

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 **Construction of a new two-family dwelling,** 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 whichever 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 **Permitted Uses Subject to Site Plan Review.** The following uses are permitted in the R-40, R-60 and R-80 districts subject to the approval of a site plan by the Commission and issuance of a zoning permit by the ZEO.

4.3.1 **Accessory Dwelling Unit (ADU) in accordance with section 10.2.**

4.3 **Special Permits.** The following uses are permitted by special permit in the R-40, R-60 and R-80 Districts, provided the dimensional requirements of Section 8 and the special conditions of Section 11 are met.

4.3.1 **Elderly housing projects.** Redefine per elderly, convalescing, congregate care, etc. (See Section 10.3)

- 4.3.2 Churches and schools, but not including correctional institutions and institutions/facilities for the mentally ill, intemperate, and/or substance abusers.
- 4.3.3 Police stations, fire stations, or other municipal buildings.
- 4.3.4 Home Occupations per Section 10.5.
- 4.3.5 Excavation, removal and filling of earth materials pursuant to Section 10.4.
- 4.3.6 Rear lots.
- 4.7 Open Space Developments. (See Section 10.12)
- 4.3.8 Commercial agricultural buildings.
- 4.3.9 Year round retail outlets for agricultural/horticultural products, where 75% of such products are grown on site.
- 4.3.10 Seasonal Campgrounds.
- 4.3.11 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.
- 4.3.12 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.
- 4.3.13 Golf Course Development.
- 4.3.14 Bed and Breakfast establishments. (See Section 10.7)
- 4.3.15 Cemeteries.
- 4.3.16 Farm Wineries, Farm Breweries and Farm Winery Cafes.
(Added April 2, 2002, Revised/Effective January 1, 2020)
- 4.3.17 Farm Animals Exhibit Area
- 4.3.18 Specialized Agricultural Building
- 4.3.19 Private Event Facility as a seasonal accessory use to a single family owner occupied use of property in a residential district in accordance with Section 10.26 of these Regulations.
Revised/Effective: October 1, 2017)
- 4.3.20 Farmers' Market (See Section 10.27). (Revised/Effective April 1, 2018)
- 4.3.21 Contractor's Home Enterprise per section 10.28

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** **Accessory Dwelling Units (ADU)** ~~Conversion of an existing residence to accommodate two units is permitted under the following conditions:~~

10.2.1 Applicability. Conditions listed below for development of accessory dwelling units (ADU) apply in the following zoning districts: R- 40, R- 60, R- 80

10.2.2 Intent. The intent of this regulation is to encourage the provision of smaller affordable housing units for families and individuals, and to encourage the provision of housing units for small and multi-generational households as an accessory use.

10.2.3 Development Standards. Accessory Dwelling Units are permitted as internal or external units within the principal dwelling unit or as a detached, freestanding unit, respectively, on valid lots of record subject to approval of a residential site plan by the commission and a zoning permit issued by the Zoning Enforcement Officer. The use is subject to the following conditions and standards:

- 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.

a. Each ADU created must be associated with a one-unit dwelling and there may be only one accessory dwelling unit permitted for each one-unit principal dwelling on site.

b. The owner of the principal or main residence to which the ADU is associated must occupy at least one of the dwellings.

c. New detached, freestanding ADU are permitted, provided they meet all dimensional requirements of Section 8 required of the principal dwelling unless otherwise permitted herein. Such new freestanding unit shall meet the required front yard setback and shall also be set back farther from the front property line than the façade of the existing principal dwelling unit. Architecture for free standing units shall complement the principal structure on site with respect to roof elements, building materials, modulation and fenestration but shall include proportionately smaller elements to promote architectural character. Building height for new freestanding units shall not exceed the requirements for accessory structures in these zones.

d. The ADU must meet the minimum size requirements of the Ct Basic Building Code, as amended from time to time, and clearly be the secondary residential use. Its maximum floor

area shall not exceed 800 SF or 30% of the floor area of the principal residence on site, whichever is more.

e. Off-street parking shall be provided for all accessory apartments and the principal dwelling in accordance with Section 14. The existing curb cut and driveway location providing access to the site shall be reviewed with the proposal. No additional curb cut shall be permitted unless deemed necessary by the commission.

f. Each ADU shall have its own independent bathroom and kitchen areas, which shall include standard cooking and plumbing facilities, and meet the requirements of the Public Health Code for potable water and sewage disposal. In addition, the ADU shall include at least one bedroom and dedicated, distinguishable, living space.

g. When located within the principal dwelling unit, any new entrance to the ADU should be located on the side, or in the rear, of the principal dwelling unit. Unless prohibited by the State Building Code, all stairways to upper stories should be enclosed within exterior walls. Notwithstanding subsection c above, and in cases where construction of the ADU is over an existing portion of the principal dwelling or its garage, such proposed height of new construction may complement existing architecture but shall not exceed the existing height of the principal dwelling.

h. In the case of garage or other accessory outbuilding conversions, freestanding or otherwise, larger building door infill areas shall be restored to match surrounding material and the base of the building to the extent possible. Windows shall be provided and be located within the door infill area which shall match materials of any historic windows on upper floors where applicable. They shall also be in a configuration that is compatible with the historic windows.

i. Existing accessory building(s) on site that are valid nonconforming structures may be converted to an ADU under the limits of this regulation provided all other requirements are met and such conversion is consistent with the provisions of sections 9.1, 9.3 and 9.5 regarding continued use, enlargement or alteration of a nonconforming lots and structures, as the case may be.

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