) percent, and the cubic area of that portion of the structure extending into the required yard may not be increased by more than one hundred (100) percent
- b. If the structure, together with any other structures on the lot, causes the property to exceed any lot coverage limitations, the footprint area of the structure may not be increase by more than ten (10) percent.
- c. The provision s of this Section 9.5.1 shall not be deemed to allow any expansion or extension of a nonconforming use beyond the amount allowed pursuant to Section 9.6.1 of these Regulations.

9.5.2 If damaged or destroyed by fire or other catastrophe, the structure may be reconstructed by the owner of record, provided the restored structure is no more nonconforming than the original. Such restoration must commence within 12 months of the destruction and be completed within 24 of such destruction.

9.5.3 If such structure is to be moved for any reason for any distance whatsoever, it shall thereafter conform to the requirements of the zone in which it is located after it is moved.

9.6 Nonconforming Uses of Structures and Land. If a lawful use of a structure or of structure and premises in combination exists at the effective date of adoption or amendment of these Regulations that would no longer be allowed under these Regulations, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- 9.6.1 No existing structure devoted to a nonconforming use shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered in a manner that increases the floor area devoted to the nonconforming use by more than five (5) percent, **except as provided in Section 9.6.5.**
- 9.6.2 Any nonconforming use may be changed only to a conforming use.
- 9.6.3 When a nonconforming use of a structure or structure and land in combination is intentionally abandoned, the structure and/or land shall thereafter be used only in conformance with these regulations. The cessation of such use for 365 consecutive days shall be deemed to constitute intentional abandonment unless the property owner can subsequently provide clear evidence to the Commission of a continuous intention to maintain the use. Any subsequent use of such land shall conform to the requirements of the district in which such land is located.
- 9.6.4 When a nonconforming use is changed to a conforming use, the nonconforming use may not subsequently be resumed.
- 9.6.5 **Legally existing mobile homes may be replaced by another mobile home of the same size and dimensions or by a mobile home of smaller size or dimensions. Legally existing mobile homes may be replaced by another larger mobile home only if the replacement mobile home meets all of the following requirements:**
 - a. **It has a sloped shingled roof.**
 - b. **It meets all of the State of Connecticut building codes for mobile homes.**
 - c. **It is no closer to the road than the pre-existing mobile home.**
 - d. **It meets side lot and rear lot requirements.**
 - e. **It is no larger than the next available size.**
- 9.7 Repairs and Maintenance. Repairs may be made and remodeling done to any structure provided that such work does not increase the nonconformity. Nothing in these Regulations shall prevent the strengthening or restoring to safe condition of any structure or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

SECTION 10 - SUPPLEMENTARY REGULATIONS

The requirements of this Section apply to more than one zoning district, or they are concerned with specific uses or conditions regardless of where they occur. (Old Section 8.1)

- 10.1 Yard Sales. Yard sales are permitted in any district provided there are no more than three in any calendar year on a lot and provided each such sale lasts no longer than two (2) consecutive days. No such activity shall be permitted without a permit issued by the Zoning Enforcement Officer at no charge.
- 10.2 Residential Conversions. Conversion of an existing residence to accommodate two units is permitted under the following conditions:

- 10.2.1. Such building shall provide at least 1,000 square feet of floor area for the first dwelling unit plus at least 600 square feet of floor area for the additional dwelling unit created.
- 10.2.2 The lot on which such building is located contains at least the minimum required lot area for one dwelling plus 75% of the minimum required lot area for the additional dwelling unit created.
- 10.2.3 Two off-street parking spaces shall be provided on said lot for each dwelling unit. Parking areas and driveways shall be separated from side and rear lot lines by a minimum 15 foot wide buffer, and an evergreen planting shall be provided in the buffer which screens the parking from adjacent properties. Such parking area shall be sited so as to best preserve the character of the surrounding neighborhood.
- 10.2.4 Such conversion shall be approved by the Director of Health or his Agent for compliance with all applicable health codes.
- 10.2.5 Adequate garbage disposal shall be provided so as to prevent unsightly and unsanitary conditions and odors. Dumpsters and garbage cans shall be located a minimum of fifteen feet from any property line and shall be screened from the view of adjacent properties and from the street.

10.3 Elderly Housing.

- 10.3.1 Intent. The intent of this use is to provide opportunities for the establishment, by special permit of housing specifically designed and intended for use by the elderly in locations and under conditions that consider the special health, safety and general welfare needs of this group. For the purposes of this section, housing for elderly persons is defined as dwelling units containing a minimum of kitchen, bathroom, and sleeping facilities for each unit. The application shall include documentation to demonstrate that the occupancy is restricted to the elderly. Persons using such housing shall be restricted to individuals or couples aged 55 years or older, or in the case of a Town elderly program, those persons as defined by State Statute. Housing for the elderly shall be permitted in Residential Districts provided it meets the following standards:
- 10.3.2 Site Area. Minimum site area of 5 acres is required. The Commission may permit a smaller area if it can be demonstrated that such area has adequate septic capability or public sewerage, that a potable water supply can be provided, and that there will be no adverse impact to the neighborhood.
- 10.3.3 Coverage. Total coverage of all buildings shall not exceed 25% of area. Coverage of all structures and impervious surfaces shall be limited to 35% of the total area.
- 10.3.4 Density. Density shall not exceed four units per acre, exclusive of any areas with watercourses, water bodies, or wetlands soils. Such density limits are subject to other approval criteria which may decrease the permitted density of development. The Commission may permit higher densities in non-aquifer areas if the applicant can demonstrate that the area has adequate septic capability or public sewerage, that a potable water supply can be provided, and that there will be no adverse impact to the neighborhood.

- 10.3.5 Frontage. The site shall have frontage as required by Section 8.2 on a Town-approved road.
- 10.3.6 Units per Building. No building shall contain more than **two dwelling** units.
- 10.3.7 Building Layout. Clustering of buildings on site is to be encouraged to allow efficient circulation, enhance historic New England village setting, and open space preservation while protecting emergency access. Minimum separating distance between **adjacent one and two family unit buildings shall be 20 feet. Separating distance shall be the horizontal distance between the furthest horizontal structural projections of two adjacent dwelling units.** Structures must be setback from the property lines as required by the zone.
- 10.3.8 Building Height. Building height shall not exceed the standard for the zone.
- 10.3.9 Road and Driveway Standards.
- a. All roads and driveways serving the project shall be constructed to the construction standards of the Town Road Ordinance. The Commission may approve private, internal **one way or two way** roads of lesser widths if it determines that such widths are sufficient to accommodate traffic. No internal road or driveway serving such use shall be located nearer than 25 feet to a residentially zoned property.
- b. **Alternate Standards. For private internal access drives, shared driveways, driveways and parking areas, the Commission may approve alternate design, construction materials and construction standards pertaining to width, location and materials for surfaces of pavement, sidewalks, walkways, curbing and storm drainage when such alternate standards:**
- 1. Will minimize impervious surfaces.**
 - 2. Will minimize the impact of the development on groundwater quality and quantity.**
 - 3. Facilitate the filtration of storm water to on-site vegetative areas.**
 - 4. Are prepared by a licensed professional engineer and the Commission determines that such standards will be in accord with the purpose and intent of these regulations.**
- The Commission may also allow shared driveways or private internal access drives to be constructed to alternate standards approved pursuant to this subsection.**
- 10.3.10 Parking Areas. A minimum of one and one-half off-street parking spaces shall be provided for each dwelling unit. Such areas shall be paved and curbed. Requirements for siting and screening shall be as provided in Section 13 and Section 14 of these Regulations.
- 10.3.11 Approval by Health Director. The applicant shall submit the written request to the Lisbon Health Director for comment on the compliance of the proposed use with all pertinent provisions of the Public Health Code. A copy of such written request shall be submitted to the commission as part of the special permit application.

- 10.3.12 Lighting. Lighting of streets and walkways shall meet the standards of the American National Standards Institute for residential areas.
- 10.3.13 Walkways. All units shall be connected to parking areas, recreation facilities and sidewalks by concrete walkways of at least 5 feet in width, **unless (a) the Commission determines that the sidewalks as the proposed locations are not necessary or appropriate for pedestrian safety and circulation; or (b) the Commission determines that alternate constructions standards may be used in accordance with Alternate Standards at Subsection 10.3.9(b).**
- 10.3.14 Building Plans. All applications shall be accompanied by architectural plans for all structures, including community facilities and signs. Said plans shall include exterior elevations, preliminary floor plans, renderings of structures, and information on siding materials.
- 10.3.15 Emergency Access and Fire Protection. The applicant shall submit a written request to the Lisbon Fire Marshal for comment on the suitability of any emergency access and fire protection provisions that are to be established in connection with the proposed use. A copy of such written request shall be submitted to the commission as part of the special permit application.
- 10.3.16 Accessory Structures. The applicant may construct recreational facilities and storage buildings on the site to accommodate the needs of the resident population. Such additions shall be approved by site plan review, unless the Commission finds significant impact that requires an amended special permit with public hearing.
- 10.3.17 Landscape Plan. A landscape plan shall be submitted as part of this application per Section 14 **provided that the width of the buffer from residential districts required by Section 14.2.1(a)(2) shall be reduced to no less than twenty five (25) feet in width and for internal access drives the requirements of Section 14.3.e may be modified or waived by the Commission.** The plan for elderly housing shall specifically: 1) Provide for the development and maintenance of landscaped and natural spaces to be enjoyed by the residents of such spaces; 2) show consideration of the outdoor recreational needs of the residents, including gardening opportunities. 3) protect the property values of adjacent properties by providing adequate screening, and 4) provide for harmony with the surrounding neighborhood landscape.

10.4 Excavation, Removal and Filling of Earth Materials.

10.4.1 Intent. The intent of this section is to manage excavation or other removal or filling of earth materials so as to minimize environmental damage, disruption of traffic flow, and disturbance of the surrounding neighborhood, and to ensure adequate restoration of the site for future use when the activity is completed. For the purposes of this Section the excavation of trap-rock or quarry type stone shall be prohibited.

10.4.2 Exemptions. The following activities are exempt from these Regulations:

- a. Excavation operations or filling within the legal highway rights-of-way conducted by either the State of Connecticut or the Town.
- b. Operations approved by the Town as a part of an approved subdivision, site plan or municipal improvement project.
- c. Excavations or filling as a result of bona-fide landscaping, agricultural or construction operations, provided that no such activity results in the removal of more than 200 cubic yards of earth products or filling more than 100 cubic yards of earth products for each parcel.

10.4.3 Applications. Applications shall include information as listed below. Requirement for the submission of any of the listed items may be waived by a 3/4 vote of the members of the Commission present and voting when it is demonstrated that such information is not necessary to determine compliance with these Regulations.

- a. Location Map at a scale of 1" = 200', certified by a Connecticut licensed surveyor, showing:
 - 1. Parcel boundaries and the owner of record
 - 2. Boundaries and record owners of all adjacent parcels.
 - 3. Topography, as shown by ten foot contour intervals, of the area of activity and all land within 400 feet of such area.
 - 4. Existing land and water uses on the premises and within 500 feet of the premises, including sewage disposal features and water supplies to the extent these can be determined.
 - 5. Watercourses, wetlands, soil types and flood boundaries on and within 200 feet of the premises to the extent that these can be determined..
 - 6. Public and private roads providing access to the property.
 - 7. All utilities and easements on the premises.
- b. Detailed Site Map at a scale of no less than 1 inch = 100 feet, certified by a Connecticut professional engineer, with boundaries at an A-2 survey level of accuracy as certified by a licensed surveyor, showing:
 - 1. Boundaries and acreage of the premises.
 - 2. Topography: existing, any interim, and final grades at 2 ft. contour intervals.
 - 3. Location of all proposed roads, utilities, structures, fixed equipment, processing areas.
 - 4. Wetlands and watercourses.
 - 5. Delineation of areas of disturbance and of active operations and their acreage; show phasing as planned.
 - 6. Locations of stockpiles, including stripped topsoil, overburden, and reserve stock materials.
 - 7. A sediment and erosion control plan for use throughout the duration of the operation.
 - 8. Location of soil borings/test holes.
 - 9. Other information as requested by the Commission to determine compliance.

- c. Other Information, provided in narrative form:
 - 1. Total amount of earth materials to be removed or placed, measured in cubic yards. Where phasing is proposed, amounts should be given per phase.
 - 2. Typical cross sections of the area to be excavated, showing both existing and proposed grades and mine or quarry faces.
 - 3. Estimate of the number and type of trucks and equipment to be kept and used on the site.
 - 4. Estimate of the number of loads per day and week leaving site.
 - 5. Proposed future use of the property following completion of operations.
 - 6. Boring data, prepared by appropriate professional, taken to four feet beyond the depth of the proposed excavation, indicating the depths, compositions and type of earth materials, and depth to water table.
 - 7. Other information as requested by the Commission to determine compliance.

- d. Restoration Plan, such plan to include:
 - 1. Final grades at 2 foot contour intervals.
 - 2. Final drainage patterns and plans.
 - 3. Source and type of cover material to be used, to six inch depth.
 - 4. Detailed specifications for plantings, including species, sowing rates/planting distances, and the timing of such revegetation.
 - 5. A schedule for such restoration through monitoring of revegetation over the first two years following final revegetation.

- e. Bonding Requirement.
 - 1. Before a special permit authorizing the activity provided for under this Section is signed and delivered to the applicant, the applicant shall deliver to the Commission, or its delegated representative, a bond in an amount and with surety satisfactory to the Commission, and in form satisfactory to Town counsel, assuring the completion of all improvements shown on said plan and provided for in said special permit.
 - 2. The improvements shown on said plan and provided for in said special permit shall include erosion and sedimentation control, restoration of the site according to the approved plan, including and not limited to grading, filling, revegetation, and as built certificate after completion of restoration.
 - 3. The applicant shall submit to the Commission with its application for the special permit an estimate of the costs of the improvements as defined in subparagraph 2, above, which estimate shall contain a separate inflation factor for estimated improvement period. The Commission may refer such estimate to its own engineer for the estimate of costs, and the amount of the final cost estimate as determined solely by the Commission shall be amount of the bond.
 - 4. The bond as posted shall name as principal both the applicant

and the record owner of the premises. Said bond may be in the form of a savings passbook of an FDIC insured bank with an office in Connecticut, with the Town being named solely as the owner of said account; an irrevocable letter of credit issued by an FDIC insured bank with offices in Connecticut which provides for presentment in Connecticut; or a bond with surety by an insurance company authorized by the Connecticut Insurance Department to do business in Connecticut, and issue bonds in Connecticut.

5. As condition of granting of the special permit, the Commission may provide for the reduction of the bond as improvements are completed to the satisfaction of the Commission. The amount of any reduction, shall be in the sole discretion of the Commission.

10.4.4 General Considerations. Applications for permits shall be evaluated according to the following criteria, in addition to the criteria set forth in Section 2 of these Regulations.

- a. Appropriateness of Location: the compatibility of the proposed activity with the Town's Plan of Development; the compatibility of the proposed activity with current and potential uses of surrounding land; the impact of the activity on the use and quality of adjacent watercourses; the creation of potential nuisances such as noise, traffic, odors, dust, visual blight, degradation of natural resources, erosion and sedimentation, and flooding on current and potential uses of surrounding lands.
- b. Conformance: conformance of the proposed activity with Building and Health Codes, Wetlands Regulations, and any applicable Town Ordinances and Regulations in addition to these Zoning Regulations.
- c. Public Health and Safety: accessibility by emergency vehicles, impact on Town roads and infrastructure, potential for groundwater contamination, increased fire hazards, and creation of hazardous grades.
- d. Protection of Resources: potential for detriment to historic, cultural, scenic or natural resources in the surrounding neighborhood and the Town as a whole.

10.4.5 Permit Standards. The following are minimum standards to be applied to permits for excavation and filling of earth materials:

- a. Site Size. No excavation operation shall encompass more than five acres of active operations at any one time. Operations of more than five acres must be phased, with a comprehensive plan for phasing and restoration submitted and approved as part of the application.
- b. Buffer. No feature of the operation shall take place within 100 feet of the property boundary, watercourse, or public road. Native vegetation shall be maintained on this buffer. If such vegetation is inadequate for screening, the Commission may impose additional screening requirements. Clearly visible boundary markers shall be maintained throughout the operation.
- c. Access Road. A non-erodible, dustless access road shall be provided

- for a distance of 100 feet from any public road. Such road shall have a functioning anti-tracking surface for a distance of 50 feet from the road.
- d. Building, Structures, Machinery and Equipment. No structures or fixed machinery or equipment shall be located within 100 feet of any residential district. No processing equipment, such as a crusher or grader, shall be located within 1000 feet of any residential structure. No processing shall be allowed other than as approved as a part of the permit.
 - e. Operating hours. Operating hours for processing shall be limited to Monday through Friday, 8 AM to 5 PM. Operating hours for removal shall be limited to 7 AM to 5 PM, Monday through Saturday. No activities generating noise that is perceptible outside of the premises shall be allowed during any other hours. Municipal operations shall be exempt from these hours.
 - f. Erosion and Sedimentation. Erosion by wind and water shall be controlled at all stages of operation throughout the disturbed area. Provision for proper drainage shall be planned for the duration of the operation to prevent erosion of slopes, stream scour, and sedimentation, both on and off site, at all times.
 - g. Separating Distance from Water Table. No excavation shall remove earth materials closer than four feet to the spring high water table. This distance shall be maintained throughout the excavation.
 - h. Topsoil and Overburden Stockpiling. All topsoil, defined herein as A and B horizons, shall be stripped from the operation area and stockpiled for use in restoration of the site. No topsoil shall be removed from the site. Topsoil and overburden stockpiles shall be maintained separately and such locations shall be shown on the site map.
 - i. Safety. A permanent gate must be maintained at all access ways to the site. Fencing of hazardous areas may be required for protection of pedestrian or vehicular traffic.
 - j. Impact on Wetlands, Watercourses, and Drainage. No excavation or filling shall be allowed which will cause standing water to accumulate except as required for approved retention and detention basins.
 - k. Phased Operations. Work on a subsequent phase shall not commence prior to reclamation of the previous phase according to the approved plan and approval of such reclamation by the Commission or its Agent. Prior to commencement of activity on any subsequent phase, bond shall be adjusted to ensure performance on that phase. Bond shall not be fully released for any phase until it has been determined that such area is permanently stabilized.
 - l. Bonding Requirement.
 1. Before a special permit authorizing the activity provided for under this Section is signed and delivered to the applicant, the applicant shall deliver to the Commission, or its delegated representative, a bond in an amount and with surety satisfactory to the Commission, and in form satisfactory to Town counsel, assuring the completion of all improvements shown on said plan and provided for in said special permit.
 2. The applicant shall submit to the Commission with its

application for the special permit an estimate of the costs of the improvements as defined in subparagraph 2, above, which estimate shall contain a separate inflation factor for estimated improvement period. The Commission may refer such estimate to its own engineer for the estimate of costs, and the amount of the final cost estimate as determined solely by the Commission shall be amount of the bond.

3. The bond as posted shall name as principal both the applicant and the record owner of the premises. Said bond may be in the form of a savings passbook of an FDIC insured bank with an office in Connecticut, with the Town being named solely as the owner of said account; an irrevocable letter of credit issues by an FDIC insured bank with offices in Connecticut which provides for presentment in Connecticut; or a bond with surety by an insurance company authorized by the Connecticut Insurance Department to do business in Connecticut, and issue bonds in Connecticut.
4. As condition of granting of the special permit, the Commission may provide for the reduction of the bond as improvements are completed to the satisfaction of the Commission. The amount of any reduction, shall be in the sole discretion of the Commission.

10.4.6 Restoration Standards.

- a. Final Grades. Within 30 days of depletion of an area of 1 acre or more, final grading shall occur, with such grades no steeper than 3 ft. horizontal to 1 foot vertical rise.
- b. Final Surface Treatment. All stockpiled topsoil (A and B horizons) shall be spread evenly over the surface of the disturbed area. Minimum depth of topsoil shall be 4".
- c. Revegetation. A revegetation plan shall be provided that will produce permanent, maintenance free cover. Species selected shall be those most appropriate to site conditions. Such specifications shall be approved by the County Soil and Water Conservation District. The submitted plan shall include a chronology of revegetation that includes proper documentation to the Town regarding seeding/planting sources and quantities, chronology of installation, and inspection and maintenance until permanent stabilization is achieved. Any area inactive for more than 12 months shall be graded and revegetated.
- d. Debris Disposal. Debris such as boulders and stumps shall be disposed of without causing environmental degradation or visual blight. Plans for disposal shall be a part of the application.

- 10.4.7 Completion of Operations. If no renewal request has been received, the request has been denied, the operation has been abandoned for more than 12 months, or the permit has been revoked, the Commission shall, following a hearing, act to declare the operation complete. Upon such action, site restoration shall commence. Final grading and revegetation shall be completed within 90 days. An As-Built plan, showing final grading and depth to

groundwater, as prepared and certified by a professional engineer, shall be submitted, except that such as-built requirement may be waived by a three-quarters vote of the entire Commission when deemed unnecessary to determine compliance with these Regulations.

- 10.4.8 Permit Duration. A permit for excavation or filling shall be valid for two years from approval, except that the Commission may limit the permit period to a shorter period where there are special concerns for the impact of the operation on the surrounding area.
- 10.4.9 Permit Renewal. An application for renewal of the excavation/fill permit must be received at least 30 days prior to expiration of the permit. The renewal application shall contain information as required in these regulations and shall show the nature and extent of excavation/filling and restoration work which has been completed. No permit shall be renewed if it is determined that there are substantial, outstanding violations of any condition of the permit for which the renewal is sought. The Commission may require that a professionally prepared certification of compliance of the operation with the approved plan be submitted as a part of the renewal application. Bond amount may be adjusted by the Commission, based on an itemized cost estimate of permit compliance and site restoration submitted by the applicant and reviewed by Town Staff, as a condition of approval of a permit renewal.
- 10.4.10 Revocation of Permit. Following a public hearing, the Commission may revoke the permit if it is determined that the terms of such permit have been violated.
- 10.5 Home Occupations. Activities as defined under Home Occupation in Section 19.3 are permitted in residential districts provided a special permit has been obtained from the Commission prior to commencement of activity. In general, a home occupation is a residential accessory use so located and conducted that it does not materially change the residential character of the principal use. The standards for home occupations in this section are intended to ensure compatibility with other permitted uses and with the residential character of the neighborhood. The Commission shall approve home occupation permits and their renewal only under the following conditions:
 - 10.5.1 The home occupation activity must be clearly secondary to the use of the premises for residential dwelling purposes. When conducted within a residential dwelling, it shall occupy no more than twenty-five percent of the floor area of the residential dwelling, exclusive of any garage or basement, up to a maximum of 500 square feet. The proposed activity must take place within the foot print of the residential dwelling unit. Garages and/or outbuildings shall not be considered part of the residential dwelling unit.
 - 10.5.2 The activity does not change the residential character of the property or neighborhood in any visible manner.
 - 10.5.3 The activity shall not result in objectionable noise, dust, smoke, odors, vibrations, obnoxious or unsightly conditions noticeable from off the premises, or interfere with radio or television reception.

- 10.5.4 The activity shall not generate traffic significantly greater than that of a usual residential use.
- 10.5.5 The applicant shall submit the written request to the Lisbon Health Director for comment on the compliance of the proposed use with all pertinent provisions of the Public Health Code. A copy of such written request shall be submitted to the commission as part of the special permit application.
- 10.5.6 The proposed activity shall be conducted by **the** permanent resident who is also the owner of the dwelling unit engaged in the business. **(no employees shall be allowed to work on site other than a permanent resident)**
- 10.5.7 There shall be no outside storage of materials associated with the home occupation.
- 10.5.8 There shall be no retail sales. **There shall be no warehousing of merchandise/product/raw material on the parcel.**
- 10.5.9 No more than one registered commercial vehicle (registration must be with Connecticut Department of Motor Vehicles) shall be used in connection with the home occupation. Privately owned pick-up trucks and vans are exempt from this definition.
- 10.5.10 There shall be no contractor's equipment storage permitted as a part of any home occupation. Examples of contractor's equipment include, but are not limited to bucket loaders, bulldozers, backhoe tractors or portable generators on their own chassis.
- 10.5.11 There shall be no mechanical or other equipment used except that which is customarily employed in a dwelling house for domestic or household purposes or for use by a professional person.
- 10.5.12 Such home occupation shall not include medical clinic, a private hospital, a nursing home, an eating establishment, or a veterinary clinic.**
- 10.6 Rear Lots. In order to provide for the development of property remote from existing roads or where roads are unlikely to be developed due to reasons of difficult topography, wetlands, or other conditions, the Commission may permit the street frontage requirements to be reduced for such rear lots, provided the following conditions are met.
- 10.6.1 A part of such lot extends to a State or Town accepted road in the form of a strip of land at least 25 feet and no more than 50 feet wide which is capable of accommodating a safe and convenient driveway for access to the main part of the lot. This 25 foot strip of land shall be part of the said lot and shall be contained within its property boundaries. A right-of-way and/or a portion of a right-of-way shall not be considered part of the 25 foot access strip. At the time of application to the Commission, the applicant must demonstrate that the proposed access strip can accommodate a driveway per the regulations, including any other town, state and/or federal permits that may be necessary

(i.e., Inland Wetlands, Connecticut Department of Transportation encroachment permit).

- 10.6.2 The lot area exclusive of the access strip shall be at least three times the minimum lot area required for the zone and the minimum buildable area shall be 1.5 times the area required for the zone.
- 10.6.3 The access strip shall not exceed 1,000 feet in length and shall not be located within 300 feet of another rear lot access strip on the same side of the road/street.
- 10.6.4 Uniform yard depths of 50 feet from all property lines shall apply, and no dwelling shall be located closer than 100 feet to an existing dwelling.

10.7 Bed and Breakfast Establishments

- 10.7.1 Intent. Bed and breakfast establishments are intended to provide overnight accommodations to guests and may serve breakfast to overnight guests. Such establishments are permitted by special permit in all residential and business zones. Lunch and dinner shall not be served on the premises. The preparation, catering and serving of food for breakfast shall be limited to overnight guests booked at the bed and breakfast establishment. Special dinners, luncheons, and/or events shall not be allowed on the premises (i.e weddings, corporate parties, tea, etc). Such facility shall be open to overnight guests only.
- 10.7.2 Standards. Bed and breakfast establishments are approved by special permit, subject to the requirements of applicable sections of the Zoning Regulations and as established below.
 - 1. The owner of the business is to reside on the subject property. There shall be no more than one outside employee.
 - 2. The applicant shall submit the written request to the Lisbon Health Director for comment on the compliance of the proposed use with all pertinent provisions of the Public Health Code. A copy of such written request shall be submitted to the commission as part of the special permit application.
 - 3. The applicant shall submit a written request to the Lisbon Fire Marshal for comment on the suitability of any emergency access and fire protection provisions that are to be established in connection with the proposed use. A copy of such written request shall be submitted to the commission as part of the special permit application..
 - 4. Operation is subject to applicable building codes and approval by the Town Building Official.
 - 5. An accompanying site plan shall provide information regarding parking. One parking space shall be provided for each room in addition to standard residential requirements. Driveways and parking areas shall be separated from property lines by a suitable landscaped buffer at least twenty (20) feet wide.
 - 6. The operation shall not alter the residential nature of the neighborhood

- nor the character of the dwelling as a single family residence.
7. The refuse area shall be screened from view. The area shall be no closer than 20 feet to any property line and 100 feet to any dwelling on an adjacent lot.
 8. No more than 4 bedrooms shall be used commercially.
 9. One identification sign is allowed. The sign area shall not exceed 5 square feet nor shall the sign exceed 6 feet in height.
 10. Occupancy shall not exceed 14 consecutive nights.
 11. If use is abandoned for more than one year, the permit may be voided following a public hearing of the Commission and filing notice of such action in the Land Records.
 12. If ownership of the property changes, the original applicant and/or new owner shall notify the ZEO within 30 days of transfer of title to the property.

10.8 Seasonal Campgrounds.

- 10.8.1 Definition. A seasonal campground is defined in Section 19.
- 10.8.2. Intent. Seasonal campgrounds are intended to be used for temporary overnight accommodations serving travelers and to provide temporary outdoor recreational opportunities. Establishment of permanent structures on camp sites is prohibited.
- 10.8.3 Applicability. This section shall apply to 1) any proposed establishment of a seasonal campground and 2) the proposed expansion of an existing campground. Any such proposal shall meet the standards of this section as well as any other applicable Regulations and Codes. Seasonal campgrounds may be established in any residential zone.
- 10.8.4 Area and Frontage. Minimum area for a seasonal campground shall be 20 acres, with a minimum of 200 feet frontage on a Town or State road.
- 10.8.5 Density. The number of campsites shall not exceed 8 per acre average for the entire acreage. Each camp site shall have a minimum of 800 square feet.
- 10.8.6 Sanitary Requirements. Sanitary facilities, including flush toilets, sinks, hot showers, and water spigots shall be provided in numbers and locations as specified by the Public Health Codes and approved by the Town Sanitarian. The applicant shall demonstrate that all applicable Public Health Code requirements have been met. Approval of the proposal by the Department of Public Health shall be submitted as part of this application.
- 10.8.7 Emergency Access. Each campground shall provide emergency access for fire and ambulance. Approval of such access by the Fire Marshal shall be submitted as part of this application and as part of the annual renewal request.
- 10.8.8 Roads. A. Access from public road: the first fifty feet shall be paved, adequately drained, 24 ft. wide if two-way, and 15 ft. one-way. B. Internal roads: No campground road shall be nearer than 75 ft to a property line. All

internal roads shall be constructed with a 12 inch gravel base, graded and drained and shall be maintained in a dustless, all weather condition. Minimum width shall be 12 ft. for one-way, 18 ft. for two-way. Provision shall be made for turnarounds so as to avoid backing up. Where there are more than 50 campsites, two points of egress to a public road are required. Directional signs shall be posted as needed to define the circulation pattern.

- 10.8.9 Parking. Parking for two vehicles for each campsite shall be provided off the road. Overflow parking for visitors and employees shall be provided.
- 10.8.10 Garbage Disposal. Containers shall be fly, rodent and water tight and shall be located within 250 feet of every campsite. Collection shall be made on a daily basis from all areas of the campground to a central location. The Commission may require such central area to be screened, depending on its location. The central collection area shall be located at least 100 feet from any property line.
- 10.8.11 Lighting. Adequate lighting of the sanitary facilities shall be provided. No campground lighting shall illuminate abutting properties.
- 10.8.12 Buffers. A treed buffer fifty feet wide, within which no activity shall occur, shall be provided around the entire campground. Such buffer shall be composed of sufficient evergreen species to screen the activity from observation by abutters. The planting specifications shall meet the standards provided in these Regulations. No campsite shall be located within 150 feet of a dwelling on an adjacent property.
- 10.8.13 Permanent occupant. One single family dwelling is allowed on the parcel.
- 10.8.14 Occupancy. Occupancy in the campground shall not be construed as qualification for residency in the Town of Lisbon.
- 10.8.15 Registration. The operator shall maintain a registry of each occupant, including a record of the name, permanent address, license plate number and vehicle make and model. Such records shall be available at all times to the Zoning Enforcement Officer and other officials whose duties would require examination.
- 10.8.16 Storage of Campers. No later than November 10, all recreational vehicles must be disconnected from utilities and may be stored for the winter. Recreational vehicles may be stored on only the individual campsites, with no more than one such vehicle per campsite.
- 10.8.17 Intentionally left blank.
- 10.8.18 Camp Store and activity centers.
- a. Camp Store: A camp store with area not to exceed 800 square feet may be established and operated during the camp season only. Such store shall provide items for camper use only and shall not serve the general public. No indication of such store shall appear on the campground

- sign.
- b. Camp Activity Center enclosed structure: An activity center with an area not to exceed 20 sq.ft. per campsite. No single structure shall exceed 4,000 square feet
- c. Camp Activity Center unenclosed structure: An activity center with an area not to exceed 15 sq. ft. per campsite. No single structure shall exceed 4,000 square feet.

10.8.19 Sign. A legal campground is allowed one sign on the premises. The maximum area of such sign is 18 square feet, and maximum height above ground is 6 feet.

10.8.20 Annual Renewal. A seasonal campground permit is subject to annual renewal on March 1. Renewal will be granted only upon satisfactory report of zoning compliance by the Zoning Enforcement Officer, confirmation of compliance with public health codes by the Sanitarian, and satisfactory inspection by the Fire Marshal. The Zoning Enforcement Officer shall confirm that no permanent structures, such as decks, sheds and porches, have been erected on the campsites. In addition to the above and as part of the annual renewal process, the permittee shall provide documentation that the items contained in 10.8.17 conform to all pertinent current local, state and federal regulations.

10.9 Commercial Agricultural Buildings.

10.9.1 Intent. The intent of this section is to minimize the adverse impacts that certain large-scale agricultural buildings and associated activities have on the neighborhood with respect to public health, welfare, and property values. Such adverse impact may include odors, flies and other vectors, and contamination of surface and groundwater, among others.

10.9.2 Definition. A commercial agricultural building is defined in Section 19.

10.9.3 Standards. The Commission shall approve a permit for a commercial agricultural building only upon finding that:

- a. The building(s) shall be designed to match traditional New England style farming structures and adequately screened from view from surrounding properties. The size of the building/structure shall be limited to a 10,000 square foot, foot print and a gross floor area of 20,000 square feet.
- b. Roads and intersections providing access to the building and associated parking and loading will be adequate to provide safe and uncongested movement of traffic.
- c. Parking and driveways will be setback from side and rear lot lines by a minimum of 50 feet. Parking areas shall be designed and screened so as to minimize impact on the surrounding area.
- d. The applicant is required to submit its plans for storage and disposal of wastes to the Health District and Inland Wetlands Commission for any comments either may wish to make. It is the responsibility of the

- applicant to obtain any applicable State and Federal permits.
- e. No such building or any waste storage or treatment area shall be located closer than 200 feet from a street center line or 300 feet from any other property line. The Commission may reduce the distance to 100 feet if it determines that the adjacent property is public open space, or physically unsuitable for building purposes, and if there is no offsite dwelling within 300 feet of the property line.
 - f. Any noxious or offensive emissions (i.e., odors, smells) emanating and/or resulting from the proposed use shall be properly treated and eliminated. (i.e., bio-filters, etc.)

10.10 Industrial Park (IP-I and IP-II) Developments. An applicant for a proposed use in an Industrial Park District shall meet the following standards in addition to other applicable requirements:

- 10.10.1 Site Plan. The site plan required in Section 12 shall be prepared by a Connecticut licensed professional engineer, surveyor, or other appropriate professional, except that an engineer's seal is required where grading and drainage are required.
- 10.10.2 Traffic. The applicant shall submit a traffic analysis of impact on existing and proposed roads, prepared by a Connecticut licensed professional engineer.
- 10.10.3 Access. Vehicle access to the use will be from a state road or other access road approved by the Commission.
- 10.10.4 Specifications for driveways and parking. Driveways and parking areas shall be of bituminous concrete or other paving material. The design and construction of these features shall be approved by the Town's engineer. Entrances and exits shall be defined by granite or concrete curbing running 100 feet before the road/curb cut and 100 feet beyond the road/curb cut into lot. An as-built for the site work, prepared by a Connecticut professional surveyor or engineer, shall be submitted prior to Certificate of Occupancy to demonstrate compliance with approved plans. See the requirements of Section 12.
- 10.10.5 Loading area requirements. All loading platforms and operations shall be located behind the required front yard or within the building. Areas used for loading must be screened from adjacent roads and properties by landscaping, fencing, or both, and shall be determined by the Commission to conform with traditional New England style architecture.
- 10.10.6 Outdoor storage and activities. With exception of parking and vehicular and pedestrian travel to and from the buildings on the parcel, no storage of goods or materials and no activities in connection with the principal use(s) of the site shall be allowed outside of the permitted buildings and structures unless the proposed location(s) of such outdoor storage or activities has been shown on a site plan and approved by the Commission. The Commission may require buffering or screening to minimize the visibility of such storage or activities from surrounding properties. No such activities or storage shall be approved within any required yard. The display, sale or storage of retail merchandise

outside of the permitted building(s) footprint shall not be allowed.

- 10.10.7 Buffers. A landscaped buffer 25 feet wide shall be established and maintained on each site abutting another industrial or commercial site. A 100 foot buffer shall be established and maintained abutting a residential zone.
- a. Each 25 foot buffer shall consist of two rows of trees and each residential zone buffer shall consist of 4 rows of trees such as to provide a full screen from adjacent properties. The planting standards of Section 12.6.10 shall apply. The Commission may also require the incorporation of flowering shrubs.
 - b. The Commission may allow the use of native vegetation in lieu of some or all of the above requirements if it determines that the intended screening and aesthetic effect will be achieved.
- 10.10.8 Trash Disposal. Trash and waste must be stored within an enclosure which is at least 2 feet higher than the storage container and which screens the container from view. Such area shall be located to the rear of the facility.
- 10.10.9 Signs. Off-site advertising is limited to a Park Entrance Directory only. The directory shall be comprised of 1 x 3 ft. signs; the directory shall not exceed ten feet in height.
- 10.10.10 Utilities. All utilities, except for substations, fuel storage, and power transmission lines from electric generation facilities, must be run underground. Substations and fuel storage must be properly screened by landscaping, fencing or both which the Commission shall determine to conform with traditional New England style architecture.
- 10.11 Waste-to-energy, resource recovery and recycling facilities for solid waste, lined ash landfills. In addition to Section 10.10 and other applicable Regulations, the following shall apply:
- 10.11.1 Sign. A sign shall be posted at the entrance to the site which states the name of the permittee and hours of use of the facility and required safety precautions.
 - 10.11.2. Solid Waste Handling and Storage. All solid waste shall be unloaded and stored indoors in a building. The building must be roofed, enclosed on all sides and be an integral part of a resource recovery, waste-to-energy facility. Solid waste shall be confined to the unloading, loading and handling area. The facility and adjacent areas shall be kept clean and reasonably free of litter, dust and odor.
 - 10.11.3. Ash handling and disposal. All ash deposited at any landfill shall be the by-product of the facility constructed pursuant to the permit. All disposal of ash shall be in conformance with state and federal requirements and any conditions imposed by the Commission for protection of the health and welfare of the community.
 - 10.11.4. Hazardous waste and ash. Hazardous waste, as defined by state and federal

regulations, shall be prohibited from the site. Means for detection of radioactive waste shall be provided. Any ash defined as hazardous by state and federal regulations, now or in the future, shall be transported off site or rendered nonhazardous as defined by state and federal regulations. In the event of discrepancy between regulations, the more stringent shall apply.

- 10.11.5. Dust and Odors. Dust and odors resulting from the unloading of solid waste and the operation of the facility shall be controlled at all times to assure compliance with the applicable regulations of the Department of Environmental Protection and Town of Lisbon.
- 10.11.6. Fire Protection. Fire control equipment and devices shall be provided as determined by the Town's fire chief marshal.
- 10.11.7. Alternative Disposal Plan. In cases when the facility is rendered temporarily inoperable, there shall be a plan with signed agreements for an alternative method of processing or transfer and disposal of solid waste off site. Such plan shall be submitted as part of the application for use and must be approved by the Commission. Any subsequent change in such plan must be reviewed and approved by the Commission.
- 10.11.8. Impact to Groundwater and Aquifer. The application shall contain sufficient information, prepared by a qualified hydrogeologist, to determine impact to groundwater and aquifers. For approval of such use, the Commission shall determine that there will be no significant adverse impact to groundwater.
- 10.11.9. Records and Inspection. The operator shall maintain a daily log to record detailed information about trucks depositing at the facility and their points of origin. Said log format shall be approved by the Commission. Rights of inspection of the entire facility, lands, receipt logs, and any other operational records, shall be reserved at all times by the Zoning Enforcement Officer, Health Officer, or other designated agent of the Commission.
- 10.12 Open Space Development. Approval of an open space development shall be made by special permit in conjunction with the required subdivision application.
 - 10.12.1 Intent. The intent of the open space development is to provide an opportunity to develop attractive housing arrangements with increased sensitivity to environmental concerns and preservation of rural character. In addition, development costs may be reduced. The overall density of development of the parcel is not allowed to increase, but the permitted dwelling units are grouped, leaving the remainder of the parcel as open space.
 - 10.12.2 Applicability. The Commission may approve a special permit for open space development on parcels of at least 20 acres in accordance with the provisions of this section. Smaller parcels may be approved if they adjoin an existing open space development and the design of the proposed development can be viewed as a logical and complementary extension of the existing development.
 - 10.12.3 Water Supply. The open space development shall be served by a community

water supply.

10.12.4 Density. The maximum number of lots allowed shall be determined by subtracting the area of all wetlands and watercourses, rock outcrops, slopes in excess of 20%, existing easements, and any other unusable or restricted land from the total parcel area. The area of useable land remaining shall be divided by the minimum lot area permitted in the underlying zone to provide the number of lots allowed. In no case shall a building lot with private septic system be reduced to less than 25,000 square feet.

10.12.5 Open Space. All land not included in a designated building lot shall be permanently established as open space. The configuration of the development shall be such that open space shall be laid out in large, contiguous tracts intended to maximize resource protection and suitable for passive recreation. Assignment of ownership of such open space shall be finalized in documentation acceptable to the Town Attorney prior to filing of the special permit plan.

10.13 Commercial/Business/Retail Development in Business Village District and Commercial/Retail Developments in Industrial Districts

The purpose of this section is to encourage development that contributes to the Town of Lisbon as a unique place by reflecting its historical physical character (i.e., Bishop House, traditional New England farming community) and adding to it in appropriate ways.

10.13.1 Architectural Character.

- a. Facades greater than 50 feet in length must incorporate recess and projections along at least 20 percent of the length of the facade. Window, awnings, and arcades must total at least 60 percent of the facade length abutting a public street.
- b. Retail stores that are part of a larger principal building shall have display windows and separate outside entrances. Such smaller stores are encouraged by the town.
- c. Use of repeating pattern of change in color, texture, and materials modules shall be incorporated into buildings. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically.
- d. Buildings shall have variations in roof lines to reduce the scale of proposed structures and add visual interest. Roofs must have at least two of the following features: parapets concealing flat roofs and rooftop equipment, overhanging eaves, sloped roofs, and three or more roof slope planes.
- e. Each building shall have a clearly defined highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.

10.13.2 Color and Materials

- a. Predominant exterior building materials must be of high quality. These include brick, wood, sandstone, other native stone, and tinted/textured concrete masonry units. Smooth-faced concrete block, tilt-up concrete panels, or prefabricated steel panels are prohibited as the predominant exterior building materials.
- b. Facade color must be of “low reflectance,” subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors (i.e., blue, green, orange, red, yellow), black or fluorescent colors is prohibited.

10.13.3 Relationship to Surrounding Community/Streets.

- a. All facades of a building that are visible from adjoining properties and/or public street should contribute to the pleasing scale features of the building and encourage community integration by featuring characteristics similar to a front facade.
- b. Where the facade faces adjacent residential uses, an earth berm of at least six feet in height and planted with evergreen trees at intervals of 20 feet on center, or in clusters is required.
- c. Loading docks, trash collection, outdoor storage and similar facilities and functions shall be incorporated into the overall design of the buildings and the landscaping so that the visual and acoustic impact of these functions are fully contained and out of view from adjacent properties and public streets. Use of screening materials that are different from or inferior to the principal materials of the building and landscape is prohibited. No delivery, loading, trash removal, or similar operations are permitted between the hours of 10 p.m. and 7 a.m., except in special circumstances and where steps are taken to reduce noise impacts.
- d. Each retail establishment in excess of 50,000 square feet or a combination of buildings which total 50,000 square feet on one parcel must contribute to the establishment or enhancement of the community and public spaces by providing at least two community amenities such as a patio/seating area, water feature, clock tower, or pedestrian plaza with benches.

10.13.4 Pedestrian Flow.

- a. Sidewalks at least 6 feet in width shall be provided along all sides of the lot that abut a public street (State route/highway), and a continuous internal pedestrian walkway must be provided from the perimeter public sidewalk to the principal customer entrance. This internal walkway must feature landscaping, benches, and other such materials/facilities for no less than 50 percent of its length.
- b. Internal pedestrian walkways must provide a weather protection feature such as an awning within 50 feet of all customer entrances.
- c. The internal pedestrian walkways must be distinguished from driving surfaces through the use of special pavers, bricks, or scored concrete to enhance pedestrian safety and the attractiveness of the walkways.
- d. The commission may waive compliance with this sub-section if because of terrain, ledge, and extreme vertical discontinuation will not improve pedestrian flow and such facility is located in an IP-1 Zone situated southerly of Route I-395, westerly of Connecticut Route 12 easterly of

the South Burnham Highway, and northeasterly of Mell Road.

10.14 Accessory Uses and Structures. No accessory use shall be made nor accessory structure erected prior to the construction of the principal building or establishment of the principal use. Agricultural uses and structures are considered principal uses and structures, but agricultural structures shall be treated as accessory structures for the purpose of determining yard requirements.

10.14.1 Location. Accessory structures may not be located within the required front yard, side and rear yards, except as stated in Section 8.4.1 a thru d. Accessory uses and structures shall be located on the same lot as the principal structure or use to which they are accessory.

10.14.2 Attachment to Buildings. A structure attached to the principal building by a covered passageway, or by having a wall or part of a wall in common with it, shall be considered a part of the principal structure.

10.14.3 Customary accessory uses and structures in Residential Zones. The following list is a partial list of acceptable accessory uses and structures that are accessory to a residential use.

- a. Private garages, sheds, doghouses, greenhouses, or other detached structures associated with residential use.
- b. Signs, subject to the requirements of Sec. 15.
- c. Radio and television reception equipment, including satellite dishes for private use-non commercial smaller than 36 inches in diameter.
- d. Swimming pools.
- e. Outside storage of vehicles, camp trailers, recreational motor homes, boats, equipment or miscellaneous materials considered accessory to residential use, provided the following conditions are met.
 - 1. Such storage shall not constitute a junkyard.
 - 2. Such storage is of a scope and nature clearly accessory to the residential use.
 - 3. Such storage shall not be located within the front yard.
 - 4. No more than one unregistered vehicle or one unregistered camp trailer or recreational home on a lot.
 - 5. Outside storage of miscellaneous materials shall occupy no more than 200 contiguous square feet of the lot.
 - 6. Trailers while stored shall not be occupied, inhabited, or used for sleeping purposes.
 - 7. Trailers while stored shall be kept at all times in a safe and sanitary condition.

10.15 Special Flood Hazard Area Regulations

10.15.1 Intent - It is the intent of these Regulations to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- a. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- b. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damages at the time of initial construction;
- c. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
- d. Control filling, grading, dredging and other development which may increase erosion or flood damage;
- e. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

10.15.2 Objectives - The objectives of these Regulations are:

- a. To protect human life and health;
- b. To minimize expenditure of public money for costly flood control projects;
- c. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d. To minimize prolonged business interruptions;
- e. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- f. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas;
- g. To insure that potential home buyers are notified that property is in a flood area.

10.15.3 Definitions - Unless specifically defined below, words or phrases used in this section shall be interpreted as to give them the meaning they have in common usage and to give these Regulations the most reasonable application.

Base Flood: A flood having a one percent chance of being equaled or exceeded in any given year.

Basement: That portion of a building having its floor subgrade (below ground level) on all sides.

Development: Any man-made 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, or permanent storage of materials.

Elevated Building: A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (post and piers), shear walls, or breakaway walls.

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal water; or, the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Boundary and Floodway Map: An official map of a community, issued by the Federal Emergency Management Agency, on which the boundaries of the 100 year flood, 500 year flood, and floodway have been delineated.

Flood Insurance Rate Map (FIRM): An official map of a community on which the Federal Emergency Management Agency has delineated both the Areas of Special Flood Hazard and the applicable risk premium zones.

Flood Insurance Study: The official report by the Federal Emergency Management Agency, containing flood profiles, the water surface elevation of the base flood, and other flood data.

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.

Floor: The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Functionally Dependent Facility: A facility which cannot be used for its intended purpose unless it is located in close proximity to water, such as a dock facility necessary for the loading and unloading of cargo or passengers. The term does not include long-term storage, manufacture, sale or service facilities.

Highest Adjacent Grade: The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

Lowest Floor: The lowest floor of the lowest enclosed area, including basement.

Incremental Fill: Fill, including any material or structure used for the purpose of changing the elevation or contour of property subject to these Regulations or which would have the effect of displacing water or flood storage capacity of the property, proposed to be brought onto the property or deposited, erected or developed on such property. Shifting of existing contours without the addition of new fill from off site and which does not reduce the existing flood storage capacity of the subject property shall not be considered incremental fill.

Manufactured Home: A structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes recreational vehicles, park vehicles, or travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and

intended to be improved property.

Mean Sea Level: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

National Geodetic Vertical Datum: As corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

New Construction: Structures for which the "start of construction" commenced on or after January 22, 1982 and includes any subsequent improvements to such structures.

Recreational Vehicle: A vehicle which is: built on a single chassis; 400 square feet or less when measured at the largest horizontal projections; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Special Flood Hazard Area: The area within a community subject to a one percent or greater chance of flooding in any given year, as identified on the community's FIRM.

Start of Construction: includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. Should the permittee fail to commence work within this time frame, a new permit shall be required. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction 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 and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for construction or 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.

Structure: A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or man-made facilities or infrastructures.

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement: Any combination of repairs, reconstruction, alterations or improvements to a structure taking place during a one year period in which the cumulative costs equals or exceeds fifty percent of the market value of the structure. The market value of the structure should be: (a) the appraised value of the structure prior to the start of the initial repair or improvement, or (b) in the case of damage, the

value of the structure prior to the damage occurring. For the purpose of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

Variance: A grant of relief from the requirements of these Regulations which permits activities and construction otherwise prohibited by these Regulations where specific enforcement would result in unnecessary hardship.

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 floodplains of riverine areas.

10.15.4 General Provisions

- a. Applicability: These Regulations shall apply to all areas of flood prone zone within the jurisdiction of the Town of Lisbon.
- b. Basis for Establishing the Special Flood Hazard Areas: The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Insurance Study of the Town of Lisbon of February 15, 1984, with accompanying FIRM and floodway maps and other supporting data, and any revision thereto, are adopted by reference and declared to be a part of these Regulations.
- c. Issuance of the Zoning Permit and Certificate of Zoning Compliance. Neither a zoning permit nor a Certificate of Zoning Compliance shall be issued unless the applicant has successfully demonstrated that the proposed or completed activity is in compliance with the requirements of this Section and other applicable Regulations.
- d. Permit Expiration. Permits issued under the jurisdiction of Section 10 of these Regulations shall expire if actual construction of a permitted structure does not commence within 180 days of the permit approval date.
- e. Abrogations and Greater Restrictions. These Regulations are not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where these Regulations and other ordinances, easements, covenants or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- f. Interpretation. In the interpretation and application of these Regulations all provisions shall be considered as minimum requirements; liberally construed in favor of the governing body; deemed neither to limit nor repeal any other powers granted under state statutes.
- g. Warning and Disclaimer of Liability. The degree of flood protection required by this ordinance is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the special flood hazard areas

or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Town of Lisbon or any officer or employee thereof for any flood damages that result from reliance on these Regulations or any administrative decision made thereunder.

10.15.5 Uses in Flood Zone. Construction, reconstruction, extension of any building or structure, or any other development, including but not limited to mining, dredging, filling, grading, paving, excavation or drilling operations shall be prohibited in the Special Flood Hazard Area, except in conformance with these Regulations. Permitted uses as identified in these Regulations are allowed in the flood zone provided they meet the additional requirements of this Section. Such uses may also be subject to the approval of other federal or state agencies.

10.15.6 Administration

- a. Designation of Administrator. The Zoning Enforcement Officer (ZEO) shall administer and implement the provisions of these Regulations. The ZEO may seek assistance and advice from qualified professionals in reviewing and evaluating any application.
- b. Application.
 1. Permit Procedures. Prior to the issuance of any applicable permits and commencement of development within any special flood hazard area, the applicant shall provide information which shows that any proposed building sites will be reasonably safe from flooding and that the requirements of this Section have been satisfied. The ZEO may require that the applicant submit additional information as needed to determine compliance with these Regulations.
 2. Certification of Plans. Where required under this Section, a registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Section. Such certification must be provided to the Zoning Enforcement Officer.
 3. Establishment of Flood Area Boundaries.
 - a. The Zoning Enforcement Officer shall obtain, review, and reasonably utilize any base flood elevation or floodway data available from Federal, State, or other sources in order to administer these regulations.
 - b. The Zoning Enforcement Officer shall make the necessary interpretation, where needed, as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).
 4. Notification of Other Agencies. The Zoning Enforcement Officer shall notify adjacent communities and the Connecticut

Department of Environmental Protection, Inland Water Resources Division, prior to any alteration or relocation of a watercourse, and evidence of such notification shall be sent to the Federal Emergency Management Agency. Maintenance shall be provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

5. Records Maintenance. The Zoning Enforcement Officer shall record and maintain: a) the as-built elevation of the lowest floor (including basement) of all new or substantially improved structures; b) the elevation to which the new or substantially improved structures have been flood-proofed; c) certification as to floodway heights; d) any and all certifications required under these Regulations; e) all records pertaining to the provisions of this section.

10.15.7 Development Standards

The following standards must be satisfied for any application for development to be approved:

a. General Standards.

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
2. New construction and substantial improvements shall be constructed with materials resistant to flood damage.
3. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
4. All new construction and substantial improvements to structures shall be constructed to ensure that electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
5. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters.
7. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
8. In any portion of a watercourse which is altered or re-located the flood carrying capacity shall be maintained.

b. Specific Standards. In all Special Flood Hazard Areas A1-30, AE, and

AH zones where base flood elevation data has been provided, the following standards shall apply in addition to the General Standards above.

1. Residential Construction. New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the base flood elevation.
2. Manufactured Homes. These shall be elevated so that the lowest floor is above the base flood elevation and placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement, and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties.
3. Non-residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential structure located in the A Zone shall have the lowest floor, including basement, elevated above the base flood elevation. Non-residential structures located in all A Zones may be flood-proofed in lieu of being elevated provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection. Such certification shall be provided to the Zoning Enforcement Officer.
4. Floodways. Located within special flood hazard areas are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris and potential projectiles and have erosion potential, no encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge. Fences located in the floodway must be aligned with the flow and be of an open design.
- . Increase in Base Flood Elevation. A permit may be given which allows encroachments resulting in increase in base flood elevations only if the community first obtains a conditional floodway revision by meeting the requirements of C.F.R. 44, Chapter 1, Subsection 65.12.

- c. Standards for Streams Without Established Base Flood Elevations, Floodways, and/or Flood Mapping
1. The Zoning Enforcement Officer shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, including data developed pursuant to the Lisbon Subdivision Regulations as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Community's FIRM meet the standards of these Regulations.
 2. In A zones where base flood elevations have been determined but before a floodway is designated, no new construction, substantial improvement, or other development (including fill) shall be permitted which will increase base flood elevations more than one foot at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.
 3. The Zoning Enforcement Officer may require that the applicant submit floodway data for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source (in response to the Town's request or not), the Town shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one foot at any point along the watercourse.

10.15.8 Variance of Section 10.15

The Zoning Board of Appeals shall hear and decide appeals and requests for variances from the requirements of these this Section 10.15. The Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance and the items listed below. Upon consideration of these factors and the purposes of these Regulations, the ZBA may attach such conditions to the granting of variances as it deems necessary to further the purposes of these Regulations.

The Zoning Enforcement Officer shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

a. General Considerations for Granting Variances

1. The danger that materials may be swept onto other lands to the injury of others.
2. The danger to life and property due to flooding or erosion damage.
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.

4. The importance of the services provided by the proposed facility to the community.
 5. The necessity of the facility to waterfront location, in the case of a functionally dependent facility.
 6. The availability of alternative locations which are not subject to flooding or erosion damage for the proposed use.
 7. The compatibility of the proposed use with existing and anticipated development.
 8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
 9. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site.
 11. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.
 12. Potential for pollution of waters or contamination of soils.
- b. Floodway Prohibition. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- c. Specific Variance Situations
1. Historic Structures. Variances may be issued for the reconstruction or restoration of structures on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this section. No renovations or alterations may be made to an historical structure without due consideration and effort to incorporate design concepts which, while preserving the historical character of the building, will also serve to reduce the potential for future flood damage and threat to human life and property.
 2. Functionally Dependent Uses. Variances may be issued for new construction and substantial improvement and other development necessary for the conduct of a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage, creates no additional threat to public safety and meets the requirements of Section 10.15.8.d. Criteria for Variances.
- d. Criteria for Variances Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary as not to destroy the historic character and result in the loss of historic

designation of the building. In addition, variances shall only be issued upon:

1. A showing of good and sufficient cause.
2. A determination that failure to grant the variance would result in exceptional hardship.
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create a nuisance, cause fraud or victimization of the public, or conflict with existing local laws or Regulations.
4. Only hardships which are based on unusual physical characteristics of the property in question, characteristics which are not shared by adjacent parcels, shall qualify to meet subsection 2 above. Claims of hardship based on the structure, on economic or on personal circumstances are not sufficient cause for the granting of a variance under these Regulations.

10.16 Soil Erosion and Sediment Control Plans. A soil erosion and sediment control plan shall be submitted with any application for development, or before any activity is undertaken on a lot or parcel, when the disturbed area of such development or activity is or would be cumulatively more than one half acre. The soil erosion and sediment control plan shall contain proper provisions to adequately control stormwater runoff on the site based on the best available technology. Such principles, methods and practices are found in the "Connecticut Guidelines for Soil Erosion and Sediment Control" (1985 and as amended), available from the Natural Resources Center of the Connecticut Department of Environmental Protection. Alternative principles, methods and practices may be used with prior approval of the Commission.

10.16.1 Requirements of the Plan. Such plan shall include, at a minimum:

- a. A narrative description, including:
 1. A sequence of all proposed activities, with reference to all areas to be disturbed and their temporary and final stabilization. Such sequence shall commence with an on site pre-activity meeting between operator or contractor and Staff and shall conclude with maintenance of final stabilized surfaces.
 2. Detail of the methods by which erosion will be controlled at all stages of the proposed development or activity.
 3. The design specifications, including construction details and installation and/or application procedures for erosion control and storm water management.
 4. Detailed specifications for final surface stabilization, whether vegetative or other.
 5. Methods by which the implementation of such plan will be verified to the Town. Such verification shall commence in the planning stage, prior to commencement of activity on site, and conclude with final maintenance.

- b. A map, with scale of no more than forty feet to one inch (40 ft. = 1 inch) showing:
1. Location of boundaries.
 2. Existing and proposed topography, with contour intervals not to exceed two feet.
 3. Soil types, wetlands and watercourses, existing and proposed drainage, including identification of storm- water discharges from site and receiving waterbodies or discharge areas, even if such waterbodies or areas are offsite.
 4. Existing and proposed structures, utilities, roads.
 5. Limits of proposed disturbance.
 6. Location and design details of all proposed soil erosion and stormwater management controls.
 7. Any other information deemed necessary by the applicant or requested by the Commission or its agent.

10.16.2 Presentation of Plan. The narrative may be included on the map if room allows it without affecting the readability of the map. Such plan may be included on a site plan as required in Section 12 as long as the readability of the site plan is not affected.

10.16.3 Preparation of Plan. The sediment and erosion control plan shall be prepared, signed and sealed by a Connecticut Registered Professional Engineer.

10.16.4 Certification of Plan. The Planning and Zoning Commission shall vote to certify or modify and certify such plan if it determines that the plan complies with the requirements and objectives of these Regulations for soil erosion and sediment control. Prior to such certification, any plan submitted to the Commission may be sent for review by the New London County Soil and Water Conservation District, which may make recommendations concerning such plan, provided such review shall be completed within thirty days of the receipt of such plan.

10.16.5 Surety. The estimated costs of measures required to control erosion and sedimentation, as specified in the certified plan, shall be submitted in detailed form by the applicant. Such estimate shall include the cost of materials and labor, including the cost of ongoing maintenance during the activity and of inspection of such controls. The cost estimate is subject to review and approval by Town staff. The approved estimate shall be the basis for establishment of a performance surety. Such surety shall be at least partly or wholly in the form of cash, as determined by the Commission or its agent. Such surety shall be posted prior to any disturbance of the site.

10.16.6 Compliance with Plan. Municipal inspections throughout the period of activity shall ensure compliance with the certified plan, that the control measures are adequately installed and maintained, and that such measures are effective. The Commission or its Agent may require the applicant to submit soil and erosion control reports verifying that control measures are functioning adequately. The Commission may establish a schedule for submission of such reports and shall

reserve the right to require that a professional engineer prepare such reports.

10.16.7 Modification of Plan. Such certified plan shall be implemented as approved. However, where field conditions warrant, modifications may be made upon prior approval of the Zoning Enforcement Officer. The Zoning Enforcement Officer or other designated agent of the Commission shall have the authority to require additional or different erosion control measures if those previously approved are found to be inadequate. The Commission or its Agent may require such modification be prepared by a Professional Engineer.

10.17 Wireless Telecommunication Facilities - General Requirements. The purpose of this Section is to provide for the location of wireless communication towers, antennas and facilities while protecting neighborhoods and minimizing the adverse visual and operational effects through careful design, siting and screening. This section is consistent with the Telecommunications Act of 1996 in that it does not discriminate among providers of functionally equivalent services, prohibit or have the effect of prohibiting the provision of personal wireless services, or regulate the placement, construction, and modification of personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with FCC regulations concerning such emissions. More specifically, the telecommunication purposes are:

- To encourage use of nonresidential buildings and structures, such as water storage tanks.
- To encourage joint use of new or any existing towers and facilities.
- To avoid potential damage to adjacent properties from tower failure through engineering and careful siting of towers.
- To accommodate the need for wireless communication towers and antennas while regulating their location and number.
- To protect historic and residential areas from potential adverse impacts of wireless communication facilities.
- To encourage suitable design measures to minimize adverse visual effects of wireless communication facilities.
- To reduce the number of towers and/or antennas needed in the future.
- To encourage the use of municipally owned sites and facilities.

For the purpose of this Section of these Regulations, certain words or terms are defined as follows:

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

Co-location: Locating wireless communication facilities of more than one provider on a single site.

Tower: A structure intended to support equipment used to receive or transmit electromagnetic waves. Examples of towers include self-supporting lattice, guyed, and monopole.

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

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

10.17.1 The Commission encourages the use of municipally owned sites and facilities. The general order of preference for alternative wireless telecommunication facility locations shall range from (a.) as the most preferred to (f.) the least

preferred:

- a. An existing structures such as nonresidential buildings/facades, water towers/tanks, utility poles, steeples, clock or bell towers, billboards, chimneys, bridges, and silos.
- b. On existing or approved towers.
- c. On new towers located on property occupied by one or more existing towers.
- d. On new towers located in industrial zones.
- e. On new towers in commercial-industrial or commercial zones.
- f. On new towers located in residential zones.

10.17.2 All applications to develop a wireless telecommunications facility as a permitted use or special permit shall meet the site plan requirements listed in Section 12 of these Regulations. In addition, the following information shall be submitted for each application where applicable. The Commission may require independent engineering/technical review of submitted materials at the applicant's expense.

- a. A map indicating the service area of the proposed wireless telecommunications site. A map indicating the extent of the providers's existing, if any, and planned coverage within Lisbon, and a map indicating the search radius for the proposed wireless telecommunications site, including the location of tall structures within one quarter mile of the proposed site.
- b. A report from a licensed telecommunication systems engineer indicating why the proposed site location is necessary to satisfy its function in the applicant's proposed wireless telecommunications system.
- c. A plan showing where and how the proposed antenna will be affixed to a particular building or structure.
- d. Details of all proposed antenna and mounting equipment including size and color.
- e. Elevations of all proposed shielding and details of material including color.
- f. An elevation of all proposed equipment buildings, boxes or cabinets. Details of all proposed fencing including color.
- g. Tower base elevation and height of tower.
- h. A design drawing, including cross section and elevation, of all proposed towers. A description of the tower's capacity, including the number and type of antennas it can accommodate as well as the proposed location of all mounting positions for co-located antennas and the minimum separating distances between antennas. The design shall indicate how the tower will collapse without encroaching upon any adjoining property if failure occurs.
- i. A report from a licensed telecommunication systems engineer indicating that the proposed wireless telecommunication facility will comply with FCC radio frequency emission standards and that the installation will not interfere with public safety communications.
- j. All proposed landscaping, if appropriate, with a list of plant materials.
- k. Proposed access to the site.

10.17.3 All wireless telecommunication facilities where the antenna is mounted to an existing nonresidential building or structure shall meet these standards:

- a. No change is made to the height of the building or structure.
- b. Panel antennas shall not exceed sixty inches in height by twenty-four inches in width; whip antennas shall not exceed forty-eight inches in height; and dish antennas shall not exceed thirty-six inches in diameter.
- c. Equipment cabinets and sheds shall meet the requirements of Section 10.17.7 of these Regulations.
- d. Facilities shall be of a material or color which matches the exterior of the building or structure, and shall blend into the existing architecture to the extent possible.
- e. Facade mounted antennas shall not protrude above the building structure and shall not project more than three feet beyond the wall or facade.
- f. Roof mounted antennas shall not exceed the highest point of the rooftop by more than ten feet.
- g. Roof mounted antennas shall be set back from the roof edge a minimum of ten feet or ten percent of the roof width, whichever is greater.
- h. Roof mounted antennas shall not occupy more than 25 percent of the roof area in residential zones, and 50 percent in all other zones.

10.17.4 All wireless telecommunication facilities where a tower is to be located on property occupied by one or more existing towers shall meet the following standards:

- a. The height of the tower to be erected shall not exceed the height of the tallest tower on the property.
- b. If the applicant is proposing a new tower, the applicant must demonstrate that reasonable efforts were made to secure a suitable location on an existing tower but that no such location could reasonably be secured.
- c. Equipment cabinets and sheds shall meet the requirements of Section 10.17.7 of these Regulations.

10.17.5 All wireless telecommunication facilities shall meet the following standards where applicable:

- a. The tower and/or antenna shall be erected to the minimum height necessary to satisfy the technical requirements of the telecommunications facility. Documentation of the minimum height needed, prepared by a licensed telecommunication systems engineer, shall accompany an application. The Commission may require the submission of propagation modeling results to facilitate its review of tower height.
- b. A tower must comply with the setback requirements of the zone in which it is located, or shall be setback from all property lines a distance equal to the height of the tower plus 50 feet, which ever is greater. In addition, a tower shall be at least a distance equal to its height plus 50 feet from the boundary of any easement created for such facility. All utilities to and from such a facility shall be installed underground.
- c. A telecommunications facility may be considered as either a principal or

accessory use. The minimum lot area for the construction of a new tower shall be that of the zone in which it is located. More than one tower on a lot may be permitted if all setbacks, design, and landscape requirements are met for each tower. A telecommunications facility may be located on leased land as long as there is adequate ingress and egress to the site for service vehicles, and such access is documented in a deed easement presented to the Commission.

- d. All towers in residential zones shall be a monopole design unless it is contained and/or attached to an existing structure and approved by the Commission. The Commission may require that a monopole be designed and treated with architectural materials so that it is camouflaged to resemble a woody tree with a single trunk and branches on its upper part, or other suitable art form/sculpture as determined by the Commission.
- e. Towers not requiring FAA paintings or markings shall be painted a non-contrasting blue, gray, or other neutral color.
 - f. No lights or illumination shall be permitted unless required by the FAA.
 - g. No signs or advertising shall be permitted on any tower or antenna, except no trespassing, warning, and ownership signs are permitted at ground level.
 - h. The proposed support structure shall be required to accommodate a minimum of three users unless it is determined to be technically unfeasible based upon information submitted by the applicant and verified by the Commission. These users shall include other wireless communication companies, and local police, fire, and ambulance companies.
 - i. A proposed tower shall be designed and constructed to all applicable standards of the American National Standards Institutes, as amended.
 - j. The Commission may require the use of Section 16-50aa of the Connecticut General Statutes to promote tower sharing.
 - k. For any zoning or special permit issued for a telecommunications facility, the permit holder shall exercise good faith in allowing future providers to co-locate or share space on the site, provided that such shared use does not impair the technical level or quality of service.

10.17.6 In addition to other appropriate review standards found in these Regulations, the Commission, in reviewing applications for wireless telecommunication facilities, shall consider:

- a. Detailed analysis of alternative sites, structures, access, and antennas as provided by the applicant. Particular attention will be placed upon the sitting preferences found in Section 10.17.1 of these Regulations.
- b. Detailed propagation and antenna separation analysis relative to tower height.
- c. Owner sharing or co-location to facilitate the telecommunication needs of municipalities and other entities in order to reduce the need to construct additional towers. The Commission reserves the right to require the applicant to utilize the provisions of Section 16-50aa of the Connecticut General Statutes to achieve tower sharing.
- d. Assessment of tower structure type.
- e. Assessment of design characteristics/architectural treatments that

- mitigate, reduce or eliminate visual impacts on adjacent areas.
- f. If located on a property listed on the National Register of Historic Places, preservation of the historic and /or architectural character of the landscape or any structure.
- g. Consideration of future use or re-use of the site, with provisions for facility removal and site restoration.

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

- a. Each building shall not contain more than 150 square feet of gross floor area or be more than eight feet in height.
- b. Each building shall comply with the setback requirements for accessory buildings for the zoning district in which it is located.
- c. If a structure is to be located on the roof of a building, it shall be designed to blend with the color and design of the building to the extent possible.
- d. All ground level buildings, boxes, or cabinets shall be surrounded by a chain link or comparable fence and shall be surrounded by a buffer area 15 feet in width satisfying the landscaping/planting material requirements of Section 14 of these Regulations.

10.17.8 Abandonment: A wireless telecommunication facility not in use for 12 consecutive months shall be removed by the facility owner at the owner's expense. This removal shall occur within 90 days of the end of such 12-month period. The Commission may require a bond or other surety satisfactory to the Town of Lisbon, to guarantee removal, which shall be reviewed and renewed every two years. If there are two or more users of a single tower, this provision shall not become effective until all users cease utilizing the tower.

10.18 Wireless Telecommunication Facilities - Special Regulations. In addition to the general requirements of Section 10.17 above, such uses shall meet the following requirements:

10.18.1 A view shed analysis showing all areas from which the tower would be visible, and if requested by the Commission, a simulation of the proposed site in order to help the Commission determine the visual impacts associated with the proposal.

10.18.2 Documentation prepared by a licensed telecommunications systems engineer that no existing or planned tower or other structure can accommodate the applicant's antenna. For tall structures located within one quarter mile radius of the proposed site, documentation that the owners of these locations have been contacted and have denied permission to install the antenna on these structures for other than economic reasons.

10.18.3 Proximity of the tower to residential structures.

10.18.4 Nature of uses on adjacent and nearby properties within 1,000 feet.

10.18.5 Surrounding topography within 1,000 feet at contour intervals not exceeding ten

feet.

10.18.6 Design of the tower with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.

10.19 Golf Course Development. The purpose of this subsection to provide for the development of well planned and environmentally sensitive, public, semi-private or private golf courses and related accessory uses that meet the following conditions:

- A. Designed, constructed and operated to be in harmony with Lisbon's rural character and residential neighborhoods.
- B. Preserve and protect Lisbon's historic resources such as historic sites and stone walls.
- C. Protect natural resources such as prominent geological features, scenic views, wetlands, watercourses and important habitat including wildlife species of critical federal, state and/or regional concern.
- D. Provide local recreational opportunities.
- E. Contribute to the economic development of Lisbon.

10.19.1 Accessory Uses. The following uses may be included as accessory to and part of a Golf Course Development property provided they are designed, maintained, and operated in accordance with these regulations.

- a. Clubhouse with locker room and shower accommodations shall be limited to 4,000 square feet of public area per 9 holes.
- b. Restaurant and/or snack bar with sale of alcoholic beverages shall be limited to 1,500 square feet of public area per 9 holes.
- c. Pro shop with retail sales of golf related merchandise shall be limited to 1,000 square feet of public area per 9 holes.
- d. Maintenance, operations and storage buildings, including golf cart maintenance and storage buildings, including golf car maintenance and storage shall be limited to 3,000 square feet per 9 holes.
- e. Golf practice facilities, including a practice range and putting greens. Practice range shall be limited to 20 tee boxes per nine holes.
- f. Gate house or entrance structure.

10.19.2 Land Requirements. The Golf Course Development shall comply with the following requirements:

- a. Property Size. The minimum contiguous acreage of a Golf Course Development property shall be 50 acres for each 9 hole golf course. The acreage shall be considered to be contiguous even if separated by public road.

- 1. Minimum yardage for a nine hole golf course shall be 2,400

yards.

- b. Impervious Surface. Total impervious surface shall not exceed 35% of the land area of the Golf Course Development property.
- c. Setbacks. No buildings, except open shelters, utility sheds or entrance structures, shall be constructed within 80 feet of the Golf Course Development property boundary line, except that the commission may approve a lesser setback distance after a finding of special circumstances that makes the 80 foot setback impractical or unnecessary.
- d. General Buffers. A minimum 15 foot deep buffer area of undisturbed vegetation and trees shall be retained along property boundary lines and public roads.
- e. Residential Buffers. Where the abutting lot contains a residential dwelling at the time of application for the Golf Course Development, the depth of the buffer area shall be a minimum of 100 feet from any residential lot line.

10.19.3 Roadways and Parking Lots.

- a. All roadways and parking lots within the Golf Course Development property shall be privately owned and privately maintained; with the exception of any public roads which may pass through the development.
- b. Roadways and parking lots shall be designed and constructed in accordance with Section 13.

10.19.4 Structure Height. Maximum buildings height will be in accordance with Section 8.7.

10.19.5 Parking Requirements. Six parking spaces shall be provided for each golf course hole. The Applicant shall also demonstrate that sufficient additional parking spaces are provided for all accessory uses.

10.19.6 Future Development. The applicant may designate and segregate areas within the Golf Course Development property for future improvements or expansion, such development shall comply with these regulations.

10.19.7 Site Plan. An applicant for Golf Course Development shall submit a site plan in accordance with the requirements of Section 12 and all other applicable sections of the Regulations.

10.19.8 Outdoor Lighting. All outdoor lighting within the Golf Course Development property shall comply with Section 12.6.11 and shall be shown on the site plan.

10.19.9 Signs. All signs shall comply with Section 15.

10.19.10 Golf Course Operations. Hours of operation shall not exceed the following:

- a. Golf course and practice range - 6:00 a.m. to 9:00 p.m.
- b. Maintenance operations - 5:00 a.m. to 7:00 p.m.

- c. Clubhouse with snack bar - 6:00 a.m. to 12:00 midnight.
- d. Restaurant - 11:00 a.m. to 12:00 midnight.
- e. Pro Shop - 5:00 a.m. to 10:00 p.m.

10.19.11 Environmental Management The Golf Course Development project must meet all applicable regulations for the Town of Lisbon as outlined in Section 4.2 of the Inland Wetland and Watercourse Regulations for the Town of Lisbon. A Best Management Practices Document for the overall management of the Facility should be submitted and reviewed as part of the application process. A copy of this document shall be kept on file at the Town of Lisbon Building Department, and the Facility.

10.20 Farm Wineries

10.20.1 Definitions and Standards. A farm winery shall be any place or premises located on a farm that includes at least five (5) acres of vineyards, in which wine is manufactured and sold. Wine shall mean any alcoholic beverage obtained by the fermentation of the natural sugar content of fruits, such as grapes or apples or other agricultural products, containing sugar. A Farm Winery permit issued pursuant hereto shall authorize the sale in bulk by the holder thereof from the premises where the products are manufactured pursuant to such permit and shall authorize the holder thereof to sell from such farm winery premises to a retailer wine manufactured by the farm winery permittee in the original sealed containers of not more than fifteen gallons per container and to sell or deliver such wine or brandy to persons outside the state. A Farm Winery permit issued hereunder shall also authorize: (1) The offering and tasting of free samples of such wine or brandy to visitors and prospective retail customers for consumption on the premises of the farm winery permittee; (2) The selling at retail from the premises sealed bottles or other sealed containers of such wine or brandy for consumption off the premises; and (3) The selling at retail from the premises wine by the glass and bottle to visitors on the premises of the farm winery permittee for consumption on the premises. No Farm Winery permitted hereunder may sell any such wine or brandy not manufactured in such winery. The farm winery permittee shall produce within the state an average crop of fruit equal to not less than fifty-one per cent of the fruit used in the manufacture of the farm winery permittee's wine. An average crop shall be defined each year as the average yield of the farm winery permittee's two largest annual crops out of the preceding five years, except that during the first seven years from the date of issuance of a farm winery permit hereunder, an average crop shall be defined as three tons of grapes for each acre of vineyard farmed by the farm winery permittee. A Farm Winery permitted hereunder shall be subject to the requirements of Section 10.9.3 of these Regulations. (4) To make and sell gelato on the premises in small batches for individual sales at an amount not to exceed thirty (30) gallons.

10.21 Farm Winery Cafes

10.21.1 Intent. To allow the sale and service of food prepared and to be consumed and/or the accommodation of special group events such as weddings to be held on the site of a Farm Winery. Such activities are to be a complement and

secondary to a farm winery use.

10.21.2 Definition. A Farm Winery Café shall be a use incidental, complementary and secondary to a Farm Winery permitted by or legally existing prior to the adoption of Section 10.20 of these regulations. A Farm Winery Café shall be conducted in a permanent building in which hot and cold food can be prepared and served to members of the public seated indoors and/or on a patio area adjoining the building. A Farm Winery Café shall accommodate a maximum of fifty (50) persons seated or standing indoors and fifty (50) persons seated or standing outdoors on a patio area at any one time (for a total of 100 persons seated or standing). Under no circumstances shall be space be occupied by more than 100 persons, with the exception of staff allowed by these regulations. A Farm Winery Café may also conduct special events, such as dinners, luncheons, weddings, corporate parties and/or teas, provided that the service of food and/or wine at such special events shall occur solely on the indoor and/or outdoor seating area described herein. The café (both the indoors and the patio portion) shall be closed to the general public while any such special event is going on. No more than 10 events may be held per year. An event constitutes any portion of a day, where a day is defined by the hours of operation stated in these regulations, where the Farm Winery Café is closed to the general public, as required within this Section. Only wine manufactured at said Farm Winery and food prepared in said Farm Winery Café shall be served at said café and/or such special events. No other alcoholic beverage may be served or consumed on the permit premises in connection with the Farm Winery use, events commonly referred to as BYOB are strictly prohibited.

10.21.3 Standards.

- a. The Farm Winery Café must be located on a single parcel of land on which the Farm Winery is also located and said parcel shall be a minimum of 38 acres.
- b. The maximum hours of operation of a Farm Winery Café shall be 10:00 a.m. to 8:00 p.m. Tuesday through Saturday and 11:00 a.m. through 8:00 p.m. Sunday.
- c. A Farm Winery Café shall have no more than a total of six (6) employees, not counting the owners of the permitted establishment.
- d. Only the wine manufactured by the farm winery shall be sold and/or consumed on the premises as part of the farm winery café use, and said Farm Winery Café shall not be open to the public for any purpose permitted hereunder unless it has wine manufactured by its farm winery available for sale and/or consumption on the premises.
- e. The Applicant shall submit a written request to the Lisbon Health Director for comment on the compliance of the proposed use with all pertinent provisions of the Public Health Code. A copy of such written request shall be submitted to the Commission as part of the special permit application.

- f. The Applicant shall submit a written request to the Lisbon Fire Marshal for comment on the suitability of any emergency access and fire protection provisions that are to be established in connection with the proposed use. A copy of such written requests shall be submitted to the Commission as part of the special permit application.
- g. The use shall be subject to applicable building codes and approval by the town building official as necessary.
- h. The structure in which food shall be prepared and served indoors shall not exceed 2,500 square feet, including space for entrances, egress, storage and cooking facilities. The associated outdoor patio space shall not exceed an additional 1,200 square feet. Any such patio shall be designed as an integral part of the indoor café space and it shall be consistent in appearance with the indoor structures and facilities. Such a patio may have an overhead covering such as an awning provided the covering is shown as part of the permit application approved by the Commission. Such covering shall only be utilized during periods of inclement weather (i.e. rain) and shall not be utilized as a permanent covering. The indoor and adjoining outdoor patio space shall be designed by a licensed architect.
- i. To the maximum extent possible consistent with good planning for the use of the site, parking lots shall be located in areas on the site where they will be the least visible from access roads and adjoining properties.
- j. All refuse areas shall be screened from view from offsite and shall be no closer than twenty feet to any property line or one hundred feet from any dwelling on an adjacent lot. There shall be one parking space per three restaurant seats.
- k. There shall be no more than one sign associated with either or both the Farm Winery and the Farm Winery Café uses.
- l. Sound systems to be used at special events shall not exceed 86 decibels. No outdoor music shall be played before 10:00 a.m. or after 8:00 p.m. Tuesday-Saturday and no outdoor music shall be played before 11:00 a.m. or after 5:00 p.m. on Sunday.
- m. Annual Compliance: The applicant/permit holder shall submit letters from the Town's Zoning Enforcement Officer, Building Official, and Fire Marshall to the Planning and Zoning Commission regarding compliance with the original zoning permit issued by the Planning and Zoning Commission annually. Annual compliance letters shall be submitted one-month prior to the anniversary date of zoning permit for the farm winery cafe. The Commission shall review the letters to determine whether the permit holder is in compliance with the original zoning permit. If the permit holder is found not to be in compliance with the original permit, the permit shall be revoked.

- 10.22 Farm Animals Exhibit Area is a use that shall be accessory to an existing agricultural use involving the raising and keeping of livestock on a bona fide farm.
- 10.22.1 A farm animal's exhibit area shall be open to the public and the operator may charge admission.
- 10.22.2 The bona fide farm on which the farm animals exhibit area is located must consist of not less than thirty-five (35) contiguous acres.
- 10.22.3 A farm animal exhibit area shall be an area within an existing structure, including a barn which area is set aside for the viewing of farm animals.
- 10.22.4 A farm animals exhibit area shall not permit, encourage and/or allow the touching or petting of farm animals and such animals shall be so displayed, shown and/or exhibited so as to prevent such touching and/or petting.
- 10.22.5 A new structure may be erected as an accessory to an existing bona fide farm containing thirty-five (35) contiguous acres provided it satisfies the bulk requirements of section 8 of these regulations.
- 10.22.6 As part of an application for a special permit for a farm animals exhibit area the applicant shall submit a layout of the interior of the building where the animals will be displayed.
- 10.22.7 A farm animals exhibit area shall satisfy the parking requirements of section 13.9.4.b of these regulations provided the surface of such parking area shall not be of a paved material but shall be dust free and surfaced with a non-erodible material.
- 10.22.8 The Commission in granting a special permit may, but need not, require an off street loading berth.

EXHIBIT A

SECTION 11 - SPECIAL PERMITS

- 11.1 Intent. A special permit use is a use which has been identified by these Regulations as appropriate in a particular district only when the proposed use has been planned such that the proposed structures and uses shall be found to:
- 11.1.1 Be arranged and constructed in a manner that protects the health, safety and welfare of the citizens of Lisbon;

- 11.1.2 Be of such character as to harmonize with the neighborhood;
 - 11.1.3 Allow for free flowing traffic;
 - 11.1.4 Preserve and protect natural resources, historic and culturally significant landscapes, and the appearance and beauty of the community.
 - 11.1.5 Be consistent with future development as identified and envisioned in these Regulations and the Lisbon Plan of Conservation and Development.
- 11.2 Applicability. For any activity requiring a special permit as set forth in these Regulations, no land or water areas shall be used, nor uses altered or expanded in space, time, or intensity, nor structures or premises erected, altered, enlarged or used until the Commission grants a special permit or amends a previously granted special permit.
- 11.3 Appropriateness of Use. The proposed use shall be appropriate for the designated location with regard to: the size and intensity of the proposed use, and its relation to existing land uses; the capacity of adjacent and feeder streets to accommodate peak and average traffic volumes, and any special traffic characteristics of the proposed use; the impact of the proposal on public access to light and air; the emission of noise, light, smoke, odor, gas, dust, and/or other offensive emissions; the overall impact on neighborhood property values; the preservation of the character of the neighborhood in terms of scale, density, intensity of use, architectural character, and similar factors; the ability of existing municipal, state, or other services and infrastructure to provide for the needs of the proposed use, including but not limited to: fire and police protection, transportation, water, sewerage, utilities, storm water drainage, schools, and open space.
- 11.4 Uses in, Adjacent to, or Impacting Residential Areas. The Commission shall find that: the location, size, nature, and intensity of the proposed use will not be detrimental to the character of the said residential district or conflict with the vehicular or traffic characteristics of the neighborhood; the location, size, and nature of structures, and extent of site development shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.
- 11.5 General Procedures. Special permits are reviewed and approved by the Planning and Zoning Commission. Upon approval of the special permit, the applicant shall submit a site plan in accordance with Section 11 for approval by the Planning and Zoning Commission, prior to application for a zoning permit from the Zoning Enforcement Officer.
- 11.5.1 Submission and Receipt of Application.
- An application, consisting of:
- a. A completed application form.
 - b. Fee.
 - c. A plan, indicating: a 1000 scale location map, property and zone boundaries; location and height of all buildings and uses; location of all parking and loading areas; location and description of all open spaces; screening and buffers; abutting parcels and owners.
 - d. A site plan per Section 12 of the regulations.
 - e. Renderings and elevations of proposed buildings.
 - f. Additional information as the Commission may require to demonstrate conformity to these Regulations.

Applications shall be submitted to the Zoning Enforcement Officer for receipt by the Planning and Zoning Commission. It is the responsibility of the applicant to provide a complete application, and incompleteness of an application may be grounds for denial.

The procedures specified in the Connecticut General Statutes shall govern the handling of such application with regard to time frames for submission, receipt, and action on such application.

Special permit applications may be submitted by: the owner(s) of the subject property; the prospective purchasers of such property, provided consent of the current owner of record accompanies the application; the lessee of the current owner of record, provided the consent of the owner accompanies the application.

11.5.2 Review and Decision. The Commission shall review each proposed special permit use according to the requirements of this section and other applicable regulations. The Commission shall seek to determine the impact of the proposed building or use on the site and surrounding areas and may require that certain modifications of the plan be made to ensure compliance with the Regulations. The Commission shall consider the impact of the proposed use upon neighboring properties and the Town as a whole. Such uses shall be approved only if the applicant can demonstrate that the proposed activity will conform to these Regulations.

11.5.3 Notification of Abutters by Applicant. Before a public hearing is held on any application for a special permit, the applicant shall present proof that notice has been mailed to each of the property owners of abutting parcels, including parcels across the street. Such ownership and mailing addresses shall be based on current records of the Tax Assessor and said notice shall be mailed, certified mail, return receipt requested, not less than 10 nor more than 30 days before the public hearing.

11.5.4 Endorsement and Filing. Within 90 days of Commission approval, the applicant shall submit to the Zoning Enforcement Officer two sets of final plans, one on mylar and one on paper. Such plans shall be identical to those approved by the Commission, except that they shall incorporate any conditions or modifications required in the Commission approval. Such plans shall be signed and sealed by the surveyor, engineer or other professional who has participated in the preparation of such plans.

If such plans are found to be in accordance with the final approval, the Chairman shall endorse such plans. The endorsed mylar plans shall be filed by the applicant in the Land Records no later than 90 days after the approval by the Commission, except that the Commission may act to extend this filing period for an additional 90 day period upon the request of the applicant.

No special permit shall be effective until a notice of approval, endorsed by the Chairman of the Commission, containing identification of the subject property and description of the approved activity, including conditions attached to such

approval; the section of these Regulations authorizing such activity; and the name of the property owner of record has been filed in the land records of the Town of Lisbon. Prior to filing the notice, any legal documents required as a part of the approval shall be filed in the land records.

SECTION 12 - SITE PLAN REQUIREMENTS

- 12.1 Intent. A site plan is intended to provide the Commission with information necessary to determine that the proposed activity is in compliance with all applicable requirements of these Regulations. It is also intended to provide the Commission with information that will enable it to determine that the proposed buildings and uses shall be arranged in a manner that enhances the health, safety and welfare of the citizens of Lisbon and shall be of such character as to harmonize with the neighborhood, to accomplish a transition in character between the areas of unlike character, to protect property values in the neighborhood, to preserve and protect natural resources and the appearance and beauty of the community and to avoid undue traffic congestion.
- 12.2 Applicability. A site plan shall be submitted with any application for a zoning permit involving uses other than construction or expansion of single-family and two-family dwellings and accessory structures.
- 12.3 Procedures for Submission, Receipt, Decisions. Where a site plan is required, such plan shall be submitted to the Zoning Enforcement Officer for receipt by the Commission. The procedures specified in the Connecticut General Statutes CGS 8-3 shall govern the handling of such application except as otherwise provided in these Regulations.
- 12.4 Site Plan Requirements.
- 12.4.1 Professional Preparation. A site plan shall be prepared by a Connecticut registered professional surveyor, engineer or other appropriate professional. Any site plan involving grading, paving, road construction and drainage work or any municipal improvement shall require the seal of a Connecticut registered professional engineer. At the minimum, a scale plan shall be provided and is not subject to waiver.
- 12.4.2 Elements of the Required Plan. The following shall be provided on a 24 x 36 inch plan, with scale of 1" = 40'.
- a. Name and address of owner of record, address of property, name of applicant.
 - b. North arrow, scale, name of person preparing plan, date of drawing, any revision dates with description of revisions.
 - c. Property boundaries, dimensions, and area.
 - d. Dimensions of all yards, as required by these Regulations.
 - e. Existing and proposed contour lines at intervals of no more than two feet (T-2 or T-3 accuracy). Topography taken from USGS Quadrangle interpolation is not acceptable. The Commission may required the applicant to submit design drawing(s) including cross sections and elevation, of all proposed activity.

- f. Locations and specifications of all existing and proposed structures and uses including, but not limited to, buildings, stonewalls, fences, sidewalks, driveways, parking and loading areas, exterior storage areas, signs, abutting streets, utility structures, and hydrants. A rendering of any proposed building shall be supplied, with siding materials specified (front, side, and rear elevations shall also be shown)
- g. Locations and descriptions of water supply and sewage disposal facilities, including test pit data.
- h. A storm drainage plan which includes necessary calculations and existing and proposed drainage structures on the site and those off-site that may be affected by the proposed activity. Post-development and pre-development calculations should be submitted.
- i. Location of wetlands and watercourses and wetlands buffer, with the signature of the soil scientist who identified such features. All wetlands shall be field located.
- j. A landscape plan prepared by a professional landscape architect (i.e., American Association of Landscape Architects, ASLA), including the planting, location and species to be used, the ground cover and surface treatments proposed, and identification of the types and location of existing vegetation to remain in place on the site. The number, location and size of the landscaping material shall be as required by Section 14.
- k. Zone of site and of all property within 500 feet.
- l. Names and addresses of current owners of property within five hundred feet of the parcel as shown in Assessor's records including properties across from any street/road, river, and/or municipal boundary.
- m. Identification of any easements and deed restrictions affecting the property.
- n. Flood Hazard areas, as shown on FEMA maps.
- o. Sight line information at proposed driveway cut(s).
- p. Indication that plans have been submitted to DOT for review or that review is not required.
- q. Lighting plan.
- r. Any other information deemed necessary by the Commission to determine compliance with these Regulations. The Commission may require evaluation reports by Commission-approved independent professionals and other experts, including and not limited to: traffic engineers, hydrologists, soil scientists, geologists.

12.5 Waiver of Requirements. Upon written request of the applicant, the Commission may waive, by three-quarters vote of members present and voting, one or more of the above requirements of Sections 12.4 if the applicant can demonstrate that the information is not needed to reach a decision on the application.

12.6 Site Plan Standards. In its review of a site plan, the Commission shall consider the following:

12.6.1 Complete Application. The submission shall contain an application including plans and information as required by this Section and all applicable Sections, as well as any requirements provided in the application form. Information shall be presented with sufficient clarity and detail to enable the Commission to understand it and determine compliance. It is the responsibility of the applicant

to provide a complete application, and failure to do so is grounds for denial of the application.

- 12.6.2 Compliance with Regulations. The application shall conform in all respects with these Regulations, unless a variance has been granted, a copy of which must be submitted with the application. Such application must also conform to the requirements of the Public Health Code, as documented in a written report from the Town Sanitarian and submitted as part of the application.
- 12.6.3 Frontage Requirements. Where the site has frontage on an existing road, the pavement and shoulders shall be brought to the standards of the existing street and to the standards required to accommodate the proposed development, including but not limited to: road widening, acceleration/deceleration lanes, stormwater drainage, curbing, sidewalks, and street trees.
- 12.6.4 Traffic and Access. Access to the lot and internal circulation shall be designed so as to promote the safety of pedestrian and vehicular traffic, both on the lot and off site. The site plan shall be evaluated on the following basis:
- a. The effect of the development on traffic on adjacent streets.
 - b. Circulation pattern of vehicular and pedestrian traffic on the site.
 - c. Provision for parking and loading.
 - d. Adequacy of sight line.
 - e. Relationship of the proposed circulation to circulation on adjacent property, for both vehicles and pedestrians, with especial attention to promoting pedestrian traffic among adjacent parcels.
 - f. Emergency vehicle access.
- 12.6.5 Surface and Groundwater Protection. No site plan shall be approved which poses a significant risk of degradation of surface or ground water supplies arising from the proposed activity. The application shall include:
- a. Identification of surface and groundwater resources on and around the site, including any public or private domestic users of such waters; the depth to groundwater and description of adjacent soils, and any other information necessary to ensure protection of water resources.
 - b. An evaluation of the impact of the proposal on existing and potential surface and ground drinking water supplies, to be prepared by a qualified hydrogeologist or other professional acceptable to the Commission.
 - c. Identification of any chemicals or potential contaminants to be used, stored or produced on site or discharged on or off the site, and a detailed description of methods and procedures by which any chemicals or potential contaminants on site will be stored, used, applied, discharged, and disposed of.
- 12.6.6 Water Supply. The proposed water supply shall be deemed sufficient by the Town Sanitarian to meet the requirements of the Public Health Codes. The Fire Marshal shall make a finding that such water supply is adequate for fire protection.

- 12.6.7 Architectural Character, Historic Preservation, Site Design, Landscape Preservation. The overall character of the proposed site design and architectural character of proposed structures shall: protect property values in the neighborhood and the Town; preserve the existing historic character in terms of scale, density, architecture, materials used in construction of all site features; protect the existing historic patterns of arrangement of structural and natural features, including circulation patterns; preserve public access to scenic views and vistas.
- 12.6.8 Landscaping and Screening. All parking, service and storage areas, including dumpsters, shall be reasonably screened by landscaping and/or fences or walls. The landscaping of the site shall be designed so as to protect and enhance the historic and rural character of the neighborhood and Town. All-seasonal visual buffers between the proposed use and any incompatible use of adjacent property shall be provided through the use of grade separation, landscaping, buffer areas, etc. All parking areas should include landscaped islands to direct vehicular and pedestrian circulation and to reduce the visual impact of large paved areas. At planting, all deciduous trees shall have a minimum diameter of two and one-half inches at breast height (2 1/2" DBH), evergreen trees shall have a minimum height of five feet, and all shrubs shall be one third of their ultimate size. Artificial vegetation is prohibited. In addition, the plans shall incorporate the requirements in Section 14..
- 12.6.9 Lighting. No site feature or activity shall create glare or illumination which extends beyond a site's property lines and creates a hazard or nuisance to neighboring property owners or on adjacent roadways. Lighting shall be designed to provide the minimum illumination necessary for the safety and security of the proposed activity. Lamp posts shall be the minimum height necessary to provide adequate illumination, and in no case shall they exceed 20 feet in height. Lighting shall be designed such that the light source is shielded and the light is directed downward. Lighting fixtures shall be of a design appropriate to the use and area. Parking and loading areas and walkways shall be provided with adequate lighting.
- 12.7 Surety Requirements. As a condition of site plan and/or special permit approval, the Commission may require that the applicant post with the Town a performance surety in an amount and form agreeable to the Commission. Such surety is intended to guarantee satisfactory completion of site improvements, excluding buildings, on the approved plan.
- 12.7.1 Before a zoning permit authorizing the activity provided for under this Section is signed and delivered to the applicant, the applicant shall deliver to the Commission, or its delegated representative, a bond in an amount and with surety satisfactory to the Commission, and in form satisfactory to Town counsel, assuring the completion of all improvements shown on said plan and provided for in said special permit.
- 12.7.2 The applicant shall submit to the Commission with its application for the special permit an estimate of the costs of the improvements as defined in subparagraph 2, above, which estimate shall contain a separate inflation factor for estimated improvement period. The Commission may refer such estimate to its own

engineer for the estimate of costs, and the amount of the final cost estimate as determined solely by the Commission shall be amount of the bond.

- 12.7.3 The bond as posted shall name as principal both the applicant and the record owner of the premises. Said bond may be in the form of a savings passbook of an FDIC insured bank with an office in Connecticut, with the Town being named solely as the owner of said account; an irrevocable letter of credit issued by an FDIC insured bank with offices in Connecticut which provides for presentment in Connecticut; or a bond with surety by an insurance company authorized by the Connecticut Insurance Department to do business in Connecticut, and issue bonds in Connecticut.
- 12.7.4 As condition of granting of the zoning permit, the Commission may provide for the reduction of the bond as improvements are completed to the satisfaction of the Commission. The amount of any reduction, shall be in the sole discretion of the Commission.
- 12.8 Expiration of Site Plan Approval. All site improvements in connection with the approved site plan shall be completed according to the time frames identified in the General Statutes except as otherwise specified in these Regulations.
- 12.9 Modifications of Approved Plan. The Commission may approve minor modifications of a site plan upon the written request of the landowner or the owner's agent. If the proposed modifications to the site plan are not minor, and the use with which the site plan is associated is a special-permit use under these Regulations, the Commission shall require a public hearing before making any decision on the application for modification. The term "minor modifications" shall not be deemed to include any alterations of a site plan that would (i) affect traffic flows or patterns outside of the relevant parcel, or (ii) result in the creations of new structures or the expansion of existing structures, unless such new or expanded structure would not be used for human occupancy and would not have a footprint greater than 100 square feet.
- 12.10 As-Built Drawings. For approvals which required professionally prepared plans, and when deemed necessary by the Zoning Enforcement Officer, as-built drawings shall be submitted to demonstrate conformity to the approved plans. Such drawings shall be approved prior to the issuance of a Certificate of Zoning Compliance. Such drawings shall: show the installation of all improvements, including site work and structures, in at least the same detail as the site plan; be prepared by a licensed engineer or surveyor, as is appropriate, who shall certify as to the compliance of the installation with the approved plan and shall identify all deviations from the approved plan. Any as-built drawing showing substantial deviation from the approved plan shall be referred to the Commission for its approval.

SECTION 13 - PARKING AND LOADING

- 13.0 Parking and Loading. The purpose of this section is to lessen congestion in the streets by requiring that adequate off-street parking and loading be provided for all uses. It is the intent of this section to assure that off-street parking and loading spaces are properly

designed and located to accommodate the safe flow of traffic on public and private property. Parking and loading areas shall be provided and maintained to accommodate the needs generated by the permitted use of the property in a manner that is safe, efficient and harmonious with surrounding land uses.

13.1 Location and Ownership. Required accessory parking spaces, open or enclosed, shall be provided upon the same lot as the use to which they are accessory, or elsewhere, provided all such accessory parking spaces are located within 200 feet walking distance of the lot on which the principal use is located. In all cases, such parking spaces shall conform to all the regulations of the district in which the parking spaces are located; and in no event shall such parking spaces be located in any Residential District unless the use to which the spaces are accessory are permitted in such Residential District or upon approval of the Commission. Such spaces shall be either (i) in the same ownership as the use to which they are accessory or (ii) be subject to a perpetual easement, thereby dedicating such spaces as appurtenant to the property on which the principal use is located, which easement shall contain affirmative covenants requiring the owner of the principal use to maintain the required number of parking spaces available either (a) throughout the existence of such use to which they are accessory or (b) until such spaces are provided elsewhere, and which easement and covenant shall be subject to the approval of the Commission. Provided that the minimum parking space requirements of these regulations are satisfied for each principal use, such easement and covenant may be approved for joint parking facilities on abutting lots.

13.1 For new and existing structures, except for single and two family dwellings, no parking spaces shall be located between the buildings(s) and the street when ever practicable. Exceptions may be made by the Commission to provide for parking for the handicapped spaces and/or general parking where warranted for easier access.

13.2 Areas Computed as Parking Spaces. Areas which may be computed as off-street parking spaces include any private garage, carport or other area available for parking, other than a street or driveway. For residential parking, a driveway within a required front yard for a single-family residence may count as parking space. A driveway serving a two-family residence may be counted as parking space for one of the two units only.

13.3 Size of Spaces. Three hundred (300) square feet shall be considered one parking space (to provide room for standing area and aisles for maneuvering). Entrance and exit lanes shall not be computed as parking space except for driveways for one-family and two-family residences. Minimum parking space dimensions shall be ten (10) feet wide by twenty (20) feet long, except for handicapped spaces, which shall conform to State requirements. Minimum aisle width shall be ten (10) feet wide.

13.3.1 Retail Store (Large Scale): Two hundred and seventy (270) square feet shall be considered one parking space. Minimum parking space dimensions shall be nine (9) feet wide by eighteen (18) feet long, except for handicapped spaces, which shall conform to State requirements. Minimum aisle width shall be twelve (12) feet wide.

13.4 Access to Parking Areas. Unobstructed access to and from a street shall be provided. Such access shall consist of at least one twelve foot lane for parking areas with less than

- ten spaces, and at least two twelve foot lanes for ten or more spaces. All facilities shall comply with any applicable requirements of the Lisbon Fire Marshal.
- 13.5 Multiple Use of Lot. When a lot serves more than one use, such lot must provide for the parking requirements of each contributing use. Where it can be conclusively demonstrated that such uses will not occur simultaneously, the Commission may reduce the total parking spaces required. A lot may accommodate the parking needs of more than one establishment whether or not such establishments are located on the same lot.
- 13.6 Surface Standards. Driveways and parking spaces serving single and two-family dwellings shall be surfaced with a non-erodible material. All other driveways, parking and loading areas shall be paved unless, due to the intensity or nature of the use, the Commission shall approve a non-paved surface of a suitable, dustfree, non-erodible material. All driveways and parking areas shall be maintained in a passable condition throughout the year so as to provide access by emergency vehicles.
- 13.7 Drainage. All driveways and parking areas shall be designed such that there is no alteration in the flow of water onto neighboring property unless drainage rights have been obtained from the owners. An engineered plan of such drainage may be required.
- 13.8 Stacking Requirements: Off-street stacking for waiting automobiles between the street line and drive-up service windows shall be provided based on the following ratios:
- 13.8.1 Fast food/Drive-In Restaurant w/Drive-Up Service Window: 10 stacking spaces
- 13.8.2 Drive-in Bank/Drive-Up ATM: 8 Stacking spaces; 4 stacking spaces per service window if more than one service window provided.
- 13.8.3 Automated drive-in car wash as accessory use: 10 stacking spaces.
- 13.8.4 All other drive-up service windows shall have 10 stacking spaces.

Stacking provision shall also be made for a least one exiting automobile between each service window and the street. Each stacking space shall be 20 feet in length, 10 feet wide (12 feet wide if adjacent to building), and such facility shall be designed to not interrupt the smooth flow of traffic within the subject site. Dedicated stacking lanes shall be provided separate from any other drive aisle.

- 13.9 Parking Area Requirements.
- 13.9.1 Application and Scope: For any use hereafter established, off-street parking and loading shall be provide in accordance with the ratios contained in Section 13.9.4.
- 13.9.2 Maintenance Required: All spaces required to be provided by this section shall be permanently maintained and made available for occupancy in connection with and for the full duration of the use of land or structure(s) for which such spaces are required.
- 13.9.3 Change of use: Any change of use or the addition of a use(s) to an existing use shall require that the aggregate required off-street parking be provided, and uses that are non-conforming as to required off-street parking shall also be brought into compliance at such time.

13.9.4 Parking Ratios: The following off-street parking ratios shall apply to all uses and/or combination of uses:

- a. Residential dwellings: 2 spaces per dwelling unit.
- b. Places of public assembly: 1 space per 3 seats or one space per 60 square feet of floor area available to patrons where capacity is not determined by the number of fixed seats (includes movie theaters, places of worship, church, synagogue).
- c. Theater (indoor): 1 space per 3 permanent seats + 1 space per employee on the maximum shift.
- d. Bed and Breakfast: 2 spaces, + 1 space per guest bedroom, + 1 per employee maximum shift, in addition to resident parking.
- e. Hospital, Convalescent Home: 1 spaces per 5 beds plus 1 per full-time employee.
- f. Restaurant, Tavern: 1 space per 3 seats.
- g. Retail stores: Minimum of 4 spaces; 1 per 250 sq. ft. of gross floor area (GFA).
- h. Multi-use commercial development: Minimum 4 spaces per use, plus 1 per 250 sq. ft. of gross floor area (GFA).
- i. Multi-use commercial developments with gas station: 10 spaces for gas station, plus minimum 4 spaces per use.
- j. Office or Professional building: 1 space per 300 sq. ft. of GFA.
- k. Medical office/clinic/outpatient care: 1 space per employee (including doctors) on the maximum shift, + 3.5 spaces per treatment room.
- l. Manufacturing/Industrial Facility: 1 per 500 sq. ft. of GFA.
- m. Hotel: 1 per guest room plus additional spaces as required by the Commission.
- n. Nursery School/Day Care: 1.5 space per employee on the maximum shift, + adequate drop off and pick up area(s) with a minimum of 4 spaces.
- o. Elderly Housing: Independent Living - 1.75 spaces per dwelling unit; Congregate Housing - 1 space per dwelling unit, plus 1 space per employee on maximum shift;
- p. Nursing Home: .5 spaces per bed, + 1 space per employee on the maximum shift.
- q. Drive-in/Carry -out Restaurant (Fast Food) 1 space per 2 permanent seats + 1 space per employee on the maximum shift + 1 space per 50 sq.ft. of floor area devoted to customer service.
- r. Bank/S&L/Credit Union: 1 space per employee on the maximum shift + 1 space per 200 sq.ft. Of floor area accessible to the general public.
- s. Lumber Yard/Building Material Sales/Construction Supply Sales/Service: 1 space per employee on the maximum shift + 1 space per 250 sq.ft. of floor area accessible to the general public.
- t. Auto Sales/Service: 1 space per employee on the maximum shift + 1 space per 500 sq.ft. of internal display area + 1 spacer per 2,000 sq.ft of outdoor display area +2 spaces per service bay.
- u. Home occupation: 1 space per 250 sq.ft. of area devoted to the home occupation + minimum 1 space per employee, no less than a minimum of two spaces shall be provided..
- v. Manufacturing: 1 space per employee on the maximum shift + 1 space

- per fleet vehicle.
- w. Golf Course: 50 spaces per nine holes.
- x. Intentional left blank
- y. Intentional left blank
- z. Intentional left blank
 - aa. Intentional left blank
 - bb. Intentional left blank

13.10 Handicapped Parking. Handicapped parking spaces shall be provided as prescribed in the Connecticut State Building Code and/or Americans with Disabilities Act. .

13.11 Off-Street Loading Requirements.

13.11.1 Size. Each required loading berth shall be at least 12 feet wide, 50 feet long and 15 feet high. Such berth shall be in addition to an access driveway and required parking spaces.

13.11.2 Location. All permitted or required berths shall be on the same lot as the use to which they are accessory. No entrance or exit for any off-street loading area shall be located within 50 feet of any street intersection. Such loading berths may be enclosed or outside, but in no case shall they be located in a front yard.

13.11.3 Access. Unobstructed access, at least 12 feet wide, to and from a street shall be provided. Such access may be combined with access to a parking lot.

13.11.4 Number. For every structure used for commercial or industrial purposes, or for public institutions and facilities, loading berth requirements are as follows:

Floor area of	10,000 - 25,000 sq. ft.:	1 berth
	25,000 - 40,000 sq. ft.:	2 berths
	40,000 -150,000 sq. ft.:	3 berths
	each additional 50,000 sq. ft.:	1 additional berth

13.12 Setbacks and Screening. Any parking area of over 3 spaces, and the driveway providing access to such area, serving any use other than a single or two family dwelling and which abuts a residentially zoned lot, shall be set back a minimum of 15 feet from that property line. In addition, such parking area shall be screened from the adjacent property.

13.13 Parking Lot Design. Parking areas shall be designed so as to minimize their visual impact. Suggested methods for minimizing impact include reduction of parking lot areas and landscaping, as follows: parking areas divided into multiple small lots wherever possible; parking provided at the side and rear of the building, with parking in the front of the building limited to short-term use only; landscaping at the perimeter of the lot and on islands, including shade trees; construction of earthen berms.

SECTION 14 LANDSCAPING (new)

14.1 Landscaping, Screening, and Buffer Areas

The following standards are intended to enhance the appearance and natural beauty of the Town and to protect property values through preservation of existing vegetation and planting of new screening and landscaping material. Specifically, these standards are intended to reduce excessive heat, glare and accumulation of dust, to provide privacy from noise and visual intrusion, and to prevent the erosion of the soil, excessive run-off of drainage water, and the consequent depletion of the ground water table and the pollution of water bodies.

For purposes of this Section, landscaping shall consist of any of the following, or combination thereof: grass, shrubs, hedges and trees. With the approval of the Commission, existing natural vegetation and unique site features such as existing stone walls, large boulders or rock outcroppings may be included in the area used to satisfy this requirement. Detention basins and other storm water impoundment areas shall not be used to meet the minimum landscaped area requirement.

14.2 General Requirements

- a. Any portion of a developed lot or property which is not used for the location of buildings, structures, accessory uses, off-street parking and loading areas, sidewalks, or similar purposes, shall be landscaped and maintained in such a manner as to minimize storm water runoff. All landscape material shall be maintained at all times.
- b. Landscaping, trees, and plants required by these regulations shall be planted in a growing condition according to accepted horticultural practices and shall be maintained in a healthy growing condition. All landscaping, trees and plants that do not meet the above requirements shall be replaced by the property owner during the next planting season. **All trees shall have a caliper of 2 - 2 ½ inches and a minimum height of 10 feet. The tree's caliper shall be measured 3½ feet from the top of the root ball.**
- c. Irrigation shall be provided for all landscaped areas, except single and two family residential **buildings**.
- d. A screening fence or wall required by these regulations shall be maintained by the property owner in good condition throughout the period of the use on the lot.
- e. All landscaping, trees, and planting material adjacent to parking areas, loading areas, **internal residential access drives** or driveways shall be properly protected by barriers, curbs, or other means from damage by vehicles. All curbing shall be constructed of concrete and/or granite, **except as provided for by section 10.3.9(b). Internal residential access drives may be constructed in accordance with the Alternate Standards of Section 10.3.9(b).**
- f. Existing healthy mature trees, **shrubs and other vegetation**, if properly located **may** be fully credited against the requirements of these regulations.
- g. Where lot size and shape or existing structures make it infeasible to comply with the requirements for a front landscaped area or landscaped parking area, the Planning and Zoning Commission may substitute planters, plant boxes or pots

containing trees, shrubs, and /or flowers to comply with the intent of the regulations.

14.2.1 Front Landscaped Area

a. A front landscaped area shall be required in all districts, except single and two family dwellings. The required landscaped area shall be covered with grass or other ground cover (excluding bark mulch) and shall include appropriate trees and shrubs. **At a minimum, one street shade tree having a caliper of 2 - 2 ½ inches and a minimum height of 10 feet shall be planted for every 40 feet or fraction thereof of lot frontage.** In addition to the above, 3 street shade trees shall be clustered on both sides of any proposed connection(s) to a street/road.

1. A strip 25' wide along and contiguous to the front lot line shall be landscaped. In addition, landscaped areas shall be provided abutting the front and sides of all non-residential buildings and/or structures and multiple dwellings. These areas should be a minimum of 5 feet wide and contain a minimum of 50 square feet and shall be landscaped with suitable trees, shrubs or other vegetative cover. Storage areas, trash receptacles and similar accessory structures shall be screened with appropriate plantings.

2. Buffer Area: The purpose of a buffer area is to provide privacy from noise, headlight glare, and visual intrusion to residential dwellings. A buffer area shall be required along and within all boundaries of a lot abutting or directly across a street from any lot in a residential district. Such buffer area's shall be in addition to the landscape requirements contained within these regulations and shall comply with at least the following minimum standards.

a. Minimum width of buffer areas shall be as follows:

- Abutting any residential district - 100 feet
- Abutting any business and/or industrial districts - 25 feet
- Where lot size and shape or existing structures make it infeasible to comply with the minimum widths required above, the Planning and Zoning Commission may modify the width requirements provided the buffer area meets the intent of these regulations.

b. The buffer area shall be of evergreen planting of such type, height, spacing and arrangement as, in the judgment of the Planning and Zoning Commission, will effectively screen the activity on the lot from the neighboring residential area. At a minimum, the planting shall consist of trees 10 feet in height at intervals of 6 feet on center. Non-evergreen planting may be included to supplement evergreen planting, but not to take its place

c. An earthen berm, wall, or fence of location, height, design, and materials approved by the Planning and Zoning Commission may be substituted for any portion of the required planting and/or buffer area strip.

d. Where existing topography and/or landscaping provide adequate screening, the Planning Commission may modify the planting and/or

buffer area requirements.

- 14.3 Landscaped Parking Areas: In addition to the front landscaping area and buffer area requirements, parking areas shall comply with the following standards.
- a. All parking aisles that contain more than 5 spaces shall be required to have landscaped islands at each end. Each landscaped island shall be a minimum of eight (8) feet wide (as measured from the inside of a curb, the length of such island shall be equal to the dimension of the parking space that abuts the island. Each landscaped island shall contain a minimum of two shade trees having a caliper of 2 - 2 ½ inches and a minimum height of 10 feet.
 - b. Landscaped islands shall separate every two parking bays throughout the interior of all parking areas. The landscaped island shall be installed along the entire length of the aisle. Each landscaped island shall be a minimum of 8 feet wide with curb stops, 10 feet without curb stops and the length of such island shall be equal to the dimension of the parking space that abuts the island. At a minimum, one street shade tree having a caliper of 2 - 2 ½ inches and a minimum height of 10 feet shall be planted for each 40 feet of landscaped island or a fraction thereof.
 - c. Provide intermediate landscape islands, a minimum of 10 feet wide between every 10 spaces to avoid long rows of parked cars. Each of these planting islands should provide at least one shade tree having a clearing truck height of at least 7 feet and a caliper of 2 - 2 ½ inches and a minimum height of 10 feet
 - d. Landscaped areas shall be provided along the perimeter of any parking area except where the parking area is functionally integrated with an adjoining parking area on an abutting lot. The landscaped area shall have a minimum dimension of 10 feet, shall be planted with grass or shrubs, and shall include at least one deciduous tree of not less than 3 inch caliper, at least a minimum of 10 feet in height for every 30 feet along the perimeter of the parking area. The Planning and Zoning Commission may modify the requirements of deciduous trees if the lot sized and shape or existing structures make it infeasible to comply with the minimum requirements.
 - e. Landscaped areas shall be provided along all interior roads. The landscaped areas shall be installed along the entire length of the road, minus an intersecting road. The minimum width of the landscaped areas for all roads that provide access to the site shall be 15 feet. The minimum width of the landscaped areas for all other roads that provide access within the site shall be 10 feet. At a minimum, one street shade tree having a caliper of 3 inches and a minimum height of 10 feet shall be planted for each 30 feet of linear landscaped area or a fraction thereof.

SECTION 15 SIGNS

- 15.1 Intent: The intent of this section is to provide for the identification of activities or places and the advertisement of services and commodities within the Town in a manner

that is effective while maintaining harmony with surrounding land uses and promoting public safety.

15.2 Purpose: The general purposes of the Sign Regulations are to set forth standards to control the location, size, number, lighting, and character of signs located in all zones in order to further the purposes set forth in Section I of the Zoning Regulations, and to avoid conditions of clutter and unsightliness. The specific purposes of the Sign Regulations are to:

- preserve the public health and public safety by controlling a sign's size, location and character so it will not confuse, distract, mislead or obstruct the vision necessary for traffic safety; and
- preserve the general welfare by controlling the aesthetics and attractiveness of signs in order to: protect the residential, business, industrial and historic character of each zone; mitigate any negative impacts on adjoining properties; assist in achieving a more desirable environment in order to maintain property values and to encourage economic growth; and to avoid negatively altering the essential characteristics of the area; and
- to discourage excessive visual competition in signage and ensure that signs aid orientation and adequately identify, uses and activities to the public.

15.3 General Regulations:

- a. Definition of Sign: Any natural or artificial structure, object, device, light or display which is used to advertise, identify, or attract attention to any object, product, institution, organization, business, service, or location by any means, including but not limited to letter, number, banner, flag, insignia, device, designs, symbols, fixtures, colors, illumination or logo, and which is situated so that it can be seen from a street. One mailbox one flag (maximum 6 square feet) or any one insignia (maximum 6 square feet) of any governmental agency shall not be considered a sign within the purpose of this regulation. **Signage may include a specific service and/or direction for receipt of a service provided by the establishment. Such signage modification may be granted by the Commission through the issuance of a Special Permit in accordance with the criteria established in Section 11.**
- b. Sign Area Measurement: The sign area shall be the smallest area which encompasses all letters, designs, symbols, logos including the advertising surface. The sign area shall include any background material if such material is designed to be an integral part of the sign because of its texture, color or building material.
- c. Sign Content: Signs may only designate two of the following items: one name, address, logo, type of business, or principal product. Where the logo appears along with other information, the logo shall be limited to no more than 25% of the sign area. The commission may modify the number of items on a sign and the percent of the sign occupied by a logo by Special Permit in accordance with the criteria established in Section 11.

- d. **Sign Illumination:** No flashing, intermittent, intensity variations of light, or exposed neon lights are permitted. Signs may be externally illuminated provided that the source of light is shielded from the road and adjacent properties. No sign or its illuminator shall, because of its size, shape, or method of illumination, be permitted to confuse or obstruct the view or effectiveness of any traffic sign or signal or in any way result in a hazard to the safe and efficient flow of vehicular traffic. No sign may be back lit or internally illuminated, including no back lit or internally illuminated vending machines.
- e. **Sign Motion:** No sign or any part thereof shall be moving whether by mechanical or other means.

15.4 Authority to Erect Signs. Signs may be authorized as one of the following: 1) signs allowed by right, no permit required; 2) signs permitted by the Zoning Enforcement Officer; 3) signs for uses approved by site plan review, permitted by the Commission. Signs not so authorized are not permitted. All authorized signs must comply with Section 15.1 and 15.2, Intent and Purpose.

15.5 Prohibited Signs.

- a. Billboards, defined as signs directing attention to a business, service, or commodity elsewhere than on the lot where the sign is located.
- b. Flashing Signs, including any sign or device on which an artificial light source is not maintained stationary and constant in intensity and color at all times when in use.
- c. Non-weatherproof signs, including signs made of cardboard, paper, or other impermanent material, except for temporary signs not to exceed two days.
- d. Hazardous and distracting signs, including any signs which: 1) may be mistaken for traffic signals or emergency vehicles 2) produce illumination which causes a hazardous or unsuitable light level on adjacent property.

15.6 Signs by right - no permit required. The following signs are authorized without a zoning permit, provided there is no illumination and according to the following standards. External illumination is allowed, unless otherwise noted, upon issuance of a permit from the Zoning Enforcement Officer. All signs in this section shall be set back 10' from property line.

- a. **Public Interest signs.** A sign erected in the public interest, including but not limited to: identification signs for public buildings and places; historic markers; warning signs. Signs shall be limited to 3 square feet.
- b. **Special events signs.** Temporary signs associated with political, social, or service organizations. Such signs shall be removed within 1 week after the event occurs. Signs not to exceed 6 square feet, no illumination.
- c. **Residential Identification.** One sign per lot, freestanding or wall, erected to identify occupants of the premises, not to exceed 4 square feet, no illumination.
- d. **Non-profit organization signs.** One on-premises identification sign, area not to exceed 12 sq. ft. and height not to exceed 6 ft, no illumination. In non-residential zones, commercial sign standards may be applied.
- e. **Real Estate signs.** In residential zones, signs for sale or rental, one sign per lot,

not to exceed 6 square feet, no illumination. In nonresidential zones, signs for sale or rental, one per street frontage, each not to exceed 32 square feet, no illumination.

- f. Temporary agricultural sales signs. Two signs per legal use on premises, each sign not to exceed 16 square feet in area and 6 ft. in height, no illumination.
- g. Construction signs. Signs advertising development of the site shall not exceed 32 square feet, 8 feet in height, one per street frontage, no illumination. Such signs may be erected not earlier than the start of construction and may remain on display during the period of construction.
- h. Internal direction signs. Signs directing traffic onto or within a property, area not to exceed 2 square feet per sign.
- i. No Trespassing, No Hunting, No Fishing, Posted, Beware of Dog or other such signs in sufficient number to meet State law requirements, maximum 2 sq. ft. each sign

15.7 Signs by Permit from the Zoning Enforcement Officer.

- a. Commercial, non-advertising signs. One wall sign providing identification of occupants, hours or other non-advertising message, not to exceed 3 square feet per business.
- b. Offsite directional signs for uses located within the Town of Lisbon. Such signs may be permitted for a permitted use which is located more than .5 miles from State Routes 12, 169 or 138, provided other provisions of these Regulations are complied with, and subject to the following:
 - 1. The area of the sign may not exceed two square feet, and no more than 4 signs per use. The property where the signs are located shall be limited to no more than 2 directional signs.
 - 2. Design is harmonious with surrounding neighborhood.
 - 3. No illumination.
 - 4. When a sign is on private, town, and/or state property a letter from the property owner authorizing such placement shall be provided.
- c. Signs temporarily attached or temporarily painted on a door, or to the inside of a window announcing sales or special features are permitted in addition to the restrictions above, provided they do not exceed 10% of the area of said door, window, or wall. Temporary signs shall be removed immediately after the termination of such sale or special feature and shall be permitted for a period of not over 30 days.
- d. Land Trust/preservations: A non-profit preservation for public use may erect one free standing sign to identify the name of the preserve and any rules and regulations for use as long as it complies with Section 15.6.d and is a minimum of ten (10) feet from the edge of the road.

15.8 Signs by Permit from the Commission. Uses which are approved by the Commission are required to obtain site plan approval for all associated signage. **An additional wall sign which includes a specific service and/or direction for receipt of such service may be permitted if A: the establishment is located within a larger scale regional shopping center of 100,000 square feet or greater and B: the elevation upon which such sign is located does not front a public right of way.**

- 15.8.1 Wall signs. A wall sign, defined as a sign fixed flat to the building and not

extending beyond the building, is allowed as follows:

- a. One per business, except as follows:
 - (1) A second sign is allowed if the building fronts on two streets.
 - (2) An approved 12 screen movie theater may have 1 internally lighted (non-neon) poster board sign per permitted screen measuring up to 15 sf each.
- b. Area per sign shall not to exceed the square footage allowed in the table below:

Building Frontage (linear feet)	Maximum Square Footage	Maximum Sign Width/height
00 to 20	10	2.0
21 to 30	15	2.5
31 to 40.	20	2.5
41 to 50	30	3.0
51 to 60	40	3.5
61 to 75	45	4.5
Greater than 76	50	5.0

- c. Building frontage shall be defined as the length of the side of the building in which the main entrance to the business is located.
- d. A restaurant may apply an additional wall sign, maximum 18 square feet, which includes a specific service an/or direction for receipt of such service may be permitted if both of the following conditions are met:
 - (1) The establishment is located within a large scale regional shopping center of 100,000 square feet or greater.
 - (2) The elevation upon which such sign is located does not front on a town and/or state/ street/road.
- e. In any retail use containing a building with 100,000 square feet of sales area, three wall signs (primary and accessory) shall be permitted on the primary building face provided the maximum aggregate square footage of all signs does not exceed 460 square feet and such facility is located in an IP-1Zone.
- f. Not with standing what is provided in Section 15.8.1.b, above, wall signs attached to a building in a retail Store (large scale) use, as permitted pursuant to Section 6.4.17 of the zoning regulations which building contains individual units, are allowed as follows:
 - (1) Units where the building frontage for such unit is between 0 and 30 linear feet, wall signs not to exceed two (2) square feet for each linear foot of unit frontage is permitted provided the maximum height of such signs shall not exceed 3 feet; provided further, the maximum size of such sign shall not exceed 60 square feet.
 - (2) Units where the building frontage is in excess of 30 linear feet, the linear frontage in excess of 30 feet, shall permit wall signs greater

than provided in subparagraph 1, above, based on one (1) square foot signage for each linear foot in excess of building frontage in excess of 30 linear feet provided the maximum height of any wall signs shall not exceed 3 feet; provided further, the maximum size of such sign shall not exceed 80 square feet.

- (3) Each unit is limited to one (1) wall sign on the front of the unit that contain the principal entrance for patrons, and one rear wall sign on the rear of the unit situated in said building, which rear wall sign shall solely contain standard size lettering identifying the occupant of the unit and without any logos; maximum size of such sign shall not exceed 80 square feet.
- (4) Building frontage shall be defined as the length of the side of the unit which contains the main entrance to the unit, which unit is within the building containing other units.

15.8.2 Freestanding Signs.

- a. One per lot, except as follows:
 - (1) A second sign is allowed if the lot fronts on two streets.
 - (2) An approved 12 screen movie theater as part of an overall (large scale) retail project may have a movie reader board sign allowing up to 80 sf of advertisement sign area contained within a structure with overall dimensions not to exceed 16 ft high x 15 ft wide.
 - (3) A monument directional sign measuring up to 15 sf may be allowed for an approved 12 screen movie theater and tenants located in adjoining buildings.
- b. Area of each not to exceed 16 sq. ft. Sign area not to exceed 6 feet in length.
- c. Height not to exceed six feet above the ground.
- d. Sign shall complement building architecture and landscaping.
- e. In any tract of land used retail sales (large scale) where such facility is located in an IP-1 Zone situated southerly of Route I-395, westerly of Connecticut Route 12 easterly of the South Burnham Highway, and northeasterly of Mell Road, the following signs shall be permitted:
 - i. An illuminated pylon sign at the principal entrance to the shopping complex for the purpose of displaying the names of all retail tenants which sign may be 12 feet in width and contain 120 square feet of signage per side and shall not exceed 19 feet in height.
 - ii. If the retail sales (large scale) abuts Route I-395, one monument sign not greater than 16 square feet per side, illuminated; and,
 - iii. Two illuminated monument sign situated on highways other than route I-395, not greater than 16 square feet per side.
 - iv. In any free standing building within a development designated Retail Store (large scale), which building contains not more than 6,000 square feet on its main floor, the following signage shall be

permitted:

- a. A wall sign on the main and principal entrance to the facility not to exceed 105 square feet that may include a distinctive logo.
- b. A to-go sign extending from the building not to exceed 11 square feet.
- c. Two wall signs on other than the wall containing the principal entrance not to exceed 110 square feet cumulative.

15.8.3 Canopy Signs. A canopy sign, defined as a sign fixed flat to a canopy structure not extending beyond the structure, is allowed as follows:

- a. Area per sign not to exceed (.1) square feet for each linear foot of canopy used by that business. The canopy cannot be attached to primary structure.
- b. None illuminated.

15.8.4 Home Occupation and Bed and Breakfasts. In residential districts, as follows:

- a. One sign on the premises.
- b. Area not to exceed 6 square feet.
- c. Height not to exceed 5 feet above ground.

15.8.5 Parking Space Identification Sign(s) for a Restaurant.

- a. Two per business.
- b. Area not to exceed 3 square feet.
- c. Height not to exceed 7 feet above the ground.
- d. Must be within a large scale regional shopping center of 100,000 square feet or greater.
- e. The elevation side of the structure upon which such sign is located does not front on a town a

15.9 Sign Maintenance and Removal: A sign shall be maintained in a secure and safe condition. If the Zoning Enforcement Officer is of the opinion that a sign is not secure, safe, or in a good state of repair, written notice of this fact shall be given to the person responsible for maintenance of the sign.

15.9.1 All signs, together with their supports, braces, guys and anchors, shall be kept in good working order and safe condition.

15.9.2 The owner of the lot on which the sign is located shall be directly responsible for keeping such sign, including its illumination sources, in good working order and safe condition.

15.9.3 Unsightly, damaged, deteriorated signs or signs in danger of falling shall be put in order or removed upon written notice by the Zoning Enforcement Officer to the owner of the lot on which the sign is located.

15.9.4 Any sign which pertains to a business no longer conducted on the premises where such sign is located shall be removed by the owner of the lot on which the sign is located within 30 days following cessation of the relevant activity.

- 15.9.5 Any sign erected that is not allowed by these regulations may be ordered to be removed by the Zoning Enforcement Officer.

SECTION 16 - ZONING BOARD OF APPEALS

16.1. Powers and Duties. The Zoning Board of Appeals (ZBA) shall have all the powers and duties prescribed by the General Statutes and by these Regulations. Such powers and duties shall be exercised in harmony with the intent of these Regulations, which is to protect the public health, safety, convenience, welfare and property values in the Town of Lisbon.

16.1.1 Appeals of the Zoning Enforcement Officer. The ZBA shall hear and decide appeals in which it is alleged that there is an error made in any order, ruling, requirement or decision of the Officer charged with enforcement of the Lisbon Zoning Regulations. An appeal must be made in a form prescribed by the ZBA and such appeal must be filed within 30 days after the issuance of such order, ruling, requirement or decision, unless the ZBA, by rule or regulation, prescribes a different time limit.

16.1.2 Variances. The ZBA shall act upon applications for variance of the Zoning Regulations. Such variance shall be granted only upon a determination that enforcement of these Regulations shall result in exceptional difficulty or unusual hardship. Such determination shall be based on a finding of exceptional conditions and qualities specific to the parcel but not characteristic of or affecting generally the district in which the parcel is situated. No use variance shall be granted which would permit a use prohibited by these Regulations.

16.1.3 Approval of Location for Motor Vehicle Facilities. As designated by the General Statutes, the ZBA shall function as the local authority to act upon requests for approval of location of proposed motor vehicle related facilities. No such approval shall be granted until the applicant has demonstrated that such location is suitable for the business intended, with due consideration to its location in reference to schools, churches, theaters, traffic conditions, width of highway and effect on public travel.

16.2 Administration.

16.2.1 Procedures. The ZBA shall receive, hear and act upon applications for variances and appeals of the Enforcement Officer in accordance with Chapter 124 Title 8 of the General Statutes. Procedures for requests for approval of location of motor vehicle facilities shall be in accordance with Chapter 246 Title 14 of the General Statutes. When an application for variance is joined with an appeal of an order of the Enforcement Officer, the Board shall first decide the issues presented by such appeal. The ZBA shall also hear and act upon variance applications made pursuant to Section 10.15.8.

16.2.2 Decisions. Any decision of the ZBA may be subject to such conditions or restrictions necessary to insure that the granting of the application or request

shall be in harmony with the intent of these Regulations. The Board shall state in the record the reasons for its decision. When a variance is granted, the Board shall describe specifically in the record the exceptional difficulty or hardship on which its decision is based.

- 16.2.3 Filing. Notice of any grant of variance, special exception or approval of motor vehicle facility location shall become effective upon filing notice of such action in the Lisbon Land Records.

SECTION 17 - AMENDMENTS AND EFFECTIVE DATE

- 17.1 Amendments of these Regulations, including the Zoning map, may be petitioned by any resident of Lisbon or a person having a vested interest in the property that would be affected by such amendment, or may be made by the Commission. Amendments may be adopted by a majority vote of all the members of the Commission after public notice and hearing in accordance with Section 8-3 of the General Statutes. If a protest against a proposed change is filed with the Commission at or before the hearing, signed by the owners of 20% or more of the area of lots included in such proposed change or of the lots within 500 feet in all directions of the property included in the proposed change, such change shall not be adopted except by vote of two-thirds of all the members of the Commission. The Commission is not required to hear any petition or petitions relating to the same changes or substantially the same changes more than once in a period of twelve (12) months.
- 17.2 If the amendment request is for a change in the Zoning map boundaries, the applicant shall prepare and submit with the application a plan drawn to scale showing the boundaries and owners of all properties located within the area to be rezoned and within five hundred feet (500') from the boundaries of the area to be rezoned. The applicant shall also prepare and submit a list of the names and addresses of the owners of all properties located within the area to be rezoned and within five hundred feet (500') from the boundaries of the area to be rezoned as shown on the records of the Lisbon Tax Assessor. The applicant shall send by registered or certified mail a copy of the public hearing notice to the owners of record of such properties at least (10) days before the date set for the public hearing. The applicant shall present written proof of mailing to the Enforcement Officer at least five (5) days before the public hearing that this notification requirement has been met. Failure to comply with the requirements of this section shall invalidate the zoning map change procedure. The requirements of this section shall not apply to amendments initiated by the Commission. However, the Commission conduct a public hearing and provide notice of the public hearing per Connecticut General Statutes.
- 17.3 The Zoning Regulations of the Town of Lisbon were originally adopted on July 6, 1970. These amended Regulations are effective September 21, 2000.

SECTION 18 - VALIDITY

Should any provision of these Regulations be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of these Regulations as a whole, nor of any other part not declared to be unconstitutional or invalid.

SECTION 19 - DEFINITIONS

19.1 Intent. In the construction and interpretation of these Regulations, the rules and definitions in this section shall be applied, except where the context clearly indicates otherwise or where their strict interpretation would be contrary to the intent of these Regulations.

19.2 Word Usage. The following rules shall apply:

1. Words used in the singular may include the plural and vice-versa.
2. Words used in the present tense may include the future tense and vice-versa.
3. "May" is permissive.
4. "Shall" is mandatory and not discretionary.
5. "Lot" includes "piece", "plot", "parcel", and "property".
6. "Zone", "Zoning District", and "District" have the same meaning.
7. The "Regulations" refers to the entire Zoning Regulations of Lisbon or any of its sections or subsections.
8. "General Statutes" means the Connecticut General Statutes, as amended.
9. The "Commission" means the Lisbon Planning and Zoning Commission.

19.3 Definitions. As used in these Regulations, the following terms shall have the definitions provided. Words and phrases not specifically defined shall have commonly accepted definitions.

Accessory Building or Use. A building or use customarily incidental and subordinate to the principal building or use and located on the same lot with such principal building or use unless otherwise expressly allowed by these Regulations.

Agriculture. The cultivation of ground, including the harvesting of crops, rearing and management of livestock, tillage, husbandry, farming, horticulture and forestry.

Buildable area. **Land area on a parcel exclusive of wetlands or watercourses, 100-year flood plains, slopes in excess of 20 percent., rock or ledge outcrops, or pre-existing conservation or utility easements.**

Building. Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals or property.

Building Height. The height of a building is the vertical distance measured from the average level of the ground along all walls of the building to the highest point of the roof.

Commercial Agricultural Building: The use of a building for intensive farming and farming-related activities that involve: the processing or packaging of horticultural, non-animal products or by-products produced on the premises; shelter for more than 100 cattle or 20,000 fowl; workplace for more than five non-family employees; retail sale of products raised, grown, or processed on the premises, other than in a seasonal farm produce stand; and/or warehousing of products raised on the premises which are to be sold.

Commercial Vehicle. A registered commercial vehicle identified by insignia and/or materials stored within or carried upon to be used for commercial purposes with a gross vehicle weight in excess of 1.5 tons. Privately owned pickup-up trucks and vans are exempt from this definition.

Contractor's Equipment. Commercial and/or construction vehicles other than pick-up trucks or vans incidental to a commercial business. Examples include: bulldozer, backhoe, bucket loader, generator on own chassis, trailer.

Day Care, Child Center. A child day care center provides supplementary care to more than twelve related or unrelated children on a regular basis for a part of the 24 hours in one or more days of the week.

Day Care, Family. 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 24 hour period, and as defined by the General Statutes.

Day Care, Group Home. A group day care home provides a program of supplementary care to not less than seven nor more than twelve related or unrelated children outside their own homes on a regular basis for a part of the 24 hours in one or days of the week.

Density. The number of units on lots permitted on a parcel of land expressed as the maximum number of units or lots per acre.

Development. Any construction or site work, including grading, to improve real estate.

Disturbed Area. An area where the ground cover is destroyed or removed such that the bare soil is exposed.

Dwelling, Single-Family. A detached dwelling unit, other than a mobile home, designed for occupancy by only one family.

Dwelling, Two-Family. A building containing two dwelling units and designed for occupancy by not more than two families.

Dwelling Unit. A dwelling or portion of a dwelling intended to provide for the needs of one family for residential purposes in an independent, self-sufficient manner.

Elderly Housing. A building or group of buildings which are located on a single parcel of land, share common management with in-unit and yard area uses and owner agreements included in a common interest ownership document and enforced primarily through the common interest ownership association and wherein each single family unit is occupied by:

1. A person 55 years of age or older as occupant.
2. A cohabitant of an occupant pursuant to 1) above.
3. A cohabitant pursuant to 2) above who survives the occupant who is 55 years of age or older.
4. A cohabitant pursuant to 2) above where the occupant who is 55 years of age or older has entered into a long-term continuing care facility.
5. Children 18 years of old or older may reside with their parent(s).
6. In no event may a dwelling unit be occupied by more than four (4) residents.

Excavation. The removal from any land within the Town of Lisbon of earth, peat, sand, gravel, clay, quarry stone, or other natural earth products.

Family. One or more persons occupying a single dwelling unit, provided that no such family shall contain more than six persons unrelated to the others by blood or marriage.

Frontage. The length measured along that side of a lot abutting on a street.

Golf Course Development. A playing course of at least 9 holes, which may also include as accessory uses, such as a clubhouse, restaurant, pro shop, shower facility, locker room, maintenance building, entrance way, and additional recreational facilities, as specified

Home Occupation. Any of the following occupations, when carried on as an accessory use to a one-family dwelling in accordance with the conditions and requirements of Section 10.5 of these regulations: telephone answering service; dressmaking and tailoring; home handicrafts; fine art work **studio**; needlework; the office of a lawyer, accountant, architect, engineer, or other recognized profession or trade, uses such as hair salons shall not be considered home occupations. In interpreting this Section, **no retail and/or wholesale shall be allowed on the premises and there shall be no visits by customers and/or clients at the dwelling.**

Junk. Any worn-out, cast off, or discarded article or material which is ready for destruction or has been collected or stored for salvage or conversion to some use.

Junk Yard. The use of more than 200 square feet of the area of any lot, whether inside or outside a building, or the use of any portion of that half of any lot that joins any street, for the storage, keeping, or abandonment of junk. In addition, two or more unregistered motor vehicles which are no longer intended or in condition for legal use on the public highway stored or deposited on the property shall be deemed a junk yard. Also, any activity deemed a junk yard pursuant to Sec. 14-67g of the General Statutes shall also be deemed a junk yard under these Regulations.

Lot. A plot or parcel of land, other than submerged land, that is separately described on a deed or map filed in the Lisbon Land Records and occupied or capable of being occupied by

one principal building and the accessory buildings or uses customarily incidental to it, including such yards and street frontage as are required by these Regulations. In the case of multiple dwellings and public, institutional, commercial or industrial buildings, a group of buildings under the same ownership may be considered as occupying the same lot.

Lot Line, Front. A lot line separating a lot from a street right-of-way.

Mobile Home. A structure originally designed and constructed or redesigned and constructed for year-round occupancy for one or more persons, being at least thirty-five feet in length, and equipped with or designed to be equipped with wheels for movement of the structure from place to place.

Park. A noncommercial, not-for-profit facility designed to serve the recreation needs of the residents of the community. Such facilities include subdivision recreation facilities (neighborhood parks), community parks, regional parks and special use facilities. Such facilities may also include but shall not be limited to school ballfields, footballs fields and soccer fields, if they meet the above definition. Commercial amusement facilities, such as water slides, go-cart tracks, paint ball facilities, and miniature golf courses shall not be considered parks.

Parking aisle. An area within a parking facility intended to provide ingress and egress to parking spaces.

Parking bay. The clear space containing one or two rows of parking stalls and a parking aisle.

Principal Building. A building containing the principal use of a property. In the case of a farm, the residence, if any, shall be the principal building.

Retail Store (large scale):

A use consisting of retail business, business services and personal services operated by separate proprietors with a common parking area and generally know as a shopping center.

Seasonal Campgrounds: A lot, parcel, or area of land used or intended to be used for and/or managed as a unit, providing short term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers operating between April 1 and October 31, including accessory facilities which support the use, such as administration offices, but not including the use of mobile homes or trailers on a permanent year -round basis.

Sign. See Section 15.3a of these Regulations.

Sign Area. Total sign area is calculated as one face of a two faced sign so long as the faces are parallel and no more than six inches apart.

Street. An improved right-of-way accepted for public use by lawful procedure; or a proposed street shown on a subdivision plan under consideration or one previously approved by the Commission.

Structure. An object which is constructed or erected and the use of which requires more or less

permanent location on ground or water areas or attachment to something having permanent location on ground or water areas, not, however, including wheels; an edifice or building of any kind; any production or piece or work, artificially built up or composed of parts and joined together in some definite manner, and requiring an attachment to the ground including but not limited to a wharf or dock, a satellite dish, an above-ground tank, a detached solar panel, fences or walls in excess of five feet in height but excluding a wire livestock fence through which there is at least 80% visibility.

Truck(s). Are trucks, including truck tractors, and similar vehicles with one or more rear axles in access of one ton. Large trucks are trucks, including truck tractors, and similar vehicles with two or more rear axles in access of one and one half ton.”

Truck Stop. A site which provides for retail fueling services for large trucks; the site may include related facilities including but not limited to dispensing of fuel, repair shops, automated washes, restaurants as part of the facility. In addition, a facility which provides parking for tractor trailer shall be considered a truck stop, excluding loading spaces required by these Regulations.

Yard, Front. An open, unoccupied space, extending across the full width of the lot measured from the front lot line or, if required by Section 8.4.2 of these Regulations, from the center of the street.

Yard, Rear. An open, unoccupied space extending across the full width of the lot measured from the rear lot line.

Yard, Side. An open, unoccupied space between a building and the side lot line, extending from the front yard, or front lot line, to the rear line.

