TOWN OF PLAINFIELD,
CONNECTICUT

PLANNING AND ZONING COMMISSION

Zoning Regulations

Adopted September 25, 1972

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As Amended through August 1, 2019

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SECTION 1 - Preamble, Enacting Clause, Short Title, and Definitions

1.0 Preamble

These zoning regulations are designed to further the purposes set forth in Chapter 124, Section 8-2 of stories, and size of buildings and other structures, the percentage of the area of the lot that may be occupied; the size of yards, courts, and other open spaces; the density of population and the location and use of buildings, structures, and land for trade, industry, residence and other purposes; and the height, size and location of advertising signs and billboards within the limits of said town; to divide said town into districts of such manner, shape and area as may best be suited to carry out the purposes of such act; to regulate the erection, construction, reconstruction, alteration or use of buildings or structures and the use of land in accordance with a comprehensive plan designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and 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, and with full consideration for the character of the districts and their particular suitability for particular use, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout town.

All references to the Connecticut General Statutes refer to revision of 1958, as amended.

1.1 Enacting Clause, Short Title

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

1.2 Definitions.

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

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

1.22 The "Town" is the Town of Plainfield in the County of Windham, State of Connecticut, the "Planning and Zoning Commission" and the "Zoning Board of Appeals" are respectively the Planning and Zoning Commission and the Zoning Board of Appeals of the Town of Plainfield.

ACCESSORY. A building or use which is clearly incidental or subordinate to, and customarily in connection with, the principal building or use and is located on the same lot with such principal building or use. Any accessory building attached to a principal building is deemed to be part of such principal building in applying bulk regulations to such building.

ACCESSORY APARTMENT. A second dwelling unit contained within a single-family residence building and which is clearly subordinate to the main dwelling unit.

AGRI-TOURISM. (Z-2014-0439) (May 1, 2014) The act of visiting a farm for the purpose of enjoyment, education or active involvement in the activities of the farm or operation. Agri-tourism uses may include but are not limited to corn mazes, petting zoos related to farm animals, hay rides, and educational programs. Accessory uses to the agri-tourism enterprise may include refreshments and concessions being served, sale of farm or agricultural related products not produced on site. Any business wishing to utilize the regulations of agri-tourism must be registered as a farm with the State of CT and have a minimum of twenty (20) working acres.

AQUIFER. A geological unit capable of yielding usable amounts of water.

AQUIFER PROTECTION ZONE. The primary and secondary recharge areas of designated aquifers. The aquifer protection zone is shown on an overlay to the zoning map.

ARCADE. Indoor facilities operated commercially for the playing of billiards, pool, ping-pong, electronic games, and/or other such games and amusements. For the purposes of these regulations any facility operated solely for one of these purposes or a facility operated in conjunction with another permitted commercial use, which contains a combination of 6 or more game tables or electronic games shall constitute an arcade.

AUTO RECYCLING FACILITY. (Z-2015-0671) (08/01/2015) A business or place of operation of a business for the efficient, environmentally responsible processing of motor vehicles for reusable components and materials, which shall include: (i) the receipt of unregistered motor vehicles which are no longer intended or in condition for legal use on the public highways ; (ii) removal of batteries and fluids, refrigerants, hazardous substances and precious metals from such vehicles in an environmentally compliant manner; (iii) dismantling such vehicles for parts which dismantling must occur within a structure or structures containing at least seventy-five thousand (75,000) enclosed square feet, at least twenty percent (20%) of which shall be devoted to such dismantling process; (iv) internal and external warehousing of such vehicle parts for wholesale sale, refurbishing or remanufacturing; and (v) the wholesale sale of such warehoused parts.

AUTOMOBILE JUNKYARD. (Z-2015-0671) (08/01/2015) Any business and any place of storage or deposit, whether in connection with another business or not, which has stored or deposited two or more unregistered motor vehicles which are no longer intended or in condition for legal use on the public highways; or used parts of motor vehicles or old iron, metal, glass, paper, cordage or other waste or discarded or secondhand material which has been a part of, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles. Shall also include any place of business or storage or deposit of motor vehicles purchased for the purpose of dismantling the vehicles for parts or for use of the metal for scrap and where it is intended to cut up the parts thereof. An Auto Recycling Facility shall be excluded from this definition of Automobile Junkyard.

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

BILLBOARD. See SIGN, ADVERTISING.

BOARDING HOUSE (Z-2014-0413) (2/11/2014) A home or facility with more than four (4) unrelated individuals sharing a dwelling unit, which does not meet the definition of a Family or Group Home.

BREWERY I (Z-2017-1126) (7/01/2017) A small-scale facility emcompassing no more than 10,000 square feet where beer is manufactured, stored, bottled and sold whether wholesale or retail in sealed containers for consumption off-premises, with a tasting room.

BREWERY II (Z-2017-1126) (7/01/2017) A facility where beer is manufactured, stored, bottled and sold whether wholesale or retail in sealed containers for consumption off-premises that may also contain a tasting room.

BREWPUB (Z-2017-1126) (7/01/2017) A facility where beer is manufactured, stored, bottled and sold whether wholesale or retail in sealed containers for consumption off-premises, and sold to be consumed on premises in a room that is ancillary to the production of beer, with or without the sale of food.

BREWPUB/RESTAURANT (Z-2017-1126) (7/01/2017) A facility where beer is manufactured, stored, bottled and sold whether wholesale or retail in sealed containers for consumption off-premises, and sold to be consumed on premises in conjunction with a restaurant establishment.

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

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

BULKY WASTE means land clearing debris and waste resulting from demolition activities, furniture, rugs, mattresses, carpeting and other household and commercial wastes unable to be accommodated at waste-to-energy facilities and authorized by the Connecticut Department of Environmental Protection to be disposed of at facility sites for which a solid waste permit has been issued. (Effective date 5/15/05)

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

CHILD DAY CARE CENTER (TA-2007-06) (11/01/2007)- a program of supplementary care for related or unrelated children outside their own homes on a regular basis for a part of the 24 hours in one or more days in the week.

CLOTHING DONATION BIN (Z-2016-0849) (04/01/16) - Clothing donation bin shall mean any enclosed container or receptacle held out to the public for the donation of clothing and the temporary secure storage of donated clothing.

COMMERCIAL. A use involving the barter, sale, or exchange of things of value.

COMMERCIAL AGRICULTURAL BUILDING. (Z-2014-0436) (May 1, 2014)
Any building 5000 square feet or greater, or series of buildings located on a property that together equal 5000 square feet or greater, that are used for any of the following:

- Shelter for more than 500 fowl,
- Indoor horticulture,
- Processing, packaging, or storage of products produced on site, with the exception of hay storage provided that the hay was produced by the property owner or purchased for use by the property owner and not purchased for resale.

(Added 3-22-05) (CZ-2004-09)
COMPREHENSIVE ENTERTAINMENT AND AMUSEMENT FACILITY Any single facility, or any group of facilities, acting in concert, which provide entertainment, amusement, athletic or sporting venues in order to provide entertainment or recreational enjoyment to the general public either on a for-profit or not-for-profit basis; including theme parks, amusement parks, arcades, centers for the performing arts, concert halls and miniature golf courses, and any other commercial uses which are proven by the Applicant to be substantially similar in scope, nature and impact to the uses listed above, compatible with surrounding uses, and approved by a majority vote of the Commission.

COMPUTER DATA CENTER. (Added 6/01/2009, TA-2009-02) Area containing computer servers and not computer work station areas.

CONSTRUCTION AND DEMOLITION DEBRIS means unwanted or discarded materials from construction, remodeling and demolition of buildings, utilities, structures and roads, including incidental wastes such as packaging, strapping and scrap materials not salvaged from the same. (Effective date 5/15/05)

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

DOG KENNEL. (See Kennel) Amended 3-1-17

DUSTLESS SURFACE. Adequately covered with screenings, stone, gravel, concrete, asphalt, or bituminous products, or adequately treated with oil, calcium chloride, or similar dust-inhibiting substances.

DWELLING UNIT. A building, or part thereof, containing complete housekeeping facilities for one family.

FAMILY. (Z-2014-0413) (2/11/2014) One or more persons closely related by blood, marriage, a committed relationship, adoption or fostering, occupying a dwelling unit and living together as a single housekeeping unit, or a maximum of four (4) unrelated individuals living together as a single housekeeping unit and sharing in the use of any conveniences available, provided further that within a single dwelling owned and occupied by a family closely related by blood, marriage or adoption. This provision shall be construed so as not to prohibit the renting of rooms without housekeeping facilities for use not by more than two (2) unrelated persons.

FAMILY DAY CARE HOME (TA-2007-06) (11/01/2007) - consists of a family home caring for not more than six children, including the providers own children not in school full time, where the children are cared for not less than three or more than twelve hours during a twenty-four hour period and where care is given on a regularly recurring basis.

FARM. At least five acres of land with buildings which are mainly used for and incidental to farming.

FENCE. Any structure erected to serve as a barrier or property line divider, excluding stonewalls.

FILM STUDIO. (Added 6/01/2009, TA-2009-02) Facility to produce films containing offices, computer data centers, stages, film editing, green rooms, mill, paint shop, commissary, studio residences, and other uses that are incidental to the film studio. No artistic productions shall be produced which motion picture industry standards would consider pornographic.

FILM STUDIO RESIDENCES. (Added 6/01/2009, TA-2009-02) Residences within a film studio, occupied on a non-permanent basis by people associated with the film studio.

FLOOR AREA, GROSS. The sum of the area (horizontal) of every floor of a building measured from the exterior faces of the walls or from the center line of part or common walls separating two buildings, including (a) basement space; (b) attic space whether or not a floor has been laid, over which there is structural headroom of 7 1/2 feet or more; (c) floor space used for mechanical equipment with structural headroom of 7 1/2 feet; (d) roofed porches, breezeways, interior balconies and mezzanines; (e) any roofed space such as a garage or carport for off-street parking accessory to a single-family or two-family dwelling not located in a cellar. However, floor area does not include: (a) cellar space (except that cellar space used for a retail sales use shall be included for the purpose of calculating requirements of such use for accessory off-street parking spaces and accessory off-street loading berths; (b) elevator and stair bulkheads, accessory water tanks and cooling towers; and (c) terraces, unroofed open porches and steps.

FLOOR AREA, LIVABLE. The floor area of a residence which is adequately protected by heat and assured of the availability of light and ventilation. It may include finished basement or attic space, enclosed porches. However, livable floor area does not include garage space, a cellar, terraces, unroofed open porches and steps.

FLOOR AREA RATIO. The floor area in square feet of all buildings on a lot, divided by the area of such lot in square feet.

GARDEN APARTMENT. A building formed by four or more attached dwelling units which has no main central hallway and rises no more than two stories above the ground level, or 35 feet.

GROUNDWATER. Water below the land surface in the saturated zone.

GROUNDWATER RECHARGE AREA. That area from which water is added to the saturated zone by natural processes such as infiltration of precipitation or by artificial processes such as induced filtration.

GROUP HOME (TA-2007-06) (11/01/2007), (Z-2014-0413) (2/11/2014) A home or facility licensed by the State where a program of supplementary care for not less than seven (7) nor more than sixteen (16) related or unrelated children or adults on a regular basis;

HAZARDOUS MATERIAL. Any virgin or waste substance which because of its physical, chemical or infectious characteristics poses an actual or potential hazard to human health or drinking water quality when improperly managed. The material may be toxic, flammable, corrosive or reactive. Included are petroleum and petroleum products and substances, wastes and chemicals listed as hazardous under Title III of the Superfund Amendments and Authorization Act (SARA); Section 101 (14) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA); the Resources Conservation and Recovery Act (RCRA) 40 CFR part 261; Section 311 of the Clean Water Act; and Section 22a-448 of the Connecticut General Statutes.

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

HOME OCCUPATION. A professional or business use conducted entirely within a dwelling unit by the residents thereof, and not more than 2 non-resident employees, which use is subordinate and secondary to use of the unit for dwelling purposes. Such use shall not change the residential character of the dwelling structure, and no stock in trade, raw materials, fixtures or equipment or other evidence of the conduct of the occupation, except for an identification sign permitted by this ordinance, shall be visible from the exterior of the dwelling structure. A “home occupation” shall not be conducted in an accessory building. Occasional sales shall be permitted of goods crafted on the premises only.

Expressly permitted uses include, but are not limited to, the following: offices of physicians, dentists, lawyers, engineers, architects, accountants and other professionals; real estate and insurance practitioners requiring Connecticut licensure; offices and studios of musicians, artists, sculptors, and dancers, provided that students receiving instruction, if any, shall not exceed eight (8) within any common period; day care of children limited to six (6) children within any calendar day; hair care and cosmetology services; tailoring, dressmaking and similar activities; skilled crafts and handicrafts, provided that students receiving instruction, if any, shall not exceed eight (8) within any common period and that the frequency of classes shall be limited to two (2) per

week; furniture upholstering and refinishing cabinet making; dog grooming; and breeder kennels class I.

Uses expressly not permitted include massage and martial arts services and instruction; restaurants; taverns; tourist homes; nursing or convalescent homes; funeral homes; animal care; motor vehicle repair; and animal hospitals.

The above subsections enumerating expressly permitted uses and uses expressly not permitted are not intended to be all-inclusive lists of said permitted and nonpermitted uses.

Notwithstanding compliance with any or all of the above, a "home occupation" shall not involve or require processes or practices which are, or may become, hazardous, noxious or offensive to surrounding uses and the neighborhood by reason of generation or emission of odor, dust, smoke, fumes, noise, vibration, electrical interference, refuse or other effects detectable to the normal senses in excess of levels normally associated with dwellings, or which involve or require use or storage of any type or quantity of flammable, toxic or explosive materials or heavy equipment, vehicles, machinery and building materials not normally found or permitted in dwellings. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises.

A home occupation permit shall be applied for on the prescribed form through the office of the Zoning Enforcement Officer. A home occupation permit shall be issued by the ZEO if the use applied for is one which is a specifically enumerated permitted use as defined in this section. If the use applied for is not one of those specifically enumerated permitted uses, the ZEO shall deny the permit and the applicant may appeal to the Zoning Board of Appeals. The ZBA shall have no jurisdiction to grant a home occupation permit to an applicant whose intended use is one which is an expressly prohibited use as defined in this section. In the event that an application for a home occupation permit is made for a proposed use as defined herein, then the ZBA shall have jurisdiction to grant a home occupation permit upon a finding that the use applied for is materially and substantially similar to a use which is an expressly permitted use a defined herein.

If the use for which the home occupation permit is granted lapses for a period of twelve (12) consecutive months, the home occupation permit shall be deemed to have lapsed and shall be considered null and void. A new home occupation permit must be issued before the premises can be used again for any home occupation purpose. A home occupation permit shall be deemed not to be a covenant running with the land and shall not inure to the benefit of the heirs, successors and assigns of the holder of a home occupation permit. A home occupation permit shall be valid only for the applicant and their immediate families.

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

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

HOTEL. A building which has a common entrance or entrances and contains living and sleeping accommodations for hire for 10 or more persons.

INDOOR EQUESTRIAN RIDING ARENA. (2/01/09) (TA-2008-07) An equestrian riding rink within an enclosed structure.

INDUSTRY. Any process whereby the nature, size and shape of articles is changed, or where articles are assembled or packaged in quantity.

JUNKYARD. (Z-2015-0671) (08/01/2015) Any place in or on which old material, glass, paper, cordage or other waste or discarded or secondhand material which has not been a part, or is not intended to be a part, of any motor vehicle, is stored or deposited. It includes also any business and any place of storage or deposit, whether in connection with another business or not, which has stored or deposited two or more unregistered motor vehicles which are no longer intended or in condition for legal use on the public highways, or used parts of motor vehicles or old iron, metal, glass, paper, cordage or other waste or discarded or secondhand materials which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles. Said terms shall also include any place of business for storage or deposits of motor vehicles purchased for the purpose of dismantling the vehicles for parts or for use of the metal for scrap and where it is intended to burn material which are parts of motor vehicles or to cut up parts thereof. An Auto Recycling Facility shall be excluded from this definition of Junkyard.

(3-1-17)(Z2016-1033)
KENNEL, BREEDER CLASS I. Any owner or keeper of a kennel who breeds more than two litters annually. No more than six (6) dogs over six (6) months of age. No outdoor kennels, fenced runs or training courses. Dogs shall be kept within the house except for exercise and relief.

KENNEL, BREEDER CLASS II. Special Permit Required (See Section 12.33). An increase over a Breeder Kennel Class I to allow for more than six (6) dogs over the age of six (6) months (this includes non-breeders with more than 6 dogs over the age of six months), outdoor kennels, fenced dog runs, and training courses.

KENNEL, COMMERCIAL. Special Permit Required (See Section 12.33a). Allows for uses contained in Breeder Kennels Class I and II, boarding and training, dog day care and other similar uses.

(12/05) (CZ-2005-05)
LIGHT TRESPASS. Light from a site that shines onto adjacent properties.

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

LOT CORNER. A lot whose street lot lines have an interior angle of less than 135 degrees.

LOT FRONTAGE. (Amended 5/01/08, TA-2008-03) The horizontal distance between lot sidelines measured along a Town or State Right-of-Way. Lot frontage must be capable of supporting a driveway that enters from a Town or State Right-of-Way, providing access and parking to the dwelling.

LOT, INTERIOR. A lot without frontage on a street except for a right-of-way.

LOT LINE. A boundary line of a lot.

LOT LINE, FRONT. The line of a street on which a lot abuts.

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

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

LOT, THROUGH. A lot, other than a corner lot, having frontage on two streets.

LOT WIDTH. The average distance between side lot lines measured along two lines parallel to a line connecting the end points of the front lot line and drawn through those two points of the principal building closest to and farthest from the street.

MASSAGE THERAPY. "Massage therapy" means the systematic and scientific manipulation and treatment of the soft tissues of the body, by use of pressure, friction, stroking, percussion, kneading, vibration by manual or mechanical means, range of motion and nonspecific stretching. Massage therapy may include the use of oil, ice, hot and cold packs, tub, shower, steam, dry heat, or cabinet baths, for the purpose of, but not limited to, maintaining good health and establishing and maintaining good physical and mental condition. Massage therapy does not encompass diagnosis, the prescribing of drugs or medicines, spinal or other joint manipulations, nor any service or procedure for which a license to practice medicine, chiropractic, naturopathy, physical therapy, or podiatry is required by law. This definition shall be amended in accordance with any future amendments to Connecticut General Statute 20-206a (d).

MOBILE HOME. A detached dwelling unit designated (1) for long-term occupancy and containing sleeping accommodations, a flush toilet and a tub or shower bath and kitchen facilities, and having both plumbing and electrical connections for attachment to outside systems, (2) to be transported on its own wheels or on flatbed or other trailer or detachable wheels, and (3) to be placed on rigid supports at the site where it is to be occupied as a dwelling complete and ready for occupancy, except for minor and incidental unpacking and assembly operations and connection to utilities systems.

MOTEL. A building or a group of buildings in connected units designed as individual living and sleeping quarters with individual entrances, for hire. A motel includes every type of similar establishment designated as auto court, tourist cabin, etc.

NON-BUILDING USE. A principal use of land to which the buildings on the lot, if any, are accessory, such as a trailer park, junk yard, public parking lot, or an open storage yard for materials.

NONCONFORMING BULK. See BULK, NONCONFORMING.

NONCONFORMING USE. See USE, NONCONFORMING.

NURSING HOME (Z-2014-0413) (2/11/2014) A facility licensed by the State that meets the State definition for any of the following: Cronic and Convalescent Nursing Home, Rest Home with Nursing Supervision. Or Residential Care Home.

OPEN SPACE. Space (a) unoccupied by buildings above the finished grade level, (b) not devoted to streets, driveways, parking, or loading areas, and (c) devoted to recreation, gardening, landscaping, conservation, or other like uses. In all calculations of open space, land lying within ten (10) feet of any structure, street, driveway, parking area, or loading area shall not be considered open space. In general, the smallest accountable open space shall contain at least ten thousand (10,000) square feet and shall average not less than seventy-five (75) feet in its least dimension, although smaller areas may, at the Planning and Zoning Commission's discretion, be counted as open space if topography or lot configuration precludes larger open space, or if smaller areas are especially suitable to serve the needs of residents.

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

PHARMACY (11/13/15) (Z-2015-0783). A retail establishment where prescription medication is dispensed by, or under the direction of a Licensed Pharmacist. No administering of medication is permitted on the premises with the exception of vaccines.

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

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

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

RECHARGE AREA, PRIMARY. The area immediately overlying the stratified drift aquifer and adjacent areas of stratified drift in which groundwater flows directly into the aquifer. The boundary of the primary recharge area is the contact line between the stratified drift and adjacent till or bedrock.

RECHARGE AREA, SECONDARY. Till and bedrock areas adjacent to the primary recharge area which provide direct groundwater inflow to the primary recharge area.

RECREATIONAL CAMPGROUND. A parcel of land used for the parking of recreational vehicles or camper units or the establishment of overnight living quarters, primarily occupied by family groups engaged in travel, recreation or vacation. Such Recreational Campgrounds shall meet all applicable building and health code requirements before it is open to the public.

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

"R" DISTRICT. All residential areas including categories such as: RA-60, RA-40, RA-30, RA-19.

RESIDENCE. One or more dwelling units for permanent occupancy.

RESIDENCE, MULTI-FAMILY. A building or part thereof containing three or more dwelling units.

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

RESIDENCE, SINGLE-FAMILY DETACHED. A single family residence which is separated from lot lines or other buildings by open space.

RESIDENCE, SINGLE-FAMILY ATTACHED. A single-family residence having one or more two party walls on side lot lines.

RIGHT-OF-WAY. A public right of access to approach or enter property.

SCRAP METAL PROCESSING FACILITY. An establishment having facilities for processing iron, steel or nonferrous scrap for sale for remelting purposes only. Does not include automobiles or automobile parts which constitute more than two total cars.

(9/01/07) (TA-2007-04) - (6/01/17) (TA-2017-1069)
SELF SERVICE STORAGE FACILITY. A structure or structures or designated parking area for outside storage of motor vehicles, boats or recreational vehicles, with controlled access, containing separate, individual private storage spaces of varying sizes, leased or rented, on individual leases for varying periods of time, serving residential and commercial establishments, for the storage of goods or possessions specifically excluding hazardous or flammable materials.

SEPTAGE. Sludge produced by domestic wastes that is pumped from septic tanks.

SHOPPING CENTER. Five (5) or more retail stores, service stores, service establishments or offices, often built as a unit, with a public vehicle parking area shared in common. (Approved 4/9/96).

(12/05) (CZ-2005-05)
SIGN. Any structure or part thereof, or any device attached to a building or structure or painted or represented thereon, which displays or includes letters, words, symbols, trademarks, or any other graphic representation which is in the nature of an announcement, direction, advertisement or other device used to attract the attention of the public for commercial purposes or otherwise; similarly, any natural object, such as a tree, stone, or the earth itself, which is painted or arranged so as to represent or display any of the aforesaid graphic representations; any building feature, including roof or other special illumination, special colors or effects, or building or roof lines which serve to identify the use or occupancy of any building or site through a recognized motif or symbol. The term "sign" shall include sculptures and similar works of art designed or intended to attract the attention of the general public to commercial or industrial uses.

SIGN, ADVERTISING. (DELETED 04/01/06) (Z-2016-0854)

(12/05) (CZ-2005-05)
SIGN, AREA OR FACE. The plane defined by one continuous perimeter of that rectangle, triangle, or circle having the smallest area which encompasses all the lettering, wording, design, or symbols together with any background different from the balance of the surface on which it is located, if such background is designed as an integral part of and related to the sign. Such perimeter, however, shall not include any structural elements lying outside of the limits of such sign and not forming an integral part of the display.

SIGN, BUSINESS. (DELETED 04/01/06) (Z-2016-0854)

SIGN, DIRECTIONAL. (DELETED 04/01/06) (Z-2016-0854)

SIGN, EXTERNALLY ILLUMINATED. (DELETED 04/01/06) (Z-2016-0854)

(12/05) (CZ-2005-05)
SIGN, GROUND. Any sign supported by upright structural components, placed or located upon the ground and not attached to any part of any building

SIGN, IDENTIFICATION. (DELETED 04/01/06) (Z-2016-0854)

SIGN, INTERNALLY ILLUMINATED. (DELETED 04/01/06) (Z-2016-0854)

(12/05) (CZ-2005-05)
SIGN, FLASHING. Any sign in which or upon which artificial light is not maintained stationary and constant in intensity and color at all times; (excluding time or temperature signs as permitted by these regulations).

(12/05) (CZ-2005-05)
SIGN, MOVING. Any sign or any portion of any sign, which is not fixed or stationary, or which is capable of any movement whatsoever; excluding barber poles and clocks.

SIGN, OUTDOOR ADVERTISING ON/OR OFF–PREMISES. (DELETED 04/01/06) (Z-2016-0854)

SIGN, OVERHANGING. (DELETED 04/01/06) (Z-2016-0854)

SIGN, POLE. (DELETED 04/01/06) (Z-2016-0854)

SIGN, PUBLIC. (ADDED 04/01/06) (Z-2016-0854) Any sign installed or placed by local, state or federal government for purposes such as direction, traffic safety, public information, etc.

SIGN, PYLON (ADDED 04/01/06) (Z-2016-0854) A sign structure exceeding 20 feet in height.

SIGN, ROOF. (DELETED 04/01/06) (Z-2016-0854)

(12/05) (CZ-2005-05)
SIGN, SKY. Any sign suspended in the air by means of balloon or other lighter-than air-device.

SIGN, TEMPORARY. (AMENDED 04/01/06) (Z-2016-0854) Any sign which is easily removed and carried away and displayed for 60 days or less.

SIGN, TRESPASS. (DELETED 04/01/06) (Z-2016-0854)

(12/05) (CZ-2005-05)
SIGN, WALL. Any sign painted, posted, or otherwise affixed to any portion of a vertical surface or plane that forms the wall of a building.

(12/05) (CZ-2005-05)
SKYGLOW. Rays of light emitted from a property that beam above the horizon, creating a murky glow in the sky.

SOLID WASTE. Unwanted or discarded materials including solids, liquids or containing gaseous materials.

SOLID WASTE AND RECYCLABLES TRANSFER STATION. A central collection point for the solid waste and recyclables generated within a municipality or a group of municipalities, where solid wastes and recyclables received are transferred to a vehicle for removal to another solid waste or recyclables processing facility. Shall also include any location or structure where recyclable wastes, such as wood, are reduced in volume by means of pulverizers, compactors, shredders, or balers. Such a facility may be permitted by the State as a “Volume Reduction Facility”.

SPECIAL FUNCTION FACILITY (CZ-2005-0004). Special function facility means any indoor or outdoor facility to be used for banquets, weddings, receptions, or similar functions.

SPECIAL PURPOSE LANDFILL FACILITY means a specially designed facility, including a double-lined landfill and related improvements, for the disposal of Special Waste, Bulky Waste

and Construction and Demolition Debris, and for the separation of recyclable materials. (Effective date 5/15/05)

SPECIAL WASTE means the following wastes, so long as they are not hazardous waste pursuant to Section 22a-115 of the Connecticut General Statutes or radioactive material subject to Section 22a-148 of the Connecticut General Statues: (1) scrap tires; (2) asbestos; (3) residue, including residue from combusted wastes; and (4) other materials that are or may from time to time be defined, by DEP regulation, interpretation or ruling to be Special Wastes. (Effective date 5/15/05)

STRATIFIED DRIFT. Predominantly sorted sediment deposit by glacial meltwaters consisting of gravel, sand, silt or clay in layers of similar grain size.

STREET. Any existing state or town highway, or a street shown (a) on a subdivision approved by the Planning and Zoning Commission, or (b) on a subdivision duly filed and recorded in the office of the Town Clerk of the Town of Plainfield prior to September 1971, provided such street shall have been suitably improved to the satisfaction of the Planning and Zoning Commission after September, 1971.

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

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

STRUCTURE. Anything constructed or erected, including a building which has a permanent location on the ground or anything attached to something having a permanent location on the ground but excluding fences, flagpoles or ornamental wells.

SUBDIVISION. The division of a tract or parcel of land into three or more parts or lots for the purpose, whether immediate or future, of sale or building development expressly excluding development for agricultural purposes, includes resubdivision.

TERTIARY RECHARGE AREA. The upstream drainage area of stream that traverse the primary recharge area. Rain that falls in this area moves first into a surface water body and then, by induced filtration into the aquifer. In many cases, included infiltration from the stream may be the principal source of water for high-capacity wells.

TOURIST HOME. DELETED (Z-2014-0413) (2/11/2014)

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

USE, NONCONFORMING. A use of a building or land or both which does not conform to the applicable Use Regulation of these regulations either on their effective date, or as a result of subsequent amendments thereof. It may or may not involve any principal building or land use.

Any use which is permitted in a district by a valid variance or special permit shall be considered a conforming use.

(Added 3-22-05) (CZ-2004-09)
UTILITY PLANT. Any facility for the production, generation, treatment or renovation of electric, telephone, cable television, water or sanitary sewerage, whether publicly or privately owned; provided, however, that any privately owned utility plant may only be developed pursuant to these Regulations as an accessory use to a use otherwise permitted pursuant to the provisions of these Regulations.

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

YARD, REQUIRED FRONT. A required yard extending along the full length of the front lot line between the two side lot lines.

YARD, REQUIRED REAR. A required yard extending along the full length of the rear lot line between the two side lot lines.

YARD, REQUIRED SIDE. A required yard extending along a side lot line from the required front yard (or from the required lot line if there).

SECTION 2 – Establishment of District, Zoning Map, District Boundaries and Scope of Controls

2.1 Establishment of Districts (Amended 5/05)(CZ-2005-05)

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

Symbol	**Title**
RA-60	Residence A-60 District
RA-40	Residence A-40 District
RA-30	Residence A-30 District
RA-19	Residence A-19 District
C-1	Commercial District
C-2	Commercial District on Municipal Sewer
C-3	Design Commercial Development District
C-4	Urban Commercial District
HC	Highway Commercial District
I-1	Industrial 1 District
1-2	Industrial 2 District
IP	Industrial Park District

Each such district may be designated on the Zoning Map referred to in Section 2.2 and elsewhere in the text of these regulations by its symbol only.

2.2 Zoning Map

The areas and boundaries of such districts are hereby established as shown on a map entitled, "Zoning Map, Town of Plainfield", and as specified in Section 2.3. Such map, referred to herein as the "Zoning Map," together with everything shown thereon, is hereby made part of these regulations. An original of the Zoning Map and any amendments thereof shall be maintained on public display in the office of the Town Clerk.

2.3 Boundaries on Zoning Map

2.31 Along Rights-of-Way.

Where a district boundary is shown following a street or a public right-of-way, or a line located midway between the main tracts of said railroad, and such boundary shall be deemed to be changed automatically whenever the center line of such street, or public right-of-way, is changed or said main railroad tracks are changed, if the new center line is no further from the old center line than 50 feet at any point.

2.32 Map Dimensions.

Where a dimension is indicated on the Zoning Map such dimension shall control. However, in the absence of a specific dimension being indicated on the Zoning Map, the dimension shall be determined by using the map scale.

2.33 Physical Markers.

Where a street highway, railroad or other physical monument or marker on the ground by which a boundary is determined varies from that as shown on the Zoning Map, the on-the-ground physical monument or marker shall control.

2.4 Scope Of Controls

After the effective date of these Regulations all new construction or development, and every change, enlargement, or relocation of use, and every reconstruction or structural alteration of a building or non-building use, and every change in bulk, shall conform to the use and bulk regulations of these Regulations. All new buildings, and all newly developed land and non-building uses, may be used for any purpose permitted or required by the regulations of the appropriate district. All existing nonconforming uses and nonconforming bulk may continue subject to the regulations in Section 14.

SECTION 3 – Aquifer Protection Overlay District - *Amended 12/11/90*

3.1 Purpose and Intent

The purpose of this regulation is to protect and preserve groundwater quality within stratified drift aquifers which are existing or potential public drinking water supplies. These groundwater resources have been shown to be easily contaminated by many land uses and activities. It is therefore necessary that specific controls over land use be exercised within these areas to protect groundwater quality.

3.11 Applicability

The Aquifer Protection District is hereby established as an overlay district. All land uses within the District must conform to this regulation and those of the underlying zoning district.

3.12 Boundary

The Aquifer Protection District consists of the stratified drift aquifer and its primary and secondary recharge areas. Such District is shown on a map titled "Town of Plainfield, Aquifer Protection District." Such map may be amended from time to time, as information becomes available, in accordance with Section 18 of these Regulations.

3.13 Prohibited Uses

All uses which are permitted in the existing zoning districts by right or by Special Permit are also permitted in the Aquifer Protection District, except that the following uses are prohibited, except as provided in Section 3.19 Nonconforming Uses.

a. Any industrial, commercial or other use in which the manufacture, use, storage, transfer,transport, process or disposal of hazardous materials or waste is a principal activity.
b. Road salt storage and loading facilities
c. Solid and hazardous waste disposal sites, septage lagoons and treatment facilities for municipal or industrial wastes
d. Junkyards, salvage yards, truck terminals
e. Automotive sales, service and repair shops
f. Heavy construction equipment rental
g. Engine repair and machine shops
h. Dry cleaners, industrial launderers
i. Furniture strippers
j. Fuel oil dealers
k. Recreational vehicle and boat dealers and repair
l. Chemical, science or research labs
m. Golf courses
n. Resource recovery facilities, solid waste transfer stations and recycling processing centers
o. Underground storage tanks, underground distribution systems and pipelines for fuels and other hazardous materials.
p. Above ground storage of fuels and other hazardous materials in quantities greater than associated with normal use, other than fuel storage for space heating
q. Automobile Recycling Facility (Z-2015-0671) (08/01/2015)

3.14 Permitted Uses

The following uses, where permitted in the underlying zoning districts by right or by Special Permit, are also permitted in the Aquifer Protection District subject to site development plan review under Section 19 of these Regulations. Such uses are also subject to the additional requirements and performance standards outlined in Sections 3.15 and 3.16 below.

a. Dog kennels
b. Lumber, hardware and other building materials yards
c. Commercial nurseries
d. Agriculture
e. Radio, television and appliance repair
f. Furniture repair
g. Medical, dental or veterinarian offices, public sewer required
h. Beauty salons, public sewer required
i. Print shops, public sewer required
j. Photo processing labs, public sewer required
k. Car washes, public sewer required
l. Laundromats, public sewer required
m. Funeral parlors and crematories, public sewer required

3.15 Additional requirements

The following written and mapped information shall be required:

a. Description of the proposed use
b. A complete list of the types and volumes of all hazardous materials (including fuels) used, stored, processed, handled or disposed of, other than those associated with normal household use
c. Description of the types of wastes generated and method of disposal. This applies to solid waste, hazardous waste, sewage and non-sewage wastewater discharge facilities
d. Location of private drinking water supply wells within 200 feet of all property lines
e. Location of public drinking water supply wells within 1000 feet of all property lines
f. Hazardous materials loading, storage, handling and process areas, floor drains, process vents, sewage disposal, waste storage and disposal areas
g. Other additional information as may be required by reviewing agencies regarding the proposed use, its potential impact to water quality, hydrogeologic informations, monitoring, and mitigation measures
h. Necessary permits secured from the state Department of Environmental Protection and other state, regional and local agencies

3.16 Performance Standards

The following performance standards are intended to prevent or minimize potential contamination of groundwater supplies by prohibiting or controlling waste disposal and other high risk activities; preventing direct and accidental releases of hazardous materials; and providing for inspection and emergency response. An alternative standard may be approved if it is clearly demonstrated to provide equivalent or better protection than that listed.

a. All parking, storage and loading areas shall be paved.
b. The use of drywells or leaching structures for disposal of stormwater runoff is prohibited.

c. A maintenance plan shall be provided for all stormwater treatment structures (basins, separators, etc.).
d. No floor drains shall be connected to drywells, subsurface leaching structures or surface waters. Floor drains may be connected to public sewers with approval from the DEP and the Plainfield Water Pollution Control Authority.
e. All areas and facilities where hazardous materials are stored used or handled shall be designed and constructed to prevent groundwater contamination, including provisions for the control of inadvertent or accidental spills, leaks or other discharges.
f. Venting systems for evaporation or distillation of hazardous materials shall be designed with a recovery system to prevent the discharge of contaminated condensate or drippage.
g. Loading or transfer activities shall be conducted on impervious surfaces, roofed and diked to capture and control any spills or leaks. The dike shall be designed by a professional engineer.
h. Manufacturing, processing or other activities using hazardous materials shall only be conducted on flooring impervious to the materials being used and shall be within a building or structure.
i. A plan and procedure shall be submitted that identifies security and inspection measures to control vandalism or accidents; procedures to contain and clean up spills or leaks of hazardous materials; procedures for notification of local and state officials; procedure to control hazardous materials release in case of total structure loss because of fire.

3.17 Site Plan Review Considerations

The Planning and Zoning Commission shall take into account the public health, safety and welfare in its review of an application. It may stipulate reasonable conditions and safeguards to ensure that the quality of the groundwater will not be adversely affected. Decisions shall be based upon the conformity of the proposed use or activity to the criteria established under these regulations as well as the requirements set forth in the applicable underlying district.

3.18 Application Procedures

The Commission shall approve, modify and approve or deny the site plan within sixty-five (65) days from the official date of receipt in accordance with the Connecticut General Statutes.

3.19 Nonconforming Uses

All existing uses which do not conform to this regulation upon the effective date shall be considered a legal nonconforming use. No such use shall be enlarged, expanded or changed unless in compliance with these Regulations.

SECTION 4 – Wetlands

4.1 No building, structure, on-site sewage disposal system, grading, excavations or dumping of fill or other material shall be allowed with 100 feet of any wetland shown of the Official Wetlands Map of the Town unless a permit for such activity has been issued by the Plainfield Inland Wetlands and Watercourses Commission.

SECTION 5 – Floodplain Management

5.1 All applications for zoning permits or special exceptions for new development greater than five acres shall include with such applications, base flood (100-year flood) elevation data for that portion of the development located within Zone A of the Town's Flood Hazard Boundary Map.

5.11 On the basis of any available base flood (100-year flood) elevation data, it is required that within Zone A on the Town's Flood Hazard Boundary Map, that: all new construction and substantial improvements of residential structures shall have the lowest floor (including the basement) elevated to or above the base flood level and all new construction and substantial improvements of non-residential structures shall have the lowest floor (including the basement) elevated or flood-proofed to or above the base flood level.

5.12 Prior to issuing a zoning permit for new development within Zone A on the Flood Hazard Boundary Map, the Planning and Zoning Commission shall review plans for such development and determine that it will be consistent with the need to minimize flood damage within the flood-prone area, and that: (1) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (2) adequate drainage is provided to reduce exposure to flood hazard; (3) new or replacement water supply systems and/or sanitary sewer systems are designed to minimize or eliminate infiltration of flood waters; and (4) on-site waste disposal systems are located to avoid impairment to them or contamination from them during flooding. (These determinations may be made by the Commission after referral to the local water and/or sewer authority or the health officer.)

5.13 Applicants for development partially or totally within Zone A on the Town's Flood Hazard Boundary Map shall submit with their applications assurances that the flood-carrying capacity of any watercourse will be maintained within any altered or relocated portion of that watercourse.

5.14 The Planning and Zoning Commission shall notify, in riverine situations, adjacent communities and the Connecticut Department of Environmental Protection (Water Resources Unit), prior to approving any alteration or relocation of a watercourse, and shall submit copies of such notices to the Federal Insurance Administrator.

SECTION 6 - Erosion and Sediment Control *Adopted 8/13/85; Effective 9/1/85*

6.1 A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half acre.

6.11 A single family dwelling that is not part of a subdivision of land shall be exempt from these soil erosion and sediment control regulations.

6.12 The Planning and Zoning Commission shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this regulation or deny certification when the development proposal does not comply with these regulations.

6.2 <u>Erosion and Sediment Control Plan</u>

6.21 To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985) as amended. Alternative principles, methods and practices may be used with prior approval of the Commission.

6.22 Said plan shall contain, but not be limited to:

a. A narrative describing:
   1. the development
   2. the schedule for grading and construction activities including:
      a. start and completion dates,
      b. sequence of grading and construction activities,
      c. sequence for installation and/or application of soil erosion and sediment control measures,
      d. sequence for final stabilization of the project site.
   3. the design criteria for proposed soil erosion and sediment control measures and storm water management facilities.
   4. the construction details for proposed soil erosion and sediment and control measures and storm water management facilities.
   5. the installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities.
   6. the operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities.

b. A site plan map at a sufficient scale to show:
   1. the location of the proposed development and adjacent properties;
   2. the existing and proposed topography including soil types, wetlands, watercourses and water bodies;
   3. the existing structures on the project site, if any;
   4. the proposed area alterations including cleared, excepted, filled or graded areas and proposed structures,utilizing roads, and if applicable, new property lines;

5. the location of and design details for all proposed said erosion and sediment control measures and stormwater management facilities;
6. the sequence of grading and construction activities;
7. the sequence for installation and/or application of soil erosion and sediment control measures;
8. the sequence for final stabilization of the development site.

c. Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.

6.3 Minimum acceptable standards

6.31 Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principles as outlined in Chapters 3 and 4 of the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. Soil erosion and sediment control plans shall result in a development that minimizes erosion and sedimentation during construction: is stabilized and protected from erosion when completed: and does not cause off-site erosion and/or sedimentation.

6.32 The minimum standards for individual measures are those in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. The Commission may grant exceptions when requested by the applicant if technically sound reasons are presented. The appropriate method from Chapter 9 of the *Connecticut Guidelines for Soil Erosion and Sediment Control* (1985), as amended, shall be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Commission.

6.4 Conditions Relating to Soil Erosion and Sediment Control

6.41 Nothing in these regulations shall be construed as extending the time limits for the approval of any application under Chapters 124, 124A or 126 of the General Statutes.

6.42 Prior to certification, any plan submitted to the municipality may be reviewed by the Windham 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.

6.43 The Commission may forward a copy of the development proposal to the wetlands commission or other review agency or consultant for review and comment.

6.44 Site development shall not begin unless the soil erosion and sediment control plan is certified and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional.

6.45 Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.

6.46 All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.

6.5 Inspection

Inspections shall be made by the Commission or its designated agent during development to ensure compliance with the certified plan and that control measures and facilities are properly performed or installed and maintained. The Commission may require the permittee to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained.

SECTION 7 - Residential Districts

7.1 Bulk Table (Modified 12/05) (CZ-2005-05)

The following table of bulk requirements shall be applicable to all lots and uses situated in RA Districts.

	RA-60	**RA-40**	**RA-30**	**RA-19**
Minimum Lot Area (sq ft)	60,000	40,000	30,000	19,000
Minimum Lot Frontage	150 FT	125 FT	125 FT	100 FT
Minimum Front Yard Depth	50 FT	40 FT	40 FT	25 FT
Minimum Side Yard Width	40 FT	30 FT`	30 FT	15 FT
Minimum Rear Yard Depth	40 FT	30 FT	30 FT	20 FT
Maximum Height	30 FT	30 FT	30 FT	30 FT

* * See Section 7.12 for special bulk requirements for mobile homes * *

7.1a Detached Accessory Structures (Amended 2/11/2014)(Z-2014-0412)

For all detached accessory structures such as sheds, garages, pools, etc., where a dwelling presently exists on the lot, the side and rear yard setbacks shall be as follows:
RA-60: Side yard setback of 15 feet. Rear yard setback of 10 feet.
RA-30: Side yard setback of 10 feet. Rear yard setback of 10 feet.
RA-19: Side yard setback of 5 feet. Rear yard setback of 5 feet.
The front yard setbacks are as shown in the bulk table.
Detached accessory structures (excluding swimming pools) having a footprint larger that 900 square feet or a height exceeding 20 feet shall require a Special Permit.

7.1b As of the official date of this amendment, June 29, 1987, it is the intention of the Commission to eliminate the RA-19 District as a future development alternative. Bulk Requirements for the RA-19 district will remain for enforcement use in all pre-existing RA-19 Districts.

7.11 Minimum Floor Area

In order to assure a dwelling unit which provides for a healthful and comfortable environment and which will not detract from values of adjacent properties, new dwelling units or dwelling units for which the value of expansion or renovation equals or exceeds one hundred percent (100%) of the reproduction value of the building at the time of application for a building permit shall contain, at a minimum, the gross number of square feet shown in the table. Such gross area shall be measured by exterior dimensions of the dwelling, except when infeasible due to floors which do not extend to the full dimensions of the dwelling unit.

Such gross areas shall include all fully enclosed areas, but shall not include garages, carports, basements, which are unheated or otherwise unsuited for living space; crawl spaces, or attics. The provisions of this section shall apply to all dwelling unites except mobile homes, motel units, and dwelling units permitted by special permit.

Minimum Gross Floor Areas (in sq ft)

Dwelling with 1 bedroom	Dwelling with2 bedrooms	Dwelling with 3 bedrooms	Each additional bedroom
650	770	950	120

Note: The figures in the above table were arrived at by summing the minimum room areas recommended by the U.S. Department of Housing and Urban Development in HUD Manual PG-50, then adding approximately 70% of these sums, to allow for bathrooms, closets, halls, stairs and a slight amount of additional living space.

7.12 Mobile Homes

Mobile homes shall be permitted in RA-60 districts, provided the following standards are satisfied:

a. Minimum Lot Area: 60,000 square feet per mobile home.
b. Setbacks, Separations. A mobile home shall be located at least one hundred (100) feet from all streets, roads and property lines and at least 1500 feet from any other mobile home or dwelling unit, occupied or unoccupied, including dwelling units under construction or approved for construction.
c. Sewage Disposal. Each mobile home shall either connect to a municipal sewer at the time of occupancy or shall connect to an on-site sewage disposal system which meets all standards applicable to on-site sewage disposal systems for single-family dwellings in the Town. If the mobile home will connect to an on-site disposal system, the owner or occupant shall secure a written determination by the Northeast District Department of Health of whether the soil is suitable for absorption of septic tank effluent. Such written report shall be delivered to the Zoning Enforcement Officer and a zoning permit shall not be issued unless the soil is shown to have an acceptable capacity to absorb effluent without contamination of surface water or creation of other health or safety hazard.
d. Water Supply. Each mobile home site shall have an adequate supply of safe drinking water from either a public water supply system or a private well at the time of occupancy.
e. Pad or Piers. A mobile home shall be underlaid by a concrete pad, poured concrete piers or treated wood posts adequate to support the weight of the mobile home without movement due to frost heaving or settling.
f. Skirting, Steps. All sides of the mobile home shall be skirted with corrosion-resistant materials. Permanent steps with a handrail must be available at entrances.
g. Tiedown. A mobile home shall have tiedowns in accordance with the State Building Code.
h. Fuel Tanks. Fuel oil tanks, if not buried, and bottled gas tanks shall be securely fastened to prevent accidental tipping.

7.2 Permitted Uses in Residential Districts

The following uses shall be deemed permitted uses in the following residence districts. Those uses not enumerated herein shall be deemed prohibited in residence districts unless specifically permitted elsewhere in these regulations.

7.21 RA-60 Districts

a. Single family detached dwellings; not more than one dwelling per lot.
b. Agricultural operations and proceedings incidental thereto.
c. The keeping and breeding of animals including, but not limited to cattle, sheep, pigs, chickens, goats, horses and the rental of horses per Section 7.27. A Special Permit per Section 12.33 and an annual Kennel Permit issued by the Zoning Enforcement Officer is required for Dog Kennels.
d. Seasonal stands for the display and sale of agricultural products grown on the premises or on property owned, leased or borrowed by the owner of the stand. The majority of the products sold must be grown by the owner of the stand. (Amended 6/01/2009, TA-2009-02)
e. Golf courses.
f. Churches and places of worship.
g. Schools, public or private.
h. Cemeteries, hospitals.
i. Mobile homes according to the terms of Section 7.12 of these regulations.
j. Accessory uses customarily incidental to any of the above permitted uses including home occupations.

7.21.1 Special Permit Uses (See Section 12):

a. Municipal buildings (Section 12.21)
b. Elderly housing (Section 12.25)
c. Accessory Apartments (Section 12.28)
d. Group Day Care Home, public sewer required (Section 1.2)
e. Child Day Care Center, public sewer required (Section 1.2)
f. Dog Kennels for more than six (6) dogs (Section 12.33).
g. Recreational Campgrounds (Section 12.34)
h. Earth Excavation (Section 12.32)
i. Special Purpose Landfill Facility (Section 12.38)
j. Bed and Breakfast – Special Functions Facility (Section 12.39)
k. Indoor Equestrian Riding Arenas (Section 12.40)
l. Commercial Agricultural Buildings – see section 12.44 (Z-2014-0436) (May 1, 2014)
m. Agri-tourism (See Definition section 1.2 & section 12.45 for Special Permit requirements.) (Z-2014-0439) (May 1, 2014)
n. Breeder Kennel Class II
(Z2016-1033) (March 1, 2017)

7.21.2 No building, structure, on-site sewage disposal system, grading, excavations or dumping of fill or other material shall be allowed within 100 feet of any wetland shown of the Official Wetlands Map of the Town unless a permit for such activity has been issued by the Plainfield Inland Wetlands and Watercourses Commission.

7.22 RA-40 Districts

a. Single family detached dwellings; not more than one dwelling per lot.
b. Agricultural operations and proceedings incidental thereto.
c. Stands for the display and sale of agricultural products grown primarily on the premises.
d. Golf courses.

e. Churches and places of worship.
f. Schools, public and private.
g. Cemeteries, hospitals.
h. Accessory uses customarily incidental to any of the above permitted uses, including occupations.

7.22.1 Special Permit Uses (See Section 12)
a. Municipal Buildings (Section 12.21)
b. Deleted 5/01/2009 (TA-2009-01)
c. Elderly housing (Section 12.25)
d. Accessory Apartments (Section 12.28)
e. Group Day Care Home, public sewer required (Section 1.2)
f. Child Day Care Center, public sewer required (Section 1.2)
g. Recreational Campgrounds (Section 12.34)
h. Earth Excavation (Section 12.32)

7.22.2 No building, structure, on-site sewage disposal system, grading, excavations or dumping of fill or other material shall be allowed within 100 feet of any wetland shown of the Official Wetlands Map of the Town unless a permit for such activity has been issued by the Plainfield Inland Wetlands and Watercourses Commission.

7.23 RA-30 Districts - Connection to public sanitary sewer required.
a. Single family detached dwellings.
b. Churches and places of worship.
c. Schools, public and private.
d. Accessory uses customarily incidental to any of the above permitted uses, including home occupations.
e. Dwellings for more than one family, provided there shall be at least 30,000 square feet (3/4 acre) of lot area for each family or unit situated in the building and provided there are no more than four (4) units in the building.

7.23.1 Special Permit Uses (See Section 12)
a. Garden Apartments (Section 12.2)
b. Municipal Buildings (Section 12.21)
c. Elderly Housing (Section 12.25)
d. Accessory Apartments (Section 12.28)
e. Group Day Care Home, public sewer required (Section 1.2)
f. Child Day Care Center, public sewer required (Section 1.2)
g. Recreational Campgrounds (Section 12.34)
h. Earth Excavation (Section 12.32)
i. Convalescent Homes, public sewer required (Section 12.23) (Added 5/01/2009, TA-2009-01)

7.23.2 No building, structure, grading, excavations or dumping of fill or other material shall be allowed within 100 feet of any wetland shown on the Official Wetlands Map of the Town unless a permit for such activity has been issued by the Plainfield Inland Wetlands and Watercourses Commission.

7.24 RA-19 Districts - Connection to public sanitary sewer required.

a. Single family detached dwellings.
b. Churches and places of worship.
c. Schools, public and private.
d. Accessory uses customarily incidental to any of the above permitted uses, including home occupation.
e. Dwelling for more than one family, provided there shall be at least 21,780 square feet (1/2 acre) of lot area for each family or unit situated in the building and provided there are no more than four (4) units in the building.

7.24.1 Special Permit Uses (See Section 12) (Amended 2/01/09)

a. Garden Apartments (Section 12.2)
b. Municipal Buildings (Section 12.21)
c. Convalescent Homes (Section 12.23)
d. Elderly Housing (Section 12.25)
e. Accessory Apartments (Section 12.28)
f. Group Day Care Home, public sewer required (Section 1.2)
g. Child Day Care Center, public sewer required (Section 1.2)
h. Earth Excavation (Section 12.32)
i. Conversion of former boarding houses into apartments (Section 12.42)

7.24.2 No building, structure, grading, excavations or dumping of fill or other material shall be allowed within 100 feet of any wetland shown on the Official Wetlands Map of the Town unless a permit for such activity has been issued by the Plainfield Inland Wetlands and Watercourses Commission.

7.25 Interior Lots (9/01/07) (TA-2007-04) (Amended 11/01/11, TA-2011-02)

Interior lots shall be permitted in RA-30, RA-40, and RA-60 zoning districts. Area requirements for interior lots shall be 60,000 s.f. minimum for RA-30 zones, 80,000 s.f. minimum for RA-40 zones and 120,000 s.f. minimum for RA-60 zones. Interior lots shall be served by an unobstructed 40' minimum width access strip leading to a public highway and shall be adequate to accommodate fire apparatus and/or other emergency equipment. The access strip shall serve a maximum of two (2) lots and shall be owned by one of the lots it serves. The access strip shall not be included in the minimum area requirements for any lot and shall not be located any closer than 300 feet from any similar access strip on the land being divided. This 300 ft. restriction shall not apply to access strips across any streets or roads or access strips on adjacent properties under separate ownership at the time of adoption of these regulations and continuously thereafter.

7.26 Reduced Frontage on Cul-de-sacs

The frontage requirement may be reduced by 50% on lots fronting on the circular turn-around (cul-de-sac) at the end of a dead-end street, provided such lots have a minimum width at the building line equal to or greater than the frontage required for that zoning district and provided to lot size is at least twice the lot size required for that zoning district.

7.27 Keeping of Animals in an RA-60 District

a. The number of animals shall not exceed those established in this section of the regulations.

b. Number of Animals per Acre

The minimum lot size for keeping animals is 1.38 acres (60,000 square feet), which may include a dwelling. The area of land required for keeping animals will be referred to as "dedicated land". Dedicated land is land exclusive of wetlands, residential structures and uses, and slopes of greater than 25%. Dedicated land is the area of land that the animals will be allowed to roam. Properties consisting of 7 or more acres of dedicated land will be exempt from the requirements of this section.

No more than two (2) animal units shall be kept on each acre of dedicated land owned, leased or borrowed.

The number and type of animal constituting an animal unit as well as the number of animals permitted on an area of land is described in the following table. For animals not listed in the table, the Zoning officer will base the animal unit on the closest animal listed in the table:

Type of Animal	**Number of Animals Per Animal Unit**	**No. of Animals Permitted per Acre of Dedicated Land**
Horse, pony, mule, donkey, and animals of similar size.	1	2
Dairy cow	1	2
Beef cow	1	2
Sheep	5	10
Goats	5	10
Pigs	2 mature pigs plus 1 litter (3 months or less)	4 plus 2 litters
Rabbits	25	50
Chickens	32	64
Ducks	16	32
Geese, turkeys	8	16

Combinations of different animals and fowl are permitted provided total permitted animal units are not exceeded for available acreage. Example – Five sheep and 32 chickens would be permitted on one acre.

Space Standards:

Shelter – each animal shall have free access to shelter, which will provide shade and protection from wind, rain and snow.

A minimum of 100 sq. ft. of interior floor space shall be provided for each animal unit.

c. Fencing
The owner of any animal and the owner of the property on which an animal is kept shall have the responsibility of maintaining a fence suitable to contain every animal on the premises. Barbed wire fencing is not permitted.

d. Indoor Equestrian Riding Arenas
Properties having equestrian stables equipped with year-round indoor riding arenas do not have to meet the dedicated land requirements stated above. Indoor riding arenas are permitted by Special Permit. See Section 12.40

SECTION 8 -Commercial Districts

8.1 Bulk Table (C-5 abolished 6-7-06) (TA-2006-06)
(C-1 & C-2 Requirements Modified 12/05) (CZ-2005-05)
The following table of bulk requirements shall be applicable to all lots and uses situated in C-1 and C-2.

	C-1	**C-2**
Minimum Lot Area (sq ft)	30,000 SF	20,000 SF
Minimum Lot Frontage	150 FT*	100 FT*
Minimum Front Yard Depth	30 FT	30 FT
Minimum Side Yard Width	25 FT	25 FT
Minimum Rear Yard Depth	25 FT	25 FT
Maximum Height	30 FT	30 FT

*Interior lots shall be served by an unobstructed 40' minimum width access strip or unobstructed R.O.W. leading to a public highway and shall be adequate to accommodate fire apparatus and/or other emergency equipment. The access strip shall serve a maximum of two (2) lots and shall be owned by one of the lots it serves. The acess strip shall not be included in the minimum area requirements for any lot. (Amended 4/01/2010, TA-2010-02) (Amended 12/14/10, TA-2010-05)

8.1a C-2 Bulk requirements shall apply only in Commercial Districts served by municipal sewerage. Uses which opt for the C-2 bulk requirements shall connect to municipal sewerage.

8.11 Compliance (Amended 5/01/2008, TA-2008-02)
Whenever a structure is proposed for construction in any commercial district, a site development plan as defined in Section 19 of these regulations, shall be submitted to the Planning & Zoning Commission and said Commission shall act within the meanings of these regulations to insure that the proposed development is in compliance with all regulations governing it. The approved site development plan shall be signed by the Commission Chairman and recorded in the Town Clerk's office prior to issuance of zoning or building permits.

8.12 Buffer screening of commercial districts. (Added 8/01/2010)
Where any lot or part thereof in a commercial district adjoins a residential district, a landscaped buffer strip at least twenty-five (25) feet wide shall extend the length of such district boundaries seeded to grass and planted to trees and shrubs over six (6) feet in height and capable at all times of the year of satisfactorily obscuring the sight, sound and illumination of nonresidential uses from surrounding or adjacent residential uses as will safeguard the residential character of the adjoining properties. In lieu of trees and shrubs, the Commission may approve an ornamental or other fence. Said Commission may waive the requirements for all or part of such landscape strip or fence where topography, permanent natural features, public lands or lack of industrial development on adjacent properties accomplishes the purpose of separation and screening of a commercial district from residential districts. Failure to maintain such a strip, where required, shall constitute a violation of the provisions of these regulations.

8.13 Use of land for access and parking (Added 8/01/2010)

The use of land for access to or for off-street parking in connection with and adjacent to a Commercial and/or Industrial use shall be considered to be accessory to and part of such use except that this provision shall not be construed to prohibit access across a commercial district to a use lying in an industrial district.

8.2 Permitted uses in commercial districts

The following uses shall be deemed permitted uses in commercial districts C-1 and C-2. Those uses not enumerated herein shall be deemed prohibited in commercial districts unless specifically permitted elsewhere in these regulations.

a. Boarding or rooming houses; tourist homes. DELETED (Z-2014-0413) (2/11/2014)
b. Offices.
c. Retail, dry goods, variety, food, hardware, stationery, liquor, tobacco, newsstands, retail dry cleaning & laundry facilities, shoe repair stores and pharmacies.
d. Post offices.
e. Banks.
f. Clothing Stores.
g. Home appliance stores.
h. Jewelry stores.
i. Beauty parlors and barbershops.
j. (Deleted 9/01/07 TA-2007-04)
k. Photographic studios.
l. Restaurants and taverns.
m. Bookstores.
n. Print Shops.
o. Hotels and motels.
p. Parking lots.
q. New and used car lots.
r. Gasoline service stations.
s. Theaters, except drive-in.
t. Animal hospitals
u. Funeral parlors.
v. Self Service Storage Facility subject to the following conditions (9/01/07) (TA-2007-04):
    1. No commercial, wholesale or retail sales or miscellaneous garage sales,
    2. No outside storage of goods or materials; storage of motor vehicles, boats or recreational vehicles shall be allowed in a designated location provided said motor vehicle, boat or recreational vehicle does not obstruct access to or within the facility. Maintenance of said vehicles shall not be allowed on the premises. Said motor vehicles, boats or recreational vehicles shall be operable and registered in the State of Connecticut at all times during storage.
    3. No operations of power tools, spray painting equipment, refrigerators, or similar equipment or appliances,
    4. No use that is noxious or offensive because of odors, dust, noise fumes or vibrations,
    5. No service, sales, repairs or fabrications of motor vehicles, trailers or other similar equipment, appliances or machinery,

6. No storage of hazardous materials or flammable chemicals,
7. If a travel aisle between storage units is provided, the aisle must be a minimum of 24 feet in width,
8. The facility must be completely enclosed by a 6 (six) foot (minimum) high fence of material to be determined at the sole discretion of the Commission. Additionally the site must appropriately landscaped to effectively screen the activity from neighboring uses.
9. Access to the facility is limited to normal business hours, as determined by the Commission.

w. Massage parlors. The operation is expressly prohibited of any establishment as a massage salon, bath parlor, or any similar type business, where any physical contact with the recipient of such services is provided by a person of the opposite sex. This regulation shall not apply to a physician, surgeon, chiropractor, osteopath or physical therapist duly licensed by the State of Connecticut, or to a licensed nurse acting under the direct prescription and direction of any such physician, surgeon, chiropractor or osteopath. Also this regulation shall not apply to barber shops or beauty parlors in which massage is given to the scalp, the face, the neck or the shoulders. Any person who shall violate the provisions of this regulation shall, upon conviction thereof, be fined not more than one hundred dollars, and each day's operation shall constitute a separate offense.

x. Fitness and Exercise Facilities. (approved October 8, 1985 effective October 27, 1985).

y. Car wash, public sewer required. (Approved 5/8/90)

z. Massage therapy as defined in Section 1.2 of these regulations, subject to the massage therapist presenting credentials which are satisfactory to the Commission at a regular meeting of the Planning and Zoning Commission. In addition, the massage therapist shall present to the Commission an affidavit sworn to by the applicant under oath stating that the applicant has not in the past and will not in the future operate a massage parlor. Upon presentation of the applicant's credentials and affidavit and if the Commission find the applicant's credentials to be satisfactory the Commission shall issue to the applicant a zoning permit. Any misrepresentations by the applicant in the affidavit or subsequent operation of a massage parlor shall result in immediate revocation of said zoning permit.

aa. Any other commercial uses (except those for which a Special Permit is required) which are proven by the applicant to be substantially similar in nature and impact to uses listed above and approved by a majority vote of the Commission. (Approved 1/11/94 by P & Z)

bb. Clothing Donation Bins – (Amended 4/01/16) (Z-2016-0849) See Section 15.8 General Requirements.

cc. Brewery I (Z-2017-1126) (07/01/17)

1. Accessory Uses: Food truck exclusively to provide on-site food for tasting events. Maximum of two (2) food trucks on site at any time. Food trucks are not permitted to be on site or to serve food outside of tasting hours.

dd. Brewpub (Z-2017-1126) (07/01/17)

1. Accessory Uses: Food truck exclusively to provide on-site food for tasting events. Maximum of two (2) food trucks on site at any time. Food trucks are not permitted to be on site or to serve food outside of tasting hours.

ee. Brewpub/Restaurant (Z-2017-1126) (07/01/17)

8.21 Special Permit Uses (See Section 12):

a. Arcades. Arcades may, by special permit only be allowed in any commercial zone. Such use shall be subject to the applicable bulk and parking requirements of the zone in which it is located, and to the pertinent sections of Section 12 of these Regulations regarding special permit uses. (CZ-2006-04)(5-9-06)
b. Shopping Centers. See Section 12.22 and all Commercial buildings having a footprint of 10,000 square feet or greater, or a gross floor area of 18,000 square feet or greater, along with all property and uses associated with the building.
c. Group Day Care home, public sewer required (Section 1.2)
d. Child Day Care Center, public sewer required (Section 1.2)
e. (Deleted 9/01/07 TA-2007-04):
f. Earth Excavation (Section 12.32)
g. Convalescent Homes, public sewer required (Section 12.23) (Added 5/01/2009, TA-2009-01)
h. Flea Markets (Section 12.29)
i. Boarding Houses ADDED (Z-2014-0413) (2/11/2014)

8.3 C-3 Design Commercial Development Zone (Deleted 6-01-2009, TA-2009-02)

8.4 C-4 Urban Commercial District (Deleted 6-01-2009, TA-2009-02)

8.5 C-5 Resort / Recreational Development District (Deleted 6-01-2009, TA-2009-02)

8.6 Wetlands

No building, structure, on-site sewage disposal system, grading, excavations or dumping of fill or other material shall be allowed within 100 feet of any wetland shown on the Official Wetlands Map of the Town unless a permit for such activity has been issued by the Plainfield Inland Wetlands and Watercourses Commission.

8.7 Clean-Up Services

All commercial facilities selling food items for consumption outside the immediate building must provide clean-up service daily for the lot plus any adjacent area which are obviously affected by litter from the business.

8.8 Highway Commercial District (Created 5-11-04)(Amended 2-14-06)

This Zoning District has been created for areas in the vicinity of the Route I-395 exits. This Zoning District may be applied to properties lying within 1200 feet of the intersection of an I-395 exit ramp and an approved Town or State Highway.

8.81 Bulk Table Requirements

The bulk table requirements for the HC District will correspond with the requirements for C-1 and C-2 districts depending on if the property is serviced by sanitary sewer, with the exception of maximum height. The maximum building height in the HC District is 50 FT.

8.82 Permitted Uses in the Highway Commercial District.

The following uses shall be deemed permitted uses in the Highway Commercial District. Those uses not enumerated shall be deemed prohibited unless specifically permitted elsewhere in C-1 and C-2 zones in these regulations.

a. All uses permitted in the C-1 and C-2 Commercial Districts.

SECTION 9 - Industrial Districts

9.1 Purpose and Intent

The purpose and intent of this Section is to provide and utilize Industrial Zones for a full range of manufacturing, industrial, production and supporting facilities in Town while protecting the Town's Aquifers and water supplies.

9.2 Compliance (Amended 5/01/2008, TA-2008-02)

Whenever a structure is proposed for construction in any industrial district, a site development plan as defined in Section 19 of these regulations, shall be submitted to the Planning & Zoning Commission and said Commission shall act within the meanings of these regulations to insure that the proposed development is in compliance with all regulations governing it. The approved site development plan shall be signed by the Commission Chairman and recorded in the Town Clerk's office prior to issuance of zoning or building permits.

9.3 General Requirements (Amended 4/01/2010, TA-2010-01)

The following general requirements shall be applicable to all lots and uses in the Industrial 1 and 2 Districts.

9.31 Bulk Table

	I-1 Industrial	I-2 Industrial
Minimum Lot Area (sq. ft.)	60,000	40,000
Minimum Lot Frontage	200 ft or 40 ft unobstructed R.O.W.	200 ft or 40 ft unobstructed R.O.W.
Minimum Front Yard Depth	60 feet	50'
Minimum Side Yard Width	50 feet	50'
Minimum Rear Yard Depth	50 feet	50'
Maximum Height	50 feet	60'
Maximum Building Coverage	50 percent	65%

a. Additional Requirements for I-2 Industrial Zone
   1. Lot Frontage must be along a State Highway, (Route 12, Route 14, Route 14A or Interstate 395) or along a town road built to the town's engineering specifications, with direct access to a State Highway.
   2. Uses in the I-2 Industrial Zoning District must be connected to the municipal wastewater collection system.

b. Interior lots shall be served by an unobstructed 40' minimum access strip or unobstructed R.O.W. leading to a public highway and shall be adequate to accommodate fire apparatus and/or other emergency equipment. The access strip shall serve a maximum of two (2) lots and shall be owned by one of the lots it serves. The acess strip shall not be included in the minimum area requirements for any lot. (Amended 4/01/2010, TA-2010-02) (Amended 12/14/10, TA-2010-05)

9.32 More than one user per lot/Multi-tenant Facilities

These regulations do not prohibit the establishment or conversion of facilities to accommodate more than one compatible and permitted user or industry per parcel. However, when more than one user or industry is proposed per parcel, additional

information regarding common and specific facilities and obligations shall be submitted to the Commission for approval. Such information shall include arrangements for shared or separate utility, access maintenance and repairs, parking, circulation, loading and unloading, signage, etc.

9.33 Requirements for change of use

(a) The changing of users shall not require a new site development plan for permitted uses when the property had a previously approved site development plan and the new use requires no more parking space or increased building footprint or volume.

(b) When a use has to be changed from an approved special permit use to another special permit use, the Commission shall determine if the new use needs to have a new special permit based on the relative intensity of the two uses. The Commission can only waive the requirement for a new special permit when the applicant proves that the new use is no more incompatible than the original use for which the special permit was granted.

(c) Industrial facilities which existed prior to the adoption of the Zoning Regulations and are in the Industrial District can change to any permitted use in the Industrial District without submitting a site development plan providing there are no proposed additions to the footprint and volume of the building and further that the parking or loading requirements do not increase.

(d) Industrial facilities which existed prior to the adoption of the Zoning Regulations and are in the Industrial District shall not be changed from a permitted or special permit use to a new special permit use without an approved special permit from the Commission.

9.34 Permitted uses in the I-1 Industrial District

The following uses are permitted except as prohibited by Section 3, subject to site development plan approval by the Planning and Zoning Commission and compliance with Federal and State Regulations.

a. Agricultural Operations.
b. Scientific, Engineering and Medical Research Laboratories.
c. Business and professional offices necessary for sales, marketing, design and development of products manufactured, assembled or processed on site.
d. Computer hardware and software design, manufacturing and assembling.
e. The manufacture of solar power systems and parts.
f. The manufacture and assembly of motor vehicles and parts.
g. The manufacture, processing, warehousing assembling, or packaging of cosmetics, toiletries, pottery and ceramic products, furniture and fixtures, clothing and textiles, electronic apparatus, woodworking, optical equipment, glass, hardware, tools and dies, toys, novelties, stone products, sporting goods, musical instruments, signs and similar industries, metal fabrication, the manufacturing and assembling of light and heavy machinery and prefabricated buildings and their components.
h. Wholesale dry cleaning, rug cleaning and laundry plants.
i. Wholesale businesses, and building material storage and sale, but excluding storage of coal or coke.
j. Radio or television studios including antenna.

k. Stone polishing, engraving, cutting or carving.
l. Warehousing and Distribution. (Added 5-9-00, CZ-2000-02)
Warehousing and distribution of any goods or products which are allowed to be manufactured, produced, stored or sold in the commercial and industrial districts in the Town of Plainfield.
m. Commercial Agricultural Buildings (Z-2014-0436) (May 1, 2014) – no agricultural operations allowed outside of building.
n. Brewery II (Z-2017-1126) (07/01/17)

9.35 Permitted Uses in the I-2 Industrial District

a. Scientific, Engineering and Research Laboratories
b. Business and professional offices
c. Computer Hardware and Software design, manufacturing and assembling
d. Warehousing and Distribution
e. Manufacturing, with processes that do not conflict with the Aquifer Protection Overlay District Regulations.
f. Self Service Storage Facility subject to the following conditions:
(TA-2007-05)(11/01/07)
1. No commercial, wholesale or retail sales or miscellaneous garage sales,
2. No outside storage,
3. No operations of power tools, spray painting equipment, refrigerators, or similar equipment or appliances,
4. No use that is noxious or offensive because of odors, dust, noise, fumes or vibrations,
5. No service, sales, repairs or fabrications of motor vehicles, trailers or similar equipment, appliances or machinery,
6. No storage of hazardous materials or flammable chemicals,
7. If a travel aisle between storage units is provided, the aisle must be a minimum of 24 feet in width,
8. The facility must be completely enclosed by a 6 (six) foot (minimum) high fence of material to be determined at the sole discretion of the Commission. Additionally the site must be appropriately landscaped to effectively screen the activity from neighboring uses.
9. Access to the facility is limited to normal business hours, as determined by the Commission.
g. Commercial Agricultural Buildings (Z-2014-0436) (May 1, 2014) – no agricultural operations allowed outside of building.
h. Brewery II (Z-2017-1126) (07/01/17)

9.4 Special Permit Uses

9.41 Special Permit Uses in the I-1 Industrial District

The following uses (except as prohibited by Section 3) may be allowed subject to the approval of a Special Permit Application by the Commission and to the approval of State and Federal Permits.

a. The manufacturing of construction of building products from earth, rock, ore and minerals.
b. The manufacture of products from recycled materials. Manufacturing shall be the primary operation; retrieval, separating and transporting shall be secondary operations to the manufacturing process.
c. Energy production facilities including facilities which produce energy from materials sorted and retrieved elsewhere.
d. The manufacturing and processing food, candy and pharmaceuticals.
e. Bus, truck and/or freight terminals. (Amended to add 1. Effective 8-1-19)
    1. As an accessory use to a truck terminal that rents or leases trucks and maintains their fleet on premises, commercial motor vehicle repair of commercial/industrial trucks, excluding auto body repair, may be allowed by special permit exclusively for customers that have a current truck rental or lease agreement with that terminal.
f. Facilities to rehabilitate for resale durable and other goods; such as stoves, washers, dryers, computers, etc.
g. Special revenue facilities (See Section 12.24)
h. Group Day Care Home, public sewer required (Section 1.2).
i. Child Day Care Center, public sewer required (Section 1.2) to satisfy the needs of employees in nearby industry.
j. Oil Dealers and the aboveground bulk storage of oil including new, additional or replacement tanks subject to the following requirements: (Amended 2/13/91)
    1. In addition to the criteria set forth in Section 12.11, the Commission shall consider the following:
        a. the existing use of the parcel for oil storage giving consideration to the appropriateness of expanding or upgrading an existing facility; or
        b. the appropriateness of allowing the construction of a new facility giving consideration to the present use, lot size and neighborhood.
    2. Prior to submission of a Special Permit application, the applicant shall submit the plan to the following agencies for their review and approval:
        a. Connecticut Department of Environmental Protection pursuant to its regulations governing facilities used for receiving, storing, transferring or sale of oil and petroleum liquids in accordance with Connecticut General Statutes Section 22a-449. (b); and
        b. The Plainfield Fire Marshal for determination of the plan's compliance with NFPA 30, "Flammable and Combustible Liquids."
    3. Such uses shall conform to the bulk requirements outlined in Section 9.21 as well as the setback requirements set forth in NFPA 30. The more restrictive setback requirements shall apply.
k. Gas dealers and the aboveground storage of bottled gas subject to the Connecticut Department of Environmental Protection, Fire Marshal approvals, and compliance with NFPA 58.
l. Earth Excavation, processing and removal (Section 12.32).
m. Solid Waste and Recyclables Transfer Station.
n. Film Studio
o. Auto Recycling Facility (Z-2015-0671) (08/01/2015)
p. Commercial Kennel (See Section 12.33a) (Z2016-1033) (March 1, 2017)

9.42 Special Permit Uses in the I-2 District

a. Energy Production facilities
b. Special revenue facilities
c. Group day care home, public sewer required
d. Child day care home, public sewer required
e. Film Studio
f. Auto Recycling Facility (Z-2015-0671) (08/01/2015)
g. Auto Repair, Service and Sales.

9.5 Buffer Zone

A buffer zone at least 25 feet (25') wide shall be required between the Industrial District and Residential or Commercial Districts. This buffer zone shall be maintained on a strip with a planting of at least two staggered rows of evergreen trees, not less than five feet in height, on 20 foot centers, and at least 1 row of evergreen shrubs on 6' centers, with minimum height of 3', on the outside edge of the buffer zone. Non-evergreen plantings may be included to supplement evergreen planting, but not to take its place. Walls, ornamental fences, earthen berms or other architectural materials may be substituted for plantings or used in combination with plantings providing the Commission is satisfied that any substitutions for evergreen plantings are necessary and are at least equal to them as a buffer, or that it is impractical to provide a 25 foot evergreen buffer.

9.6 Front Landscaped Area

A front landscaped strip at least ten feet (10') wide inside the property and adjacent to the front lot line shall be covered with grass, shrub, or flowers. The purpose of this strip is to enhance the appearance of the lot while providing adequate sight distances.

9.7 Wetlands

No building, structure, on-site sewage disposal system, grading, excavations or dumping of fill or other material shall be allowed within 100 ft of any wetland shown on the Official Wetlands Map of the Town unless a permit for such activity has been issued by the Plainfield Inland Wetlands and Watercourses Commission.

9.8 Use of land for access and parking (Added 8/01/2010)

The use of land for access to or for off-street parking in connection with and adjacent to a Commercial and/or Industrial use shall be considered to be accessory to and part of such use except that this provision shall not be construed to prohibit access across a commercial district to a use lying in an industrial district.

SECTION 10 - Industrial Park District (IP)

10.1 General Requirements

The following general requirements shall be applicable to all lots and uses in an IP District. (Amended 9-11-2001)(CZ-2001-02)

10.1.1 Bulk Table.

Minimum Lot Area	80,000 sq ft
Minimum Lot Frontage	200 feet
Minimum Front Yard Setback (building setback)	50 feet (includes a required 25 ft wide landscaped strip)
Minimum Side Yard Setback	30 feet
Minimum Rear Yard Setback (may include buffer strip)	35 feet
Maximum Height	50 feet
Maximum Site Coverage	50 percent
Minimum Separation from Dwelling Units	100 feet

10.1.2 Reduced Frontage on Cul-de-sacs. (Approved March 12, 1991)

The frontage requirement may be reduced by the applicant to 100 feet on lots fronting on the circular turn-around (cul-de-sac) at the end of a dead-end street, provided such lots have a minimum width at the building line equal to or greater than the frontage required for the Industrial Park (IP) District.

10.1.3 Buffer Strip.

Where any proposed industrial site adjoins a commercial or residential district, a buffer strip at least 25 feet in width and containing planted screening material shall b provided. Hardy, indigenious plant material shall be used where such a screen is required, at least 30% of which shall be evergreen and at least 60% of which shall be a minimum of 6 feet in height. If at all possible, existing vegetation on-site may serve as the required buffer. Spacing of such planted material shall be sufficient to serve the intended buffering purpose. Permanent structures, such as wooden fences, stone walls, and the like may be approved in lieu of part or all of the required planting where in the opinion of the Planning and Zoning Commission, the intended buffering purpose is served by such a substitute. Buffer strips will be considered on a lot-by-lot basis, and will be a part of the site plan review. The costs of planting/installing the required buffer strip be absorbed by the lot purchaser.

10.1.4 Parking and loading space standards

a. One parking space shall be provided for each one and one-half employees during the largest daily work shift period.
b. All employee parking spaces shall have a minimum width of 9 feet and a minimum length of 18 feet. No parking space shall be located less than 5 feet from the wall of any building to allow for pedestrian walkways and/or landscaping.
c. Industrial uses requiring loading facilities must maintain at least one paved off-street loading space of not less than 15 feet in width and 40 feet in length. There must be at least a 14 foot vertical clearance. There shall be one such loading space for every 40,000 square feet of floor area or portion thereof. No loading space is to be located within 20 feet of the property lines and/or street lines.
d. All parking spaces are to be surfaces with liquid asphalt, asphaltic concrete or portland cement concrete. All spaces are to be defined with lines. Handicapped parking is to be provided. Parking areas are to be drained properly and to be connected to the Industrial Park drainage system.

10.1.5 Paved Access.

All lots within the Industrial Park (IP) District are to have driveways constructed according to the following minimum standards:

a. A Minimum of 8 inches compacted, rolled gravel subbase and 4 inches processed gravel subbase.
b. The driveway surface shall be constructed of 1.5 inches, compacted, premixed bituminous base and 1.5 inches, compacted bituminous surface course.

10.2 Permitted uses in the Industrial Park District (Amended 12/11/90)

The uses outlined below are permitted in the Industrial Park District, subject to site development plan review as outlined in Section 19 of these Regulations. All applications are further subject to approval by the Plainfield Economic Development Commission prior to approval by the Planning and Zoning Commission. The Commission may hold a public hearing on any application if it feels it is in the public interest to do so.

a. Manufacturing, processing and assembling of goods and raw materials.
b. Business and professional offices when determined that such operations are directly involved in adding value to a product or service and/or when such operation demonstrates a strong performance in the exporting of goods or services. Office operations that directly serve the general public are prohibited.
c. Research laboratories.
d. Light industrial fabrication.
e. Storage and distribution of raw materials and finished goods for manufacturing purposes. Further, no more than 20% of the total number of lots available for sale shall be used exclusively for distribution, storage, or warehousing operations.
f. Other uses as permitted by the Planning and Zoning Commission and approved by the Plainfield Economic Development Commission.

10.3 Special Permit Uses in the Industrial Park District (Amended 12/11/90)

Please refer to Section 12 for Special Permit Application requirements and procedures.

a. Group day care home.
b. Child day care center.

(Added 5-10-05) (CZ-2005-0001)

c. Motorcycle On-Road Training Facility

10.4 Additional Requirements/Restrictions (Amended 12/11/90)

In addition to the requirements listed in Section 9.4 of these Regulations the following requirements or restrictions apply to development in the industrial Park District:

a. The location of the individual lot within the larger industrial park layout are to be shown on the plan.
b. Property lines within 200 feet of the overall industrial park site are to be shown on the plan.
c. On-site pedestrian walkways, loading areas, light and utility poles are to be shown on the plan.
d. Location of buffer strips and screening showing the types and approximate sizes of proposed plantings. Buffer strips will be reviewed on a parcel by parcel basis. On those lots adjoining watercourses, the required fifty (50) foot buffer on either side of the watercourse is to be shown and a note of its maintenance is to be included on the plan.
e. Dumpster locations are to be shown and properly screened with wooden fencing.
f. Landscaping plans are required.
g. All utilities must be underground.
h. There is to be no outside storage of tractor trailers.
i. Other requirements as specified by the Plainfield Economic Development Commission and/or Planning and Zoning Commission.

SECTION 11 - Planned Development District (P.D.D.)

(Effective Date 11/23/05) (CZ-2005-02) (Amended 6/01/07 – TA-2007-03)

11.1 Purpose: Planned Development Districts (P.D.D.) may be established by the Commission within any existing Industrial or Commercially Zoned parcel of property. The Planned Development District may also include any other properties when, upon application, the Commission determines the subject property and proposed use would not adversely affect the surrounding area. The provisions of this Section are designed to permit modification of the strict application of the standards and provisions of these Regulations to accomplish the purposes set forth below. A Planned Development District may be established by the Commission when found necessary and appropriate for the following purposes:

11.1.1 To permit tracts of land to be developed, redeveloped and improved as harmonious design unit of stable character, consistent with the character of the Town and the long range improvement of the neighborhood and consistent with the comprehensive plan of development adopted by the Commission when such tracts are of sufficient size to accommodate such design units and when another zoning district could not be appropriately established to accomplish such purposes.

11.1.2 To permit the use of land, buildings and other structures for purposes that would be beneficial to and consistent with the character of the Town and the long range improvement of the neighborhood and consistent with the comprehensive plan of development adopted by the Commission when such uses are located on tracts of sufficient size to accommodate harmonious design of buildings, structures and facilities in connection with the use and when another zoning district could not be appropriately established to accomplish such purposes.

11.1.3 Permitted Uses: permitted uses shall be limited to those uses currently allowed in existing commercial, industrial & residential zones. In no case shall residential uses be allowed as a principle use. Permitted uses are subject to review and approval by the Commission and further subject to the requirements of this section.

11.2 Size: The tract of land for which application is made for the establishment of a Planned Development District must contain an area of not less than 80,000 square feet.

11.3 Building Height: Buildings and other structures shall not exceed a height of 60 in sufficient detail to show the existing conditions and improvements proposed to be erected on the site, the open spaces, to be provided, the nature and location of the proposed use or uses, the relationship of the proposed development to surrounding properties and other pertinent information. Six (6) blue line or black line prints shall be submitted. Plans where applicable feet, except that the Commission may permit a greater height if (i) such building or other structure shall be located within an area which is primarily devoted to or zoned for industrial and commercial development, (ii) such greater height shall result in the preservation of more open space on the tract than would otherwise

be available, and (iii) topography of the tract on which such building or structure is located, the location thereof, on such tract, and nature thereof are appropriate to accommodate such greater height.

11.4 Informal Consideration: The Commission recommends that, prior to the submission of a formal application for approval of a Planned Development District, the applicant review with the Commission and its staff in a preliminary and informal manner any proposal for a Planned Development District. The Commission recommends that the preliminary plans meet the requirements for a Basic Development Plan under Paragraph 11.5.2 and that four (4) copies be submitted. The Commission or its staff may request that the applicant submit such additional information as may lead to a rendering of a non-binding opinion by the Commission.

11.5 Petition**:** A petition for the establishment of a Planned Development District shall be submitted to the Commission in writing, shall be signed by the owner or owners of all parcels within the proposed District and shall be accompanied by the following:

11.5.1 Statement: A written statement specifying in detail the particular provisions of these Regulations which are proposed to be modified and the special or additional provisions which are proposed to be applicable to the use of land, buildings and other structures, the location and bulk of buildings and other structures and the area, shape, and frontage of lots within the District: ten (10) copies shall be submitted.

11.5.2 Basic Development Plans: A Basic Development Plan for the proposed development, including property maps, site plans, architectural plans and other drawings as relevant shall be prepared and certified by an architect, professional civil engineer and/or licensed land surveyor licensed to practice in the State of Connecticut and shall include the following information:

a. Location and size of property, including a boundary map with an accuracy meeting or exceeding standards for a "Class A-2 Survey" as defined by Sections 20-300b-1 through 20-300b-20 of the Regulations of Connecticut State Agencies and the "Standards for Surveys an Maps in the State of Connecticut" which map is to show the precise boundaries of the proposed District, as well as existing zoning boundaries and the boundaries of any officially designated wetland area;

b. Present and proposed land uses and the acreage of each use, as well as existing and future land uses in the surrounding area;

c. Present and proposed buildings and structures including use, dimensions and locations of each;

d. Proposed vehicular and pedestrian circulation patterns including locations and dimensions or private and public streets and common drives, pedestrian walkways, malls and other public and private paths;

e. Location of proposed off-street parking facilities with dimensions, including location, size and number of parking spaces, access drives and walkways;

f. Proposed open area such as parks, lawn areas, and recreational facilities;

g. Existing and proposed landscaping treatment, including major tree areas, water bodies and related treatment of open space areas, screening, and existing and proposed topography;

h. Utility information including water supply, sewage disposal, storm drainage, including capacity of water courses and the additional flow being produced, electrical service and exterior lighting;

i. A location map showing the site's situation within the Town's circulation system and all streets and intersections within 1,000 feet of the site;

j. Preliminary architectural plans including generalized floor plans, exterior elevations, perspective drawings and descriptive information on types of building materials and exterior finishes;

k. Any addition information which the Commission may reasonably require or the applicant may wish to submit, including such items as a traffic study, storm drainage and flooding report; soils and geology map, marketability study, project model, covenants and/or easements related to public access rights, legal information related to disposition, ownership and maintenance of community facilities and open space, bonding to insure completion of essential site improvements and community elements, and schedules of development phases.

11.5.3 Modification to Requirements: Except as provided in Section 11.5.3 herein, each lot within a proposed Planned Development District shall be developed in accordance with the applicable setback, lot width, coverage, lot frontage requirements, and parking requirements of the zoning district in which such lot is located.

The Planning and Zoning Commission may approve modifications to those standards and contained in these regulations, only to the extent described within in this section. In granting such modifications, the Commission shall give careful consideration to the topography of the site, the proposed location of the individual buildings to be constructed on the site, and the impact such modifications would have on adjacent traffic patterns, adjacent property values, and the future development of adjacent property. The granting of such modifications shall be accomplished through the approval of a Site Plan which shall meet all requirements of Section 19 of these regulations and on which shall be indicated those provisions which are being modified. Subsequent approval of such Site Plan by the Commission shall be deemed to establish the detailed requirements on the plan as the requirements for such Planned Development District in lieu of otherwise applicable requirements of these regulations. The following modifications may be approved:

a. The Commission may approve modifications to the setback, lot width, and lot frontage requirements for the district in which the Planned Group Development is located.

b. Maximum building coverage requirements may be exceeded on individual lots established within the area for which Planned Development District approval is requested provided the total maximum coverage within the entire proposed Planned Development District site does not exceed the maximum lot coverage for the district in which such development is located.

c. The Commission may approve modifications to the requirements for off-street parking for a proposed Planned Development District site.

d. In those cases where adequate evidence can be provided to the Commission to assure that any proposed private roadway will permanently be set aside in such a manner so as to relieve the Town from ever having to own or maintain such roadway, then and only then may the Commission approve construction of such road to a standard less then that required by the Town's Subdivision Regulations.

11.5.4 Application Fee: A petition fee of $500 plus state fee and an additional fee of $500 plus state fee at submission of Detailed Development Plan, payable to the Town of Plainfield**.**

11.5.5 Consulting Review Fee: Contemporaneously with the filing of any application for a Planned Development District which proposes the development of more than 50,000 square feet of gross floor area in all buildings in the proposed development, the applicant shall be responsible for the payment of the project review fees incurred by the Town in obtaining professional advice with respect to such application from non-municipal employees, including, but not limited to, professional engineers, landscape architects, traffic engineers, planners or other qualified professionals; who, in the opinion of the Commission, are required in order to provide a comprehensive review of the application. The project review fee shall not exceed $5,000.00 for each 10,000 square feet of gross floor area in all buildings included in the application. Project review fees shall be placed in an escrow account and any unused portion shall be returned to the applicant after the Commission has rendered its final decision.

11.6 Procedures: After receipt of a complete petition for the establishment of a Planned Development District, the Commission shall review the petition and during this review may hold meetings with the petitioner and request additional information: the Commission shall hold a public hearing on a petition in the same manner and with the same notice as required for amendment of these Regulations. The Commission may request the following information for presentation prior to or at the public hearing:

a. Evidence from the Sewer Authority that sewers are available to the project for tie-in and that the sewer lines, sewage treatment plant and related appurtenances have the capacity for the projected volumes:

b. A statement from Northeast District Department of Health on the adequacy of solid waste disposal and, if no public sewers are available the adequacy of private sewage disposal systems;

c. A statement from the Police Department that the proposal will not cause any undue traffic hazards;

d. A statement from the Fire Marshall and District Fire Chief that the proposal meets fire safety standards and concerning the fire fighting feasibility of the proposed plan;

e. A statement from the Town Engineer in reference to the adequacy of the basic drainage, public street design and the design of elements to be served by the Public Works Department of the Town;

f. A statement from any other municipal department or advisory committee whose opinion is deemed appropriate by the Commission.

After the public hearing, the Commission may disapprove or give approval to the Basic Development Plans or approval subject to modifications, only after the Commission makes the findings set forth under Paragraph 11.8 below, in addition to other findings necessary for amendment of these Regulations. Approval of the Basic Developments Plans shall not constitute final approval of the Planned Development District and shall simply authorize the submission of Detailed Development Plans setting forth in detail the specifics of the proposed development and showing and modifications specified by the Commission. If the Detailed Development Plans are approved by the Commission, the Planned Development District shall be considered established and the Zoning Map shall be considered to be modified to permit the establishment of the development as approved. The approved Planned Development District shall be shown on the Zoning Map with a reference to the records of the Commission where the approved standards and plans may be seen. If the petition is approved, the Commission shall give notice of such approval in the same manner as required for the amendment of these Regulations.

11.7 Detailed Development Plans: Detailed Development Plans shall be submitted in conformance with and including all the information required by the approved Basic Development Plans. Such Detailed Development Plans may be submitted in stages provided that such stages encompass not less than the minimum required tract size and include all those public amenities and features used as a public protection for the surrounding area. Such stages shall be capable of complete and self-sufficient existence without the completion of the remaining stages. Six (6) copies of all Detailed Plans shall be submitted and shall include at least the following:

a. Site Plan in conformance with Section 19 of these Regulations containing detailed layout information related to all site plan proposals contained in the Basic Development Plans, plus an additional. Schematic layout of building, drives and parking areas at a scale of 1” = 40’;

b. Building Plans encompassing the architectural information developed in the Basic Development Plans;

c. Landscaping Plans presenting in detail the landscaping treatments and open space proposals contained in the Basic Development Plans;

d. Engineering Plans in conformance with Section 19 of these Regulations presenting the detail designs and information supporting all the engineering elements of the Basic Development Plans.

Approval of the detailed Development Plans shall be noted on said Plans which shall then be signed by the Chairman of the Planning and Zoning Commission with the date of approval

indicated on the Plans. A complete copy of the approved, signed Plans shall be recorded in the Office of the Plainfield Town Clerk.

11.8 Findings Required: The Commission may adopt the Planned Development District thereby amending these Regulations and the Zoning Map only after the Commission makes the following findings in addition to other findings necessary for the amendment of these Regulations:

a. The Planned Development District and the standards and Basic Development Plans applicable therein will accomplish the purpose set forth in Paragraph 11.1.

b. Another zoning district could not be appropriately established to accomplish such purposes;

c. The Planned Development District and the Standards and Basic Development Plans applicable therein will be consistent with the comprehensive plan of development adopted by the Commission.

d. The Planned Development District encompasses a tract of land of not less than 80,000 square feet.

e. The petitioner has provided, where appropriate, for the continued maintenance of the development in general, including those open space and recreational areas not dedicated for general public use;

f. The streets and drives will be suitable and adequate to accommodate anticipated traffic and projected development intensity will not generate traffic in such amounts as to overload the street system in the area;

g. The existing and proposed utility services are adequate for the proposed development and the utilities and drainage have been so arranged as to not overburden the capacity of the facilities connected therewith.

11.9 Bonds: The petitioner shall file with the Commission a performance bond, in form, amount and surety approved by the Commission, to guarantee the faithful performance of the site improvements work to be undertaken including driveway connections, sanitary sewer and water supply facilities, storm drainage and pollution control facilities, landscaping and other essential site improvements.

11.10 Certificate for Zoning Compliance: Prior to the issuance of any Certificate of Zoning Compliance to permit any occupancy of the development before final acceptance, the developer shall file with the Commission a performance bond, in form, amount and surety approved by the Commission, to guarantee the provision of all facilities common to the entire development, including but not limited to private roads, buffer strips, walkways, recreational facilities, club houses and other common areas. Said bond shall be constituted upon completion of said common facilities within one (1) year of the date of approval of the first such Certificate of Zoning Compliance, except that the Commission may extend the time of completion for an additional period not to exceed one (1) year after public hearing for good cause shown.

11.11 Additional Limitations: Adoption of a Planned Development District by the Commission shall constitute authorization to establish the uses, buildings, structures and site development in accordance with the standards and Detailed Development Plans adopted by the Commission for the District and in accordance with detailed specifications approved by the Commission. All approvals shall be null and void unless construction of the development authorized by the Commission shall be begun within two (2) years, and completed within five (5) years from the effective date of the District, except that the Commission may extend the time for commencement of construction and for completion for one (1) year periods after public hearing for good cause demonstrated to the satisfaction of the Commission; otherwise the Commission shall be deemed authorized by the owner or owners of land within the District to amend the Zoning Map, deleting the Planned Development District and establishing for such land the provisions of another zoning district.

SECTION 12 - Special Permits

12.1 Findings, Purpose of Special Permits, Statutory Authorization

The land uses allowed upon approval of special permits are found to be so unusual in their effect on an area that, in order to secure compliance with the purposes set forth in Section 1 of these Regulations, it is necessary for the Planning and Zoning Commission to consider each such proposed use in the light of specific criteria set forth within this article and to consider each such proposed use as a special case. It is also found necessary to restrict the land uses to very specific locations within the zoning districts and to very specific designs. It is furthermore found desirable to permit the establishment and expansion of such land uses, provided specific and appropriate criteria are satisfied. Therefore, in accordance with Chapter 124 of the General Statutes, land uses identified within this article shall be permitted within the districts specified thereunder only after obtaining a special permit from the Planning and Zoning Commission, subject to satisfaction of criteria and due procedures set forth in these regulations.

12.11 Criteria for approval of Special Permits. (amended 2/13/91)

A Special Permit shall not be granted until the Planning and Zoning Commission has considered the Following:

a. The proposed use is in harmony with the zoning regulations and any plan of development adopted by the Planning and Zoning Commission.
b. The proposed use will not adversely affect the health and safety of residents or workers in the area.
c. The proposed use will not adversely affect the reasonable use or development of properties in the general neighborhood. The proposed use will not depreciate adjacent property values and the size and height of all proposed buildings and the extent of all proposed site improvements shall be in harmony with the existing character of the neighborhood.
d. The streets serving the proposed use are adequate to carry all prospective traffic; adequate provision is made for entering and leaving the subject site in such a manner that no undue hazard to traffic or undue traffic congestion shall be created.
e. The nature or location of the proposed use and of any building or other structure shall ensure that there is adequate access to it for the purposes of fire protection, police protection, and other emergency equipment.
f. The site has adequate water and sewerage systems to service the proposed use. Adequate provision for storm water drainage can be provided without adversely affecting neighboring properties or adjacent public drainage systems.
g. The proposed use complies with all standards and conditions for the pertinent land use as set forth in the following sections of this article, and in sections of any other articles in this regulation which pertain to specially permitted uses.

12.12 The Commission, in approving a special permit, may stipulate reasonable restrictions to protect or promote the rights of individuals, property values and the environment in the area as a whole; public health, safety or welfare; sound planning and zoning principles; improved land use; site planning and land restrictions may concern, without limitation, the

components of the site plan, building location, size and layout, vehicle and pedestrian circulation, parking and open space. The following subsections establish criteria to address the most common major land use categories. Though not restricted to these uses, the special permit enables consideration on each unique proposed project and its development merits.

12.2 Garden Apartments

Garden Apartments shall be permitted by special permit in RA-19 and RA-30 districts, subject to the following standards:

a. Minimum lot area shall be two (2) acres.
b. Minimum lot area per dwelling unit shall be 21,780 square feet in RA-19 districts and 30,000 square feet in RA-30 districts.
c. Maximum number of dwelling units per building shall be four (4).
d. All dwelling units shall be served by municipal sewers and by an adequate water supply.
e. All utility lines serving the site shall be underground.
f. Streets shall be so designed as to discourage through traffic on the site. The Planning and Zoning Commission may require connection of or abutting streets in order to provide for a safe and efficient area circulation system except where topography or other physical considerations do not permit such streets, or where such street connection would adversely affect the area.
g. Access and circulation ways shall be so designed to permit fire-fighting equipment, furniture moving vans, fuel trucks, refuse collection vehicles, delivery vehicles and snow removal vehicles to operate in a safe and efficient manner. Internal circulation ways shall be paved in conformity with Town standards for public streets, except that the minimum widths of such roadways shall be twenty-four (24) feet.
h. Notwithstanding any provision of Section 13.3, paved off-street parking spaces shall be provided at the rate of two spaces per dwelling unit. Required parking spaces shall be placed within one hundred (100) feet via concrete, asphalt, stone, wood, or other hard-surface walkways or a door to the dwelling unit which they are intended to serve. Parking spaces shall be separated from buildings by a planted buffer at least six (6) feet wide.
i. Open space shall be provided at a rate of two hundred and fifty (250) square feet per bedroom.
j. Buildings shall be located at least fifty (50) feet from all property lines and streets. No buildings shall be closer to each other than fifty (50) feet at any point.
k. Edges of the site adjoining other properties or public streets shall be planted and maintained with shrubs or trees sufficiently dense to provide privacy for present or potential residents on both sides of such buffer. Buffer plantings shall break for rights-of-way and on both sides of roadways in order to allow safe sight distances. Such buffer of trees or shrubs shall be at least four (4) feet in height at the time of planting. Existing wooded areas may be considered buffer plantings. The Planning and Zoning Commission may waive requirements of buffer plantings upon finding that such buffer would not promote privacy or protect the value of adjacent properties, or if some alternative type of ornamental screening at least six (6) feet in height would provide comparable benefits.
l. No building, roadways, parking area, or other paved area shall be located within one hundred (100) feet of any watercourses or wetlands unless the Planning and Zoning Commission finds that such safeguards to water quality and public safety are unwarranted or an unfair hardship.
m. No building shall exceed a height of thirty-five (35) feet, nor shall it exceed two stories.

12.21 Municipal Uses of Land (Amended 11/12/96)

Buildings and facilities (exempting utilities and facilities in public right of ways) of the Town of Plainfield and its precincts which are not otherwise permitted in a particular zone, may be permitted in that zone by Special Permit, subject to the following standards:

a. Bulk requirements of the applicable district shall apply.
b. Adequate parking shall be provided.
c. Adequate ingress and egress shall be provided to public streets.
d. Any municipal building designed or used for housing shall abide by all regulations found elsewhere in these regulations.
e. Any proposed building shall be so designed to be in harmony with other buildings in the immediate area and otherwise compatible with the surroundings.
f. Complete visual screens shall be provided adjacent to where such use adjoins or is across the street from a residential district.

12.22 Shopping Centers (Amended 6/01/2009, TA-2009-02)

Shopping Centers shall be permitted by special permit in C-1 & C-2 districts, subject to the following standards:

Bulk Table

Min. site area	4 acres
Min. lot frontage	200 feet
Min. front yard	100 feet
Min. side yard	30 feet unobstructed
Max site coverage (all impervious surfaces)	60%
Min. rear yard	30 feet
Max. building height	35 feet

*Where any proposed site adjoins a residential zoning district, a buffer strip of at least 25 feet wide shall be left.

**The fire marshal shall certify that adequate access for fire and other safety vehicles is provided.

b. Public sanitary sewers and an adequate water supply shall be required.
c. Notwithstanding the provisions of Section 13.3, the number of parking spaces shall be based on the floor area of the stores as follows:
    1. Five (5) spaces for each one thousand (1000) square feet of gross leaseable floor area.
    2. Off-street parking spaces shall be at least 10 feet in width and at least 20 feet in length. Designated compact car spaces shall be at least 8 feet in width and at least 16 feet in length. These dimensions shall be exclusive of access drives or aisles, ramps, columns, or office or working areas. Enclosed parking spaces shall have a vertical clearance of at least seven (7) feet.
    3. Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of

vehicular access to a street or alley in a manner which will least interfere with traffic movement.

4. The parking area shall consist of bituminous concrete pavement to the Town of Plainfield specifications.
5. The parking lot shall be adequately drained and shall be illuminated in such manner that direct light is shielded from abutting properties and the general public.
6. The parking lot shall be designed for attractive appearance and shall contain landscaping of grass, trees, and shrubs in the proportion of twenty-five (25) square feet for each parking space. Parking areas shall be separated from a public right-of-way by a landscaped strip of not less than ten (10) feet in width.
7. Required parking facilities shall be located on the same lot as the building or use which they serve except that required spaces serving a non-residential use may be permitted elsewhere by the Commission on a special permit use basis. Such off-site parking facilities shall be not more than 500 feet walking distance from the premises, measured in a straight line to the nearest space for vehicular parking.
8. Joint parking areas and loading spaces may be established by the owners of separate contiguous lots in order to provide the total number of off-street parking and loading spaces required. In such case, side yard requirements specified may be waived for the common property line.

d. Use Restrictions.
   1. All uses permitted in the respective districts are permitted.
   2. Loading facilities must be located so as not to interfere with traffic movement on the site or on adjacent public streets.
   3. All solid waste facilities such as dumpsters must be screened from adjacent properties and public streets.

12.23 Convalescent Homes (Modified 5/01/2009, TA-2009-01)

Convalescent homes shall be permitted by special permit in RA-19, RA-30 and C-2 districts, subject to the following standards:

a. Bulk table

Minimum site area	2 acres
Minimum lot frontage	200 feet
Minimum front yard	75 feet
Minimum side yard	20 feet
Minimum rear yard	40 feet
Maximum site coverage	30 percent
Maximum building height	35 feet

b. A public sanitary sewer shall be required.
c. Deleted 5/01/2009, (TA-2009-01)
d. The design of the building shall be in harmony with other buildings in the immediate area.

12.24 Special Revenue Facilities. (Deleted 9/01/07) (TA-2007-04)

12.25 Elderly Housing (Amended 2/01/09), (Amended 11/01/15)

Elderly housing shall be permitted by special permit only in RA-19, RA-30, RA-40 and RA-60 districts subject to the following standards:

a. Each dwelling unit shall be occupied by at least 1 person who is 55 years of age or older. No resident shall be under 22 years of age. Occupancy shall be limited to two persons per dwelling unit. Occupancy shall be defined as residing in the dwelling unit more than 120 days per year or 120 consecutive days per year. Occupancy shall meet all federal and state guidelines pertaining to age and/or handicap requirements. A spouse or companion under 55 years of age who survives his or her spouse or companion, or whose spouse or companion has entered into a long-term care facility shall be permitted to remain in a dwelling unit, provided he or she has an ownership interest in the dwelling unit and complies with all other occupancy requirements. Remaining parties who remarry or co-habitate must meet all occupancy requirements as set forth in subsection a-c.
a. A restrictive covenant shall be filed in the land records by the owner(s) approved as to form and content by the Planning and Zoning Commission, Board of Selectmen and Town Attorney, guaranteeing exclusive occupancy by those persons as defined above. The owner(s) shall submit an affidavit to the Zoning Enforcement Officer on a yearly basis certifying that the elderly housing development is in full compliance with the occupancy requirements of this section. The purchase of a dwelling unit by a non-occupying individual or entity for investment purposes is prohibited except that a nonresident family member may purchase up to one unit for a family member who will reside in the dwelling unit and will otherwise comply with the requirements of this section, or an association may own units for rental purposes in accordance with these regulations.
b. Elderly housing developments shall be located in such a manner as to minimize adverse traffic conflicts. At the discretion of the Commission, the applicant may be required to provide a detailed traffic study prepared by a qualified Traffic Engineer.
c. Minimum lot area must meet the minimum area requirement for the zone in which the development is proposed to be located.
d. The development shall be served by public water and sewer.
e. All utility lines serving the site shall be underground.
f. Parking shall be provided at a minimum rate of two spaces per dwelling unit of which one space shall be provided by a garage. Parking space dimensions shall be 10’ wide by 20’ deep. No part of any parking space may encroach upon any sidewalk.
g. No application for elderly housing shall be approved by the Commission unless the Commission determines, at its sole discretion, that a need exists within the Town of Plainfield for the specific type of housing proposed.
h. Front, side and rear setbacks shall be a minimum of 50 feet.
i. A planted buffer zone of at least 25 feet in width shall be established and maintained along all property lines to provide privacy between the proposed development and adjoining properties. The planted buffer shall consist of a mixture of 6 ft. minimum height deciduous and evergreen trees supplemented with a mixture of shrubs. Spacing of such planted material shall be

sufficient to serve the intended buffering purpose. Permanent structures such as wooden fences, stone walls and the like or existing vegetation may be approved in lieu of part of the required buffer planting where, in the opinion of the Commission, the intended buffering purpose is served by such substitution. Maintenance of any and all buffers shall be subject to ongoing review by the Commission.

j. Density shall not exceed 5 (five) units per acre of buildable land. Buildable land shall exclude all wetlands, watercourses, wetland and watercourse buffer areas, slopes in excess of 20% and any other adverse site conditions as determined by the Commission.
k. The maximum coverage for buildings, streets, parking areas, driveways, sidewalks, patios, other structures or features with impervious surfaces shall not exceed 30% of the entire lot.
l. A 4 ft. minimum width concrete sidewalk shall be provided to connect building entrances with parking areas, community facilities and streets. A 4 ft. minimum width concrete sidewalk shall also be provided along one side of the street to provide separation between vehicular and pedestrian traffic.
m. All streets shown on an approved plan shall be completed prior to issuance of certificates of occupancy for the units or a cash bond in an amount approved by the Planning and Zoning Commission, assuring completion within a specified time limit, shall be filed with the Planning and Zoning Commission and shall be forfeited if the work is not completed within such time limit. All streets shall be constructed in accordance with Town standards for public streets, except that the minimum paved widths of said streets shall be 24 ft. All streets shall be privately owned and maintained by the homeowners association as common property.
n. Site lighting shall be provided along all streets, driveways and parking areas. Lighting systems shall be designed to prevent glare on adjacent properties.
o. No building shall exceed 200 ft. in length or width. No exterior wall shall exceed 40 ft. in length in an unbroken plane without an offset of at least 10 ft.
p. Building height shall not exceed 30 feet or 2 stories.
q. The minimum distance between buildings shall not be less than 30 ft.
r. No dwelling unit or individual residential unit shall contain more than 2 bedrooms.
s. No building shall contain more than 8 dwelling units.
t. The developer shall post a performance bond in accordance with section 6.8 of these regulations.

12.26 Cluster Subdivisions

As of the official date of this Amendment, April 9, 1991, Cluster Subdivisions shall no longer be permitted. Bulk and other requirements for "Cluster Subdivision" will remain in effect for enforcement use in all approved and existing Cluster Subdivisions.

a. Minimum total parcel area. Ten (10) acres.
b. Permitted uses. Single-family detached residences.
c. Maximum residential density. Two and three-tenths (2.3) units per acre of total parcel area.
d. Sewer and water supply. All dwelling units shall be served by municipal sewers and by an adequate water supply.
e. Underground utilities. All utility lines serving the site shall be underground.
f. Street layout. Streets shall be so designed as to discourage through traffic on the site. The Planning and Zoning Commission may require connection of or to abutting streets in order to provide for a safe and efficient area circulation system, except where topography or other

physical considerations do not permit such streets, or where such street connection would adversely affect the area. All streets shown on an approved plan shall be completed before issuance of a Certificate of Occupancy, or a cash bond in an amount approved by the Planning and Zoning Commission, assuring completion within a specified time limit, shall be filed with the Planning and Zoning Commission and shall be forfeited if the work is not completed within such time limit. All streets shall be privately owned by the homeowners association as common property.

g. Access and internal circulation. Access and circulation ways shall be so designed to permit fire-fighting equipment, furniture moving vans, fuel trucks, refuse collection vehicles; delivery vehicles and snow removal vehicles to operate in a safe and efficient manner. Internal circulation ways shall be paved in conformity with Town standards for public streets, except that the minimum widths of such roadways shall be twenty-six (26) feet.

h. Parking. Notwithstanding any provision of Section 13.3, off-street parking spaces are required and shall be provided at the rate of two spaces per dwelling unit. Required parking spaces shall be placed within one hundred (100) feet via concrete, asphalt, stone, wood or other hard-surface walkways to a door to the residence which they are intended to serve.

i. Open space. Open space shall be provided at a rate of two hundred fifty (250) square feet per bedroom. For all proposals containing five (5) acres or more of prime agricultural soils, at least fifty (50) percent of all open space shall be land with prime agricultural soils. All open space and landscaped buffer areas shall be permanently preserved in accordance with the approved plan by deed restrictions. All open space shall be accessible from the street by accessways at least twenty (20) feet wide. Proposed deed restrictions shall be submitted with the application and their recording in the Plainfield Land Records shall be a condition of any approval.

j. Bulk and dimensional requirements. The following table of bulk and dimensional requirements shall be applicable to all lots:

Minimum lot area	9,000 square feet
Minimum lot frontage (measured at the building line)	60 feet
Minimum front yard depth	20 feet
Minimum side yard depth	10 feet
Minimum rear yard depth	15 feet
Maximum height	30 feet
Minimum width or residences	24 feet
Minimum floor area of residences	750 square feet

k. Buffer plantings. Edges of the site adjoining other properties or public streets shall have a landscaped buffer at least fifty (50) feet wide to provide privacy for present and future residents on both sides of such buffer.

1. A landscaped buffer shall consist of no fewer than two rows of suitable evergreen trees of at least 2”-2 1/2” in caliper measured 6” above the ground planted 15 feet apart, staggered in adjoining rows to provide a visual barrier. Where appropriate, in the judgment of the Planning and Zoning Commission, walls, fencing, or existing vegetation may be used as part of the required buffer.

2. Existing plant materials and trees may be used to meet all or part of the landscape requirement, and existing trees in good condition over 12" caliper shall be preserved unless approved for removal by the Planning and Zoning Commission.
3. The Planning and Zoning Commission may reduce the landscape requirements by not more than 25% for excellence in building or space design. The Planning and Zoning Commission shall consider, among other features, the site characteristics, compatibility of proposed structure with surrounding architectural types, quality of building materials and the size and quality of landscape materials.
4. All landscaping shown on an approved plan shall be completed before issuance of a Certificate of Occupancy, or a cash bond in an amount approved by the Planning and Zoning Commission and shall be forfeited if the work is not completed within such time limit.
5. Landscape plans shall include a planting plan, with plant names, quantities, sizes and locations. Typical sections may be shown. Existing planting shall be identified on the plan.

l. Distance from watercourses and wetlands. No building, roadways, parking area, or other paved area shall be located within one hundred (100) feet of any watercourses or wetlands unless the Planning and Zoning Commission finds that such safeguards to water quality and public safety are unwarranted or an unfair hardship.

m. Homeowners association. The applicant shall submit a written description of the documentation to be recorded in the Plainfield land records for the creation and governance of a homeowners association to own, operate and maintain the common property.

12.27 Arcades

Arcades shall be permitted by special permit in all commercial zones subject to the bulk and parking requirements of the zone in which they are located and provided that in the opinion of the Planning and Zoning Commission, the proposed use shall not have a negative effect upon the neighborhood in which it is located, and provided that the proposed use conforms to all pertinent criteria of Section 12.11 regarding the approval of special permit uses.

12.28 Accessory Apartments **(**Amended: 8/13/91)

12.28.1 Accessory Apartments in Residential Districts (Amended: 8/27/97)

Accessory apartments are allowed by special permit in all Residence Districts when attached to a single family dwelling by a common wall subject to the following conditions:

a. An accessory apartment cannot exceed 600 square feet of floor area. Only one Accessory Apartment shall be permitted per building and lot.
b. The entire structure shall maintain the appearance of a single family dwelling.
c. The owner of the house must occupy one unit. There shall be direct interior access from the accessory apartment (subordinate dwelling unit) to the primary dwelling unit (single-family residence onto which the accessory apartment is attached).
d. The lot shall conform in all respects to the bulk requirements of the Zoning Regulations.
e. If the primary dwelling unit does not conform to all zoning setback requirements, any conversion or addition must not increase that nonconformity.
f. The entire floor space shall be attached to the primary dwelling by a common wall or floor.

g. The accessory apartment must have at least three rooms, including a bath, private kitchen and bedroom. Only one bedroom is allowed.
h. No more than two people shall occupy an accessory apartment.
i. Only one point of access (driveway) shall be permitted to the public roads.
j. No separate sewer or utilities shall be permitted except for telephone and cable TV.
k. New doors and fire escapes must be in the rear of the accessory apartment.
l. Adequate water supply and sewage disposal capabilities must be provided as certified by the appropriate authorities.
m. Widths of door shall comply with building code with regard to handicap access.
n. Deleted (12/05) (CZ-2005-05)

12.28.2 Accessory Apartments in Commercial Districts (Amended 5-11-04)(CZ-2004-04)

Accessory Apartments are allowed by special permit in all commercial districts subject to the following conditions:

a. Only one accessory apartment per building is allowed except per sub section (i) of this section. (Amended 12/05)
b. A separate entrance is required for accessory apartments;
c. Main entrance(s) for residents cannot be located in close proximity to commercial loading/service areas.
d. Two parking spaces per apartment are required. Applicant may request a waiver, which may be granted by the Commission after applicant has demonstrated that shared parking with commercial uses will be adequate.
e. Pedestrian circulation must be attractively designed to encourage use by resident.
f. Adequate lighting of both pedestrian and parking areas must be provided.
g. Acoustic and thermal insulation must be provided between commercial and residential levels per the building code.
h. Where dumpsters are proposed, dumpster locations shall be shown on the site plan. All dumpsters shall be placed on a concrete pad and suitably screened with trees, shrubs, fencing, or by other appropriate means (e.g., the building itself). Solid waste removal services shall be provided by the owners of the property.
i. For larger buildings that have existed prior to the adoption of zoning, where there is an existing second story above the primary commercial use(s), the Commission may approve the conversion of that second story to multiple apartments with the following conditions:
    1. The area to be converted to apartments has existed since the adoption of zoning.
    2. No additions to the second story shall be permitted to increase the livable area of the apartments. Only area that has existed prior to the adoption of zoning can be utilized for the apartments.
    3. The building inspector, fire marshal and fire chief shall give their approval on the plans prior to the permit being granted.

12.28.3 Application for a Special Permit

Application for a special permit for an accessory apartment must include plans drawn to scale showing the floor, windows, doors, driveway, walkways, parking, utilities and lot boundaries.

12.29 Flea Markets

Flea markets may be allowed by special permit in Commercial zones subject to the following conditions. Because of the potential for flea markets to become nuisances if not properly conducted, the regulations are strict to prevent this and to protect surrounding property owners.

a. Minimum site area is 2 acres.
b. Minimum setback from property boundaries is 25 feet on all sides.
c. Off-street, on-site parking for at least 50 cars must be provided.
d. Entrance and exit must not pose a safety hazard, and must be approved by Plainfield Police Chief and, if on a state highway, by state police.
e. Market may be held maximum of 2 days per week.
f. Sanitary facilities must be provided. If drinking water is provided, it must be an approved public water supply (NDDH).
g. Special permit must be renewed annually by the Commission and may be subject to public hearing at each renewal. Emphasis will be placed on objections from adjoining property owners or property owners facing the site from across a street, at each public hearing.
h. Within 24 hours following each market, area must be cleaned of garbage, refuse, etc., by owner.

12.30 Historic Preservation through use-conversions

The purpose of this regulation is to encourage restoration and preservation of existing buildings of historic value and to promote harmony of surrounding land uses. There are some uses, both residential and commercial, which would enhance historic structures and would not disrupt the neighborhood is properly conducted. Therefore, by special permit, the following uses may be allowed in a historic structure in any zone subject to the conditions listed below. Each use will be considered on a case-by-case basis, and further reasonable conditions may be imposed by the Commission. The list of uses is not all-inclusive; applicants with proposed uses not listed are encouraged to apply for a historic conversion permit if their proposed use is in harmony with the intent of this regulation.

a. Structure must be designated as historically significant by (1) registry in the National Register of Historic Places or the State Register of Historic Places or, (2) by the Planning and Zoning Commission upon presentation by the applicant of adequate evidence of historic significance such as the Town of Plainfield Historic Resources Survey.
b. Where applicable, a site plan under Section 19, and floor plans/sketches will be submitted with application. Commission may waive site plan requirement if the scope of the project does not warrant a site plan.
c. Architectural integrity of the structure must be preserved, and the proposed use must be in harmony with surrounding uses.
d. The proposed use must meet all health and safety requirements such as: adequate water supply for drinking and fire-fighting; adequate sewage disposal; safe traffic flow and control; drainage, parking (as required in Section 13.3); wetlands approval where needed, etc., as well as building code requirements.
e. There is no lot size requirement; however, an existing lot cannot be split if the split creates any nonconforming lot (including the lot containing the historic structure).

f. The Plainfield Historical Society will be notified of all historic conversions so they may comment on (1) the appropriateness of the use, and (2) planned restoration/preservation of architectural integrity. If comments are not received from the Historical Society within 30 days of submission of application to the Planning and Zoning Commission, a "no comment" reply will be assumed.
g. No evidence of the use shall be visible from the exterior except for a business sign not to exceed 25 square feet.

12.30.1 Special Permit Uses: gift shops; antiques shops; museums; galleries; multiple family residences; bed-and-breakfast tourist homes; restaurants; bookstores; professional offices.

12.31 Preservation of existing textile mills through use-conversion.(Effective date: February 1, 2005)
The purpose of this regulation is to allow textile mills that currently exist at the time that this regulation is adopted to maintain their usefulness by converting in-part or wholly to a commercial use or uses. It is recognized that the days of textile industry in Connecticut have passed. This leaves many textile buildings partially or completely vacant. Because of this, the Commission may, by special permit, allow commercial uses to fill vacant portions of existing textile buildings if the proposed commercial use is found by the Commission to be appropriate for that particular building and the areas leading to and surrounding the building. Each use will be considered on a case-by-case basis and further reasonable conditions may be imposed by the Commission.

a. All applications shall include a site plan showing the location of the proposed use within the building and showing the route of access within the building to that use, along with a plan showing designated parking areas and the number of parking spaces provided for the proposed use. In addition the plan must also show the layout of the existing uses in the building, the accesses within the building to those uses, any other uses located else ware on the same property, the parking provided for the existing uses, the types of traffic generated by the existing uses and the flow of traffic for the entire site.
b. All proposed uses must have safe and adequate travel areas for entering the property and exiting the property, safe and adequate parking and must not interfere with traffic associated with any existing industrial uses.
c. Safe pedestrian access to the building must be provided. The access route within the building to the proposed use must be safe and must not pass through any industrial or hazardous areas.
d. The Commission will determine what is considered to be safe for parking areas, traffic flow entering onto, exiting from and traveling within the property boundaries, pedestrian access to the building and access within the building to the proposed use. If the Commission feels that any portion of the plan is unsafe or will interfere with the other uses located within the building, or the uses of the surrounding area, whether on or off the site, the plan shall be modified by the Commission or denied.
e. Once a special permit has been granted to allow for any commercial use in a textile building, all future changes that will be made to that building, buildings located on the same property, the traffic flow, parking areas or to the existing uses contained within that building or else ware on the property, whether those changes are for commercial or industrial use, must be brought before the Commission as a special permit to assure that the proposed changes or uses will be in harmony with the other uses contained within that building.
f. This section of the regulations does not apply to buildings or properties located within the Plainfield Industrial Park Zone.

12.32 Earth Excavation, processing and removal. **(**Approved 12/11/90.)

It is recognized that the Town of Plainfield has valuable earth material resources including stone, sand and gravel which will be needed in the future for building construction in Plainfield and the region. These Regulations are intended to establish performance standards for such operations. Earth excavation, processing and removal operations are permitted in all zoning districts of the Town by Special Permit. Except non-conforming operations all other operations must comply with these Regulations and must submit an application in accordance with these Regulations within 180 days of the effective date of this amendment.

12.32.1 Exceptions

a. (Deleted 9/01/07) (TA-2007-04)
b. Operating Farms: Exemption for operating farms can be obtained upon approval of the Planning and Zoning for the removal of earth, sand, stone, gravel, soil, minerals, loam, fill, clay, peat moss and other similar substances from one part of the farm to another part of the same farm, when such removal is made on a farm due to agricultural necessity. Excess material may be sold upon approval of Planning and Zoning and with conditions. Conditions of approval shall be erosion and sediment control, notification of abutter, safety, dust control and other site specific requirements of the Commission.
c. Non Conforming Gravel Operations: Gravel operations in existence prior to adoption of the Zoning Regulations (Sept. 25, 1972) are non-conforming uses. Non-conforming operations not registered with the Planning and Zoning Commission within 180 days of the effective date of this Amendment shall comply with Sections 12.32.3 et. seq. Non-conforming operators that do register within 180 days do not have to comply with Section 12.32.3 et. seq. except Section 12.32.8 which the Commission may apply in its discretion.

12.32.2 The following information shall be provided for registration as a non-conforming use within the 180 day period from the effective date of this Amendment:

1. A copy of the Assessor's Map or Survey's Map if available showing the whole parcel and adjacent parcels within 200 feet of it.
2. The applicant shall be given rights a non-conforming use us intended in State Statutes.
   a. Expansion is permitted provided that the applicant reclaims the equivalent area, except for the stockpiling of materials from the previous bank.
3. The location of existing and proposed excavation and operations and equipment storage.
4. All topsoil removed up to 4 inches shall be preserved on the site for use in regarding and revegetating the site in phases as approved by the Commission.
5. Excavation at or below water table and creation of ponds shall be done in accordance with an approved site operations plan.
6. Additional information on map and narrative to accompany registration as a non-conforming use:

a. Ingress and egress to and from the site with estimates of the number of daily trips.
b. Proposed hours of operation.
c. List of the types and numbers of excavation equipment, trucks and processing machinery to be used.
d. The words "Site Operations Plan" and the name of the owner(s) of the property.
e. The date and any revisions, scale and north arrow.
f. An approval block for the Planning and Zoning Commission's signature and date.
g. The total area of the site.
h. Property lines and streets within 100 feet of the site and the name(s) of owner(s) of abutting property as shown in the most current Assessor's records.
i. Locations of existing and proposed access points and buildings, signs, structures and machinery in relation to zoning setbacks.
j. Locations and dimensions of existing utility lines, including but not limited to water, sanitary and storm sewers, gas, electric and telephone lines.
k. A copy of the best Town, State of Federal topographic map of the parcel available in the public record.
l. All regulated areas as defined in the Plainfield Inland Wetlands and Watercourses Regulations as shown on the official Inland Wetlands and Watercourses Map.
m. Drainage facilities on-site, existing and proposed alterations to drainage and erosion and sediment controls.
n. One hundred year floodplains, as shown on the flood maps.
o. Location of existing and proposed wells within 100 feet of excavation and machinery.
p. Location of buffer strips and screening, to a minimum width of 25 feet.

12.32.3 Gravel processing for gravel obtained on site shall be permitted in all zoning districts in accordance with a valid Special Permit. Processing of imported gravel in the Industrial and Industrial Park Districts may be allowed by special permit regardless of source. Processing of imported gravel may be allowed by special permit in any other district providing the material is imported from adjacent properties and properties across the street under the same ownership. Any proposed gravel processing must be approved as part of the application for a Special permit.

12.32.4 Application Requirements and Procedures: Applicants must submit a written application on forms provided by the Commission and the required fee, as well as additional information and a site operations plan in accordance with this Section. The Commission shall follow the procedure outlined in Section 12.5 of these Regulations in receiving, hearing and deciding upon such applications.

a. Additional information to accompany written application or late registration.
    1. Proposed truck routes to and from the site with estimates of the number of daily trips.
    2. Proposed hours of operation.
    3. List of the types and numbers of excavation equipment, trucks and processing machinery to be used.

b. The Site Operations Plan, drawn at a minimum scale of 1”=100’ on 24” x 26” mylar sheets (or other scale or size of sheet acceptable to the Commission or its agent) which may include:
   1. The words “Site Operations Plan” and the name of the applicant(s) and owner(s) of the property.
   2. The name, address and seal of the professional engineer or licensed land surveyor responsible for preparing the plan.
   3. The date and any revisions, scale and north arrow.
   4. An approval block for the Planning and Zoning Commission’s signature and date.
   5. For site plans submitted on more than one sheet, an index map locating each sheet in relation to the entire site with match lines.
   6. The total area of the site and the total area for which Special Permit approval is sought.
   7. Property lines and streets within 200 feet of the site and the name(s) of owner(s) of abutting property as shown in the most current Assessor’s records.
   8. Locations of existing and proposed access points and buildings, signs, structures and machinery in relation to zoning setbacks.
   9. Locations and dimensions of existing utility lines, including but not limited to water, sanitary and storm sewers, gas, electric and telephone lines.
   10. Existing and proposed contour lines showing elevations at intervals of five feet or less. Contours extrapolated form existing photogrammetry shall be field verified. Contours shall not be extrapolated from USGS topographic maps.
   11. All regulated areas as defined in the Plainfield Inland Wetlands and Watercourses Regulations and shown on the official Inland Wetlands and Watercourses Map.
   12. Drainage facilities on-site, existing and proposed alterations to drainage and erosion and sediment controls.
   13. One hundred year floodplains, noting source of information.
   14. Location of existing and proposed wells within 100 feet of excavation and machinery.
   15. Location of buffer strips and screening, where required, showing the types and approximate sizes.
   16. Depth to groundwater measured at least three times during the official wet season with measurements made at least one week apart and direction of groundwater flow. Wet season shall be determined by appropriate regulatory agencies.
      a. Groundwater measurements shall be made in at least three groundwater monitoring wells each located immediately adjacent to the proposed area of excavation in the upgradient, crossgradient, and downgradient hydrological direction. Groundwater monitoring wells shall be placed so they will not be destroyed during gravel excavation. Any monitoring wells that are destroyed or damaged to the extent they are unusable for the purpose of groundwater measurement shall be replaced by the applicant.
      b. During years when drought conditions do not allow opening of an official wet season, groundwater measurements shall be adjusted to measurements made during the previous wet season by the United States Geological Survey in well 414054071552001 CT-PL, located in Plainfield, CT.

c. A table containing the well identifier, well elevation measured to the top of well riser, groundwater depth and groundwater elevation shall be included on the operations plan. Groundwater elevation contours and direction of groundwater flow shall be included on the operations plan. Groundwater elevation contours shall be based on the highest groundwater elevation measured in each will during the wet season.

d. Monitoring wells installed for the purpose of groundwater measurement shall be constructed of 2-inch inside diameter schedule 40 polyvinyl chloride (PVC) and shall have a well screen at least 10 feet in length. The well screen shall have a slot width of .01 inch. The well screen shall be surrounded by a sand filter pack that extends to at least two feet above the top of the well screen. The filter pack shall be sealed with a bentonite filter pack seal that extends at least two feet above the top of the filter pack. The screened interval shall intersect the groundwater table with no more than three feet of the screen projecting above the water table. Each well shall have a locking steel protective cover that is secured with a keyed lock. A copy of the key for each lock shall be provided to the Town Zoning Official.

e. Logs for borings used to install monitoring wells shall be included on the Site Operations Plan.

12.32.5 Wetlands: All applications for a Special Permit which involve a regulated activity within 100 feet of a wetland or watercourse shall require approval from the Plainfield Inland Wetlands and Watercourses Commission prior to issuance of a Special permit by the Planning and Zoning Commission.

12.32.6 Permit Evaluation Criteria: The Commission shall evaluate the Special Permit application for earth excavation, processing and removal based upon the criteria outlined in Section 12.11 of these Regulations. It may further stipulate reasonable conditions in accordance with Section 12.12

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12.32.7 Permit Performance Standards: In addition to the criteria referenced above, the Commission shall determine whether proposed earth excavation, processing and removal operations conform to the performance standards outlined below.

a. Minimum setbacks. No fixed or portable machinery, equipment or buildings shall be erected or maintained within 100 feet of an adjoining property line or street. Limits of active excavation from property lines and streets shall be no less than 50 feet nor more than 150 feet except as set forth in Subsection j. below. The exact setback distance for active excavation shall be determined by the Commission based on neighboring land uses and final slopes and may be eliminated if agreed upon by the applicant and adjoining property owner.

b. Access points and roads. Locations for access points and truck routes shall be selected so as to minimize effects on surrounding properties. In accordance with standard engineering practices, the sight line and width of access points shall be sufficient to provide an appropriate distance and turning radius for vehicles entering and exiting the site. Access points shall have a durable and dustless surface such as pavement or anti-

tracking mats or other suitable material to minimize the deposition of material from trucks onto public roads.

c. Fences. All access points to excavation sites shall be secured by a fence or gate.
d. Hours of operation. Operating hours shall be between the hours of 7:00 AM and 7:00 PM in all but the Industrial District. The Commission may stipulate reasonable operating hours which may be more or less restrictive depending upon the nature of surrounding land uses.
e. Buffer strip. The Commission may require a buffer strip along adjoining property lines which shall consist of existing vegetation and/or interplantings of evergreen and deciduous trees and/or fencing suitable to provide a visual screen within a reasonable time period depending upon the nature of surrounding land uses.
f. Topsoil preservation. All topsoil removed up to 4 inches shall be preserved on the site for use in regrading and revegetating the site at conclusion of the operation unless otherwise approved by the Commission.
g. Removal of debris. All stumps, loose boulders, waste products, process residues or other material not incorporated into the plan of restoration or contributing to reuse of the site shall be buried or removed from the site.
h. Site drainage. At all stages of the operation sufficient temporary and permanent drainage shall be provided to avoid hazardous conditions due to discharge or collection and stagnation of water.
i. Stockpiling of materials. Except in the Industrial District, only materials excavated, unearthed or processed on site in accordance with a valid Special Permit shall be permitted to be stockpiled on site. Material may be stockpiled in a residential area providing that the site is at least five acres, lesser amounts can be waived by the Commission.
j. Final grading. Minimum setbacks allowed shall be 50 feet where a final slope of 1 foot vertical to 2 feet horizontal is established from the setback and 20 feet where the final slope is 1 foot vertical to 3 feet horizontal from the setback. Where any soft earth excavation exceeding 10 feet in depth remains inactive for a period of 60 days or more, the standing excavation faces shall be graded to a slope not to exceed 1 foot vertical to 1 foot horizontal for safety reasons. Hard rock excavation shall be maintained in a series of stepped benches with a line of slope not to exceed 1 foot vertical to 1 foot horizontal.
k. Erosion and sediment control. Erosion by wind and water shall be controlled throughout the site to prevent harmful effects to wetlands and watercourses and adjoining properties.
l. Excavation below water table. Excavation at or below water table and creation of ponds shall be done in accordance with an approved site operations plan.
m. Explosives. Any use of explosive devices in the Town of Plainfield shall be by persons licensed to use such explosives by the State Fire Marshal as required by Statute. A use permit must be obtained by the Plainfield Fire Marshal. The use of explosives and any noise or resulting vibration shall be limited by applicable State Statutes and Regulations and Federal Regulations including but not limited to Regulations of the State Fire Marshal, the Federal Department of Alcohol, Tobacco and Firearms and guidelines set forth in the U.S. Bureau of Mines, RI 8507, “Response and Damage Produced by Ground Vibration from Surface Mine Blasting.”

n. Noise. The operator shall at all times make the best effort and use the best practicable noise control measures to minimize noise emitted by operations carried on at the site. It will be considered a violation of the approved site operations plan to emit or cause to be emitted any noise beyond the boundaries of the subject property in excess of permissible noise levels allowed in the State as set forth in the Regulations of Connecticut State Agencies, Title 22a, Sections 22a-69-1 to 22a-69-7.4.

o. Dust. The operator shall at all times make the best efforts and use the best practicable dust control measures to minimize dust emitted by operations carried on at the site. It will be considered a violation of the approved site operations plan to emit or cause to be emitted any dust beyond the boundaries of the subject property in excess of permissible fugitive dust amounts allowed in the State as set forth in the Regulations of Connecticut State Agencies, Title 22a, Section 18b.

12.32.8 Waiver Provision: The Commission may waive any or all of the above application requirements or performance standards if, in its opinion, such requirements or standards are unnecessary for a particular site. Sufficient information must be supplied to the Commission to enable it to grant a waiver. The Commission must state the reason(s) why the waiver was granted and such reason(s) must be recorded in the minutes.

12.32.9 Length of Permit/Renewal: A Special Permit for earth excavation, processing and removal shall be valid for a period of 5 years from the date of issuance of the permit. The permittee will be subject to an administrative review by the Commission or its agent after 30 months from the date of issuance of the permit. The Special Permit is renewable after 5 years upon application. Renewals are considered new applications and as such the Commission shall hold a public hearing.

12.32.10 Performance Bond: The Commission may require posting of a performance bond satisfactory with the Commission at the time of the approval or the 30 month review or at any other review or renewal if the applicant has not shown good faith in complying with the approved site operations plan and/or any additional stipulations placed on the Special Permit by the Commission.

12.32.11 Other Permits: Existing and proposed earth excavation operators are warned that earth excavation and processing activities may require State and/or Federal permits and may be subject to State and/or Federal Regulations not set forth in these Regulations. Approval of a site operations plan under this Section of the Zoning Regulations does not indicate compliance with any other duly authorized and applicable permit procedures or regulations. It shall be the applicant's responsibility to determine and secure all necessary Federal and State permits.

12.33 Breeder Kennel Class II. (Z2016-1033) (March 1, 2017)

Kennels for more than 6 dogs, outdoor kennels, dog runs and training courses as a use secondary to a residential dwelling may be permitted by Special Permit in RA-60 Zones subject to the standards below:

For kennels where dogs shall be kept in the house except for exercise periods, training, relief, etc: Dogs shall be leashed or fenced in to prevent them from leaving the property. The Commission shall use best judgement in determining the maximum number of dogs and buffers/setbacks for exercise and training areas based on the surrounding area, taking neighbors into consideration.

Outdoor Kennels and Runs shall adhere to the following requirements.

a. Bulk Table:

Minimum Lot Area	5.0 Acres
Minimum Front Yard Setback	200 feet
Minimum Side Yard Setback	125 feet
Minimum Rear Yard Setback	125 feet
Maximum Building Height	25 feet

No portion of any outdoor kennel or run shall be less than these distances from lot boundaries.

b. The number of dogs allowed in a kennel shall be based on the Residual lot area enclosed by the various minimum setback lines stated above. The number of dogs over the age of six (6) months in a kennel at any time shall not be more than one (1) dog per 1,000 SF of the residual lot area to a maximum of 20 dogs per property over the age of six (6) months. (Residual lot area is defined herein as the area of the lot that is enclosed by the minimum yard setbacks stated in Section a, above).
c. The Commission may require visual screens and sound barriers as it deems appropriate to reduce the impact of dogs and traffic.
d. The applicant shall obtain Dept. of Health Permits (if required by NDDH) for human Sewage and animal waste disposal as a condition of approval.
e. The applicant shall submit a site plan per Section 19 prepared by a Licensed Surveyor and Engineer.
f. The applicant shall submit in narrative form all proposed uses of the site, as well as devices and methods he/she proposes to use to reduce nuisance from the kennel. The site plan shall show the location of any devices to reduce nuisance.

12.33a Commercial Kennel (Z2016-1033) (March 1, 2017)

Allows for uses contained in Breeder Kennels Class I and II, boarding and training, dog day care and other similar uses. Allows for more than 20 dogs per parcel.

a. Outdoor facilities (kennels, runs, training courses, etc.) shall not be located within fifty (50) feet of any property line.
b. The applicant shall submit a site plan per Section 19 prepared by a Licensed Surveyor and Engineer.
c. The applicant shall submit in narrative form all proposed uses of the site, as well as information with regard to devices and methods he/she proposes to use to reduce nuisance from the kennel. The site plan shall show the location of any devices to reduce nuisance.
d. Commission shall use best judgment on determining adequate uses for the proposed project, setbacks from property lines, visual and acoustic screening, and maximum number of dogs allowed based on the surrounding area and uses. The Commission shall not allow for more than one dog per 1000 square feet of total lot area.

12.34 Recreational Camp Grounds. (Approved 2/11/93.)

Recreational campgrounds shall be permitted by special permit in RA-30, RA-40 and RA-60 districts. In addition to the requirements of the Connecticut Public Health Code, all campgrounds shall conform to the following requirements:

a. The campground shall contain a minimum of five acres.
b. The primary access road to each camp ground shall connect directly to and have 150' of frontage on a state highway or town approved road. The access road shall be 24' wide for two way traffic. Where there are over 150 individually numbered camp sites, there shall, in addition to the main entrance, be an emergency road not less than 24' wide to a town or state road. No camp site shall be located closer than 50' to any public road and no camper unit, recreational vehicle or tent shall be located closer than 100' from any dwelling on adjacent property or 20' from any adjacent camper unit, recreational vehicle or test.
c. Where an area abuts any use other than a state forest, lake, non-access highway or other land of the camp ground owner, a landscaped buffer strip at least 25' wide shall be provided. Where a landscaped buffer strip is required, such strip shall consist of an interplanting of evergreen and deciduous trees and shrubs or existing trees and shrubs providing a complete visual screen between different land uses.
d. At the discretion of the commission, not more than 15 camp sites shall be provided for each acre of site area exclusive of wetlands. The acreage shall include buffer areas, recreational facilities, rental sites, community areas, emergency overflow areas, supporting facilities and land which is readily accessible and considered an integral part of the complex.
e. Individual sites shall have a number designation on its site and also a map in the office available to the Zoning Enforcement Officer which shall give the dimensions of each individual number designated site.
f. Each campground shall provide one or more service buildings adequately equipped with flush-type toilet fixtures. No service building shall contain less than two toilets for women, one toilet for men, one lavatory and shower for each sex, one urinal for men, one laundry tray and one slop water closet. The service building shall have sufficient toilet and laundry facilities according to the requirements of the Connecticut Public Health Code.
g. A trapped dumping station shall be provided for the use of independent type camper units.
h. Electrical outlets shall be weatherproof. Electrical service lines to individual camp sites shall be underground.
i. Open camp fires shall be permitted at the discretion of the campground owner.
j. The minimum width for all roads servicing individual camp sites shall be 20' for two way traffic and 12' for one way traffic. Dead end roads shall have a cul-de-sac with and 80' radius. All roads shall be graded so as to avoid standing water in times of rainfall. Roadbeds shall consist of a 12" layer of bank run gravel below a 6" layer of processed gravel. Roads shall be maintained dust free and in passable condition to trailers and emergency vehicles.
k. Camp sites may be occupied by a camper unit, recreational vehicle or tent.
l. No camp site may be occupied by the same person or persons for more than 30 consecutive days between November first and the following April first. No visitors shall claim residency during their stay.
m. Unoccupied camper units, recreational vehicles and boats may be stored in recreation camp grounds. During the month of September each year, the camp ground owner shall provide the Assessor of the Town of Plainfield with a list containing identification information as may be required by the Assessor for all long-term camper units on the property.

n. The owner and/or operator of any camp ground shall be responsible for the maintenance of an accurate register at such campground in which the following information shall be recorded.
   1. Name and permanent address of each occupant of any vehicle.
   2. Date of arrival and departure.
   3. Make and model of each vehicle and identification of campsite occupied by it.

   Such register shall be available to the Zoning Enforcement Officer to assist in the enforcement of these Regulations, and to the police, health officer and fire marshal in connection with the discharge of their duties.

o. In any campground having at least ten individually developed camp sites, there may be located on the same premises, one permanent single-family dwelling or one mobile home not less than 12' wide with axle removed and securely anchored, provided such dwelling or mobile home is occupied by the owner, manager, guard or caretaker of the camp ground and is not rented. The location of all permanent dwellings and mobile homes shall be subject to the approval of the Planning and Zoning Commission.

p. Permitted as a necessary use to a recreational camp ground and for camper use only, but not permitted as a principal use, there may be, with approval of the Commission: a grocery store with grocery, camper provisions and gifts, snack bar, swimming pool, golf course of any kind, tennis courts, recreation pavilion, service building with bath, shower and laundry facilities, horseback riding, and any other appropriate activities, even though some of the activities by their nature are performed off the premises, but all activities must originate on the premises.

q. The volume of sound from music and public address systems shall be controlled so as to prevent objectionable noises affecting others within and off the premises.

r. After initial approval and issuance of a camp ground permit, each camp ground operator shall renew the permit during the month of March. Such permit shall be issued upon payment of a $25.00 fee, provided the operation continues to be conducted in accordance with the provisions of these Regulations as determined by the Commission during a biannual review in the Aquifer Protection District and a 5 year review elsewhere.

s. The storage, collection and disposal of refuse shall comply with all town ordinances and with the State Statutes.

t. Signs shall conform to the requirements of Section 13.5 of these regulations.

12.35 <u>Wireless Telecommunications Facilities</u> (Approved 3/10/98)

12.35.1 The intent of these regulations is to provide for the establishment and/or expansion of wireless telecommunication services while protecting neighborhoods and minimizing the adverse visual and operational effects of wireless telecommunications facilities through careful design, siting and screening. More specifically these regulations have been developed in order to:

1. Maximize use of existing and approved towers and other structures to accommodate new antennas and transmitters in order to reduce the number of communication towers needed to serve the community and the public.
2. Encourage providers to co-locate their facilities on a single facility;
3. Site facilities below visually prominent ridge lines;
4. Minimize the location of facilities in visually sensitive areas;
5. Encourage creative design measures to camouflage facilities;
6. Protect historic and residential areas from adverse impacts of communication towers;

7. Avoid hazards to adjacent properties and the public from structural failure through engineered design and prudent siting of tower structures.
8. Avoid interference with existing natural scenic vistas.

12.35.2 Definitions

For the purpose of applying the provisions of this section the terms shall be defined as follows:

ANTENNA means a device used to receive or transmit electromagnetic waves. Examples include, but are not limited to whip antennas, panel antennas and dish antennas. Devices used exclusively for television reception by occupants of a single family residence, public buildings, and multiple family buildings comprising no more than 4 units, shall be exempted from these regulations.

CO-LOCATION means locating wireless communication facilities of more than one provider on a single site.

WIRELESS TELECOMMUNICATION SERVICES means licensed communications including, but not necessarily limited to, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging and similar services that are marketed to the general public.

WIRELESS TELECOMMUNICATION SITE means a facility operated by a licensed wireless telecommunication service provider which consists of the equipment and structures involved in receiving or transmitting electromagnetic waves associated with wireless telecommunication services.

HEIGHT OF TOWER means the vertical distance measured in feet from the highest existing ground elevation surrounding the tower and within ten feet thereof to the topmost point of the tower including any antenna or other appurtenances. The height of a tower mounted on a building shall be measured from the highest existing elevation of the ground along all walls of the building to the tallest point on the tower including the antenna and all other appurtenances.

EXISTING ELEVATION shall mean the actual elevations which existed 2 years prior to initial application under Section 12.35 for a Wireless Telecommunications Facility.

TOWER means a structure that is specifically intended to support equipment used to receive and/or transmit electromagnetic waves. Design examples of towers include (a) self-supporting lattice, (b) guyed and (c) monopole.

12.35.3 Location Preferences

The locations for siting the equipment involved in receiving or transmitting electromagnetic waves associated with wireless telecommunication services are listed in paragraphs 1 through 5 below, in order of preference.

1. On existing structures such as buildings, water towers, utility poles, and existing or previously approved towers.
2. On new towers less than 60 feet in height located in commercial or industrial zones or on municipal property.
3. On new towers 60 feet or greater in height located in commercial and industrial zones or on municipal property.

4. On new towers less than 60 feet in height located in residential zones.
5. On new towers 60 feet or greater in height located in residential zones.

12.35.4 General Requirements

1. Applications for any commercial telecommunications service facility shall be made by a licensed carrier only.
2. No wireless telecommunication tower site shall be located within 200 feet of a residence.
3. No tower exceeding 60 feet in height shall be located within 1,000 feet of the boundary of an approved historic district.
4. No lights shall be mounted on proposed towers unless otherwise required by the Federal Aviation Administration (FAA). Strobe lighting shall be permitted only where required by applicable regulations.
5. Towers not requiring special FAA painting or markings shall be painted a non-contrasting blue, gray or black or as required by the Commission.
6. Towers, antennas and equipment boxes may not be used to exhibit advertising or any signage other than as required for public safety.
7. All towers shall be monopole design unless otherwise approved by the Commission.
8. Any proposed tower shall be designed in all respects to accommodate both the applicant's antennas and comparable antennas for at least two additional users if the tower is over 150 feet in height or for at least one additional comparable antenna if the tower is 150 height or under. The commission may require the tower to be of such design as to allow for future rearrangement of antennas upon the tower and to accommodate antennas mounted at varying heights.
9. The Commission may require that towers, antennas, antenna mounts, equipment buildings/boxes and telecommunication structures be of such design and material so that they are inconspicuous.
10. Antennas or equipment buildings/boxes mounted to or on buildings or structures shall to the greatest degree possible blend with the color and design of such building.
11. Each telecommunications facility site shall be provided with a paved driveway and parking space for at least one vehicle.
12. No proposed wireless telecommunication site shall be designed, located or operated as to interfere with existing or proposed public safety communications.
13. The design of all wireless telecommunication sites shall comply with the standards promulgated by the Federal Communications Commission (FCC) for non-ionizing electromagnetic emissions. In the absence of such standards sites shall comply with standards set by the Institute of Electrical and Electronics Engineers for safe human exposure to radio frequency electromagnetic fields. Approved tower owners shall submit an annual report detailing the maximum current measurement of radio frequency emissions.
14. All utilities proposed to serve a wireless telecommunication site shall be installed underground unless otherwise approved by the Commission.
15. All generators installed in conjunction with any wireless telecommunication site shall comply with all State and Local noise regulations and be provided with an approved noise attenuation system as may be required at any time by the Commission.

16. All towers shall be fenced and all accompanying equipment buildings or boxes shall be screened and fended to minimize visual intrusion as approved by the Planning and Zoning Commission as part of the site plan review.
17. In all Commercial, Industrial, and Industrial Park zoning districts any proposed new construction of an antenna or tower shall be required to provide for co-location of telecommunication services. The applicant shall be required to submit to the Commission, in a form satisfactory to it, evidence prior to construction that it is bound to share antenna space with other telecommunications providers. This may take the form of an affidavit, caveat, declaration of covenants, etc. on the land records once approved by the Commission.

12.35.5 Bulk Requirements

1. Lot Size. Wireless telecommunication sites containing a freestanding tower shall not be located on any lot less than 40,000 square feet in area. No such facility shall be sited on a lot which is not a legal building lot.
2. Height. The maximum height of a tower proposed under these regulations shall be **180** feet including the antenna and all other appurtenances and excluding the height of supporting structures which existed prior to Jan 1, 1998. The maximum height of any roof top mounted equipment building or box shall be 15 feet.
3. Setbacks.
4. All freestanding monopole or other towers shall comply with the minimum property line setbacks for that zone except that in no cases shall a monopole or tower be constructed so that it is set back from the property line less than a distance equal to the height of the tower.
5. All equipment buildings/boxes or equipment areas, including areas devoted to parking, screening and equipment shall comply with the following minimum property line setbacks:

a. Front Yard	As required in Zone.
b. Rear and Side Yards	20 feet.

6. All applications shall comply with any applicable requirements of the Flood Plain Management Ordinance and the Inland Wetlands and Watercourses Regulations.

12.35.6 Site Plan Requirements

For all proposals to develop a wireless telecommunication site the following additional information shall be submitted in addition to the requirements of Section 19.

a. A plan showing where and how the proposed antenna will be affixed to a particular building or structure. Plans shall be at a scale of not less than 1” = 40’.
b. Details of all proposed antenna and mounting equipment including size and color.
c. Elevations of all proposed shielding and details of materials including color.
d. An elevation of all proposed equipment buildings or boxes and details of proposed screening and enclosures including materials and colors.
e. 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 separation distances between antennas. The design shall

illustrate how the tower will collapse upon itself without encroaching upon any adjoining property.

f. A report from a licensed professional engineer registered in the State of Connecticut indicating that the proposed wireless telecommunication site will comply with the emission standards found in Section 12.35.4.13 of this regulation. Such report shall also certify that the installation of such site will not interfere with public safety communications. Such report shall include a description of the maximum power density with all channels operating at highest power for all existing and proposed emissions and ambient levels at the site. Modeling shall be performed at the fence line.

g. An analysis of the fall zone for the proposed tower prepared by a licensed professional engineer registered in the State of Connecticut.

h. All applications shall include proof that either the applicant or co-applicant holds bona fide license from the FCC to provide the telecommunication services that the proposed tower is designed to support.

i. A map prepared by a licensed land surveyor depicting the extent of the provider's planned coverage within the Town of Plainfield and the service area of the proposed wireless telecommunication site. A map indicating the search radius for the proposed wireless telecommunication site and all existing towers and structures over a height of 50 feet within the planned coverage area.

j. The applicant shall demonstrate need for the network as proposed and shall describe feasibility of alternative facility locations including existing towers and structures and tower heights.

k. For proposed tower installations, all plans shall be designed and sealed by a licensed professional engineer registered in the State of Connecticut.

l. Upon request of the Commission the applicant shall provide a graphic representation of the proposed installation in relation to the site and its vicinity in order to help the Commission ascertain the visual impacts associated with such proposal. Such representation may include computer simulation, enhanced photographs or architectural drawings or renderings.

m. For towers located in or within 1,000 feet of a residential zone, historic building, or Historic zone the applicant shall provide an analysis showing all areas from which the tower would be visible.

12.35.7 <u>Factors upon which decisions of the Commission shall be based</u>

In order to approve applications for wireless telecommunication sites, the Commission shall also find:

1. In the event a wireless telecommunication site is proposed to be locate on, or within 1,000 feet of a property or District designated on the national Historic Register that such proposal will preserve the historic and/or architectural character of the landscape of any structure.
2. In the event where an application for the proposed location of wireless telecommunication site is not a preference 1 or 2 location the applicant has adequately described the efforts and measures taken to pursue those preferences and why a higher preference location was not technologically, legally or economically feasible. The supplied documentation should evaluate the following factors:
   a. The planned equipment would cause unacceptable interference with the operation of other existing or planned equipment on an existing or approved tower as

documented by a qualified licensed professional engineer registered in the State of Connecticut and the interference cannot be prevented or eliminated at a reasonable cost.

b. The planned equipment cannot be accommodated on existing or approved tower as documented by a qualified licensed professional engineer registered in the State of Connecticut.
c. The existing or planned equipment on an existing or approved tower would cause unacceptable interference with the equipment proposed by the applicant as documented by a qualified licensed professional engineer registered in the State of Connecticut and that the interference cannot be prevented or eliminated at a reasonable cost.
d. Any restriction or limitation imposed by the FCC.

12.35.8 Abandonment

At such time that a licensed carrier plans to abandon or discontinue operation of a wireless facility, such carrier will notify the Commission by certified U.S. mail of the proposed date of abandonment or discontinuation of operations. Such notice shall be given no less than 30 days prior to abandonment or discontinuation of operations. In the event that a licensed carrier fails to give such notice, the facility shall be considered abandoned upon such discontinuation of operations. Upon abandonment or discontinuance of use, the carrier shall physically remove the facility within 90 days from the date of abandonment. A commercial wireless telecommunication site not in use for 12 consecutive months shall be removed by the service facility owner. Upon removal the site shall be restored to its previous appearance and where appropriate re-vegetated to blend with the surrounding area.

12.36 Adult Uses Approved December 8, 1998

12.36.1 Purpose

The intent of this section is to regulate uses which, because of their very nature, are recognized as having serious objectionable characteristics, particularly when several of them are concentrated could have a deleterious effect upon the adjacent areas. Allowing by Special Permit of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. The primary control or regulation is for the purpose of preventing a proliferation of these uses in any one area.

12.36.2 Definitions

For the purpose of this section, the following definitions shall apply:

Adult book store - an establishment having a substantial or significant portion of its stock in trade, books, magazines, films for sale or viewing on premises by uses of motion picture devices or any coin-operated means, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Area", or an establishment with a segment or section devoted to the sale or display of such material.

Adult motion picture theater - An enclosed building with a capacity of 50 or more persons used regularly and routinely for material having a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Area", for observation by patrons therein.

Adult Mini-Motion Picture Theater - An enclosed building with a capacity for less than 50 persons used regularly and routinely for material having a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Area", for observation by patrons therein.

Adult Entertainment Cabaret - A public or private establishment which is licensed to serve food and/or alcoholic beverages, which feature topless dancers, strippers, male or female impersonators, or similar entertainers, or acts relating to "Specified Sexual Activities" or "Specified Anatomical Areas", for observation by patrons therein.

"Specified Sexual Activities" is defined as:

a. Human genitals in a state of sexual stimulation arousal;
b. Acts of human masturbation, sexual intercourse or sodomy;
c. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast;

"Specified Anatomical Areas" is defined as:

a. Less than completely and opaquely covered: (I) human genitals, pubic region, (II) buttock and (III) female breast below a point immediately above the top of the areola.
b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

12.36.3 <u>Regulated uses</u>

Regulated uses include all Adult Uses which include, but are not limited to, the following:

Adult Book Store
Adult Entertainment Cabaret
Adult Mini-Motion Picture Theater
Adult Motion Picture Theater

a. Adult use shall be permitted subject to the following restrictions:
    1. No such Adult use shall be allowed within 1000 feet of another existing Adult Use. The 1000 feet shall be the straight horizontal distance from any part of a building housing Adult Use, to any part of the other building housing Adult Use, as measured by the Plainfield Town Engineer.
    2. No such Adult Use shall be located within 1500 feet of any Residential Zoning District. The 1500 feet shall be the straight horizontal distance from any part of a building housing Adult Use to any boundary of a Residential Zoning District, as measured by the Plainfield Town Engineer.
    3. No such adult use shall be located within 1500 feet of a pre-existing school, cemetery, park, library or place of worship. The 1500 feet shall be the straight horizontal distance, as measured by the Plainfield Town Engineer, from any part of a building housing Adult Use to any boundary of a property containing a school, park, library or place of worship.
    4. No such Adult Use shall be located in any Zoning District except Industrial (I) and Commercial (C-1)

b. The provisions of a.1. through a.4 above shall not be deemed to be retroactive, except that any building or premises being used for Adult Uses as defined herein whose use for such purpose shall be discontinued for a period of 30 days shall thereafter conform to these regulations.

12.36.4 Exterior Display

No Adult Use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to "Special Sexual Activities" or "Specified Anatomical Areas," from any public way or from any property not registered as an Adult Use. This provision shall apply to any display, decoration, sign, show window or other opening.

12.36.5 Registration

1. The owner of a building or premises, his/her agent for the purposes of managing or controlling, or collecting rents, or any other person managing or controlling a building or premises, any part of which contains an Adult Use, shall register with the Zoning Enforcement Officer and provide the following Information:

a. The address of the premises.
b. The name of the owner of the premises and the names of the beneficial owners if the property is in a land trust.
c. The address(es) of the owner and the beneficial owners.
d. The name of the business or the establishment subject to the provision of 12.36.3.
e. The name (s) of the owner, beneficial owner of the major stock holders of the business or the establishment subject to the provisions of 12.36.3.
f. The address(es) of those persons named in subparagraph (e).
g. The date of initiation of the Adult Use.
h. If the building or premises is leased, a copy of the said lease shall be attached.

12.36.6 It shall be unlawful for the owner or person in control of any property to establish or operate thereon or to permit any person to establish or operate an Adult Use without first having properly registered and received certification of approved registration; pre-existing Adult Uses prior to the effective date of this Regulation shall register within ten (10) days of the effective date of this Regulation.

12.36.7 The owner, manager or agent of a registered Adult Use shall display a copy of the Registration Form approved by the Zoning Enforcement Officer in a conspicuous place on the premises.

12.37 Solid Waste and Recyclables Transfer Stations (Added 4/04) (CZ-2004-02)

Transfer Stations shall be permitted by Special Permit in Industrial Districts. In addition to the requirements set forth in the Connecticut State Statutes, Title 22a, and the Connecticut Public Health Code, Solid Waste and Recyclables Transfer Stations are subject to the standards below:

a. Description of the purpose and nature of the proposed use, any associated processing and the type and quantity of all materials to be used or produced in connection therewith. The description shall demonstrate that the proposed use will not pose a risk of pollution of the groundwater.

b. Description of the nature, chemical composition, and means of disposal of any water, including waste water, to be generated in connection with the proposed use.
c. Loading and transfer of commercially hauled solid waste and recyclables shall be conducted in an enclosed building.
d. The site plan shall show measures to be taken to provide buffer areas and other proposed screening measures. A landscaping buffer of twenty five (25') feet shall be provided for any property boundary adjacent to a residential district. The site plan shall also include location of a gate and fencing to minimize access during times when the facility is not open.
e. A Solid Waste and Recyclables Transfer Station may only accept the following waste types: mixed municipal solid waste produced by residential, commercial, industrial and institutional sources, construction and demolition debris, leaves, clean brush and wood, recyclables including old newsprint, old corrugated cardboard, and glass, metal, and plastic containers, waste oil, used electronics, and scrap metal including appliances.
f. Storage of waste oil, batteries, antifreeze, and used electronics shall be in accordance with the following:
    1. Waste oil, batteries, antifreeze, and used electronics shall be stored in an enclosed structure or under a roof that prevents storm water entry to the containment area and shall be protected from groundwater intrusion.
    2. Floors within a structure where waste oil, batteries, antifreeze, and used electronics may be stored shall be coated to protect the surface of the floor from deterioration due to spillage of or from any such material.
    3. Waste oil, batteries, antifreeze, and used electronics shall be stored within an impermeable containment area capable of containing at least the volume of the largest container of such material present in structure, or 10% of the total volume of all such containers in such area, whichever is larger, without overflow or release of material from the containment area.
    4. Waste oil, batteries, antifreeze, and used electronics shall be stored in a manner that will prevent the contact of materials with such materials so as to create a hazard of fire, explosion, or generation of toxic substances.
    5. Waste oil, batteries, antifreeze, and used electronics shall be stored only in containers that have been certified by a State or Federal agency or the American Society of Testing Materials as suitable for the transport or storage of such materials.
    6. Storage area for waste oil, batteries, antifreeze, and used electronics shall be inspected daily for damage, leaks, or spills. Cleanup of all spills shall be initiated no longer than two hours after discovery.
g. The perimeter of the facility shall be inspected daily for spilled debris.
h. All trucks containing waste and recyclables shall be covered when entering or exiting the facility.
i. Provisions shall be made to minimize noise and dust emitted by operations carried on at the site.
j. Outside storage or stockpiling of solid waste (other than leaves, brush or clean wood) is prohibited unless stored within an enclosure trailer or other type of container approved by the Planning and Zoning Commission.
k. Where dumpsters or roll-off containers are proposed, the locations shall be shown on the site plan. The roll-off containers shall be placed on a bituminous or concrete pad.
l. No material designated as hazardous waste as defined by 40CFR Part 261 Subpart C shall be received at the Facility. Deliveries of waste oil, batteries, used electronics and antifreeze shall

be received from residential customers. Deliveries from commercial customers shall be as approved by the Town of Plainfield Planning & Engineering Department.

m. Except for clean wood, brush, and leaves, areas where solid waste and recyclables are handled and transferred, must be located outside areas of the Town designated as an Aquifer Protection District pursuant to these regulations.
n. The permittee shall submit to the town any inspection reports required pursuant to State or Federal regulations and permits for the facility.
o. The hours of operation for receiving or removing wastes and recyclables shall be limited to 7 A.M. to 5 P.M. Monday through Friday, and 7 A.M. to Noon on Saturday, except for weeks containing a holiday, in which case Saturday operating hours shall be 7 A.M. to 5 P.M.
p. A holding tank shall be provided for the collection and off-site removal of any liquids collected in the transfer building floor drains, unless the facility is located at a site served by public sewers, and the permittee has been granted any applicable approvals for use of the public sewer by the Connecticut DEP and the Plainfield Water Pollution Control Authority.
q. The bulk requirements of the Industrial District shall apply except the Commission may impose additional buffering or lot size requirements depending upon the conditions associated with any particular site or application hereunder.
r. All roll-off containers shall be covered when not in use, unless under a roof.

12.38 Special Purpose Landfill Facility – (Deleted 6/01/2009, TA-2009-02)

12.39 Bed and Breakfast – Special Function Facility (Effective 9/18/05, CZ-20050004)

A Bed and Breakfast – Special Function Facility may be permitted by Special Permit in an RA-60 Zoning District under the following criteria and standards:

a. Where applicable, a site development plan, as defined under Section 19 of these regulations, along with floor plans and sketchesshall be submitted with the application. The Commission may waive this requirement if the scope of the project does not warrant the plan.
b. The design of all proposed structures shall be in harmony with the surrounding area.
c. The proposed use must meet all health and safety requirements such as: adequate water supply for drinking and fire fighting, adequate sewage disposal, safe traffic flow and control, drainage, parking, wetlands approval, where necessary, as well as building code requirements.
d. The minimum lot size shall be 3 acres. Minimum setbacks shall be equal to the requirements for the zone in which the property is located.
e. Parking shall be provided at the rate of 1 space for every 3 guests.
f. To ensure minimum disruption of the surrounding neighbors, a 25 foot minimum landscaped buffer zone shall be provided, at the discretion of the Commission.
g. Evidence of use shall be minimal from the exterior, except for a business sign, not to exceed 12 sq. ft.
h. The maximum height for new buildings shall be limited to 30 feet.
i. The maximum size for new buildings shall be limited to 5,000 sq. ft.

12.40 Indoor Equestrian Riding Arenas (Effective 2/01/09) (TA 2008-07)

Indoor Equestrian Riding Arenas may be allowed in RA-60 Districts by special permit if the Commission feels that the use will be in harmony with the surrounding area, and the following conditions are met to the Commission's satisfaction:

a. A site plan (of A-2 Survey accuracy if desired by the Commission) shall be submitted showing the location of the structure, access to the facility, topography, wetlands, parking areas, etc.
b. The applicant must state if the facility will be for private use, to be used mainly by the property owner, or if the facility will be of a commercial nature, used regularly by riders other than the property owner.
c. If the facility will be of a commercial nature, adequate parking must be provided and shall be of a dust-free surface.
d. Illustrations of the proposed structure shall be included with the proposed site plan and the architecture of the structure shall be in harmony with the architecture of the surrounding area.

12.41 Film Studio (Added 6/01/2009, TA-2009-02)

Film studios may be allowed in all I-1 and I-2 Zoning Districts by Special Permit providing that the use will be in harmony with the surrounding area.

Accessory Uses

a. Film studio residences, provided that these shall be clearly an accessory use to the facility and not rented out.
b. Outside storage area, provided that an area used for outside storage shall be adequately screened from all streets and residential properties.
c. Outside film stage including any area of the studio property where filming takes place outside of a fully enclosed studio, provided that no area used for an outside film stage shall be located within 500 feet of a street or residential property. All measures must be taken to screen the stage from streets and residences, and to diminish noise and light from exiting the property. These measures include light and sound barriers and vegetative buffers.

Parking

a. Offices: one space per 300 square feet;
b. Computer Data Centers: one space per 1,000 square feet;
c. Stages, film editing, green rooms, mills, paint shop, commissary, film studio residences and other uses that are incidental to the film studio: one space per 2,000 square feet; and
d. A plan for off-site parking on large casting days shall be submitted to and approved by the Commission, the Police Chief and ConnDOT as part of the Special Permit Application. Commission staff and the Police Chief will be notified no less than 3 days prior to each large casting day.

12.42 Conversion of former boarding houses into apartments (Added 11/10/10, TA-2010-04)

The purpose of this regulation is to allow the conversion of a former boarding house into apartments rather than single room living areas. Typically, boarding houses have significantly larger living areas than single family homes and the conversion of that space into apartments would allow for better use of the structure. Therefore, by Special Permit, a former boarding house may be converted into apartments

subject to the conditions listed below. Each application will be considered on a case by case basis and further reasonable conditions may be imposed by the Commission.

a. The minimum lot area is 19,000 square feet.
b. The minimum lot area per dwelling unit shall be 4,500 square feet.
c. Open space shall be provided at the rate of 1,500 square feet per dwelling unit. Open space shall be exclusive of structures, other than community buildings, access drives, parking areas, wetlands, sidewalks or similar features.
d. Interior access and circulation shall be designed to permit fire-fighting equipment, emergency vehicles, refuse collection vehicles, delivery vehicles and snow removal vehicles to operate in a safe and efficient manner. Internal drives shall be paved to a minimum width of twenty four (24) feet for two way traffic and sixteen (16) feet for one way traffic with 45 degree parking.
e. Paved off street parking spaces shall be provided at the rate of two (2) spaces per dwelling unit. Parking spaces shall be ten (10) feet by twenty (20) feet and shall be within one hundred (100) feet via a concrete walk of the dwelling unit they are intended to serve. Parking spaces shall be separated from buildings by a planting buffer at least six (6) feet wide.
f. The site shall be served by public water and sewer.
g. Dumpsters and/or refuse containers shall be placed on a concrete pad enclosed by a six (6) foot high stockade fence.
h. Site lighting shall be provided for all walkways, access drives and parking areas. Lighting shall be diffused and shall not be directed onto adjacent properties. Lights shall not be more than ten (10) feet high.
i. Each application shall require the submission of a site development plan in accordance with Section 12.52 of these regulations and preliminary architectural plans. The site development plans and preliminary architectural plans shall also be submitted to the Building Official, Fire Marshall and Fire Department for their review and comments.

12.43 Boarding Houses (Added 2/11/2014) (Z-2014-0413)

Boarding Houses are allowed by Special Permit in a Commercial Zone, provided that it will be in harmony with the surrounding area. The following conditions must be met:

A site plan showing adequate parking shall be submitted to the Commission along with a floor plan showing all rooms and uses, along with the number of beds proposed and maximum occupancy numbers.

Room Capacity: Room capacity shall not exceed one occupant per 50 square feet of bedroom floor area.

Each bedroom shall have a closet with each occupant having at least 48 cubic feet of closet area.

No sleeping quarters shall be located in any common areas of the dwelling (ie: living room, kitchen, etc.)

The dwelling shall meet all building and fire code requirements and the Building Inspector and Fire Marshall must approve the floor plans before the Commission can grant approval.

If the Special Permit is approved, any requirements of the Building Inspector and Fire Marshall must be met before the building can be occupied.

No modifications to the floor plan or maximum occupancy can be made without modification to the Special Permit.

Upon written request from the Zoning officer to the property owner, the owner shall allow the Zoning Officer to inspect the dwelling within 48 hours of receiving the notice for compliance with

the Special Permit. The Building Inspector and Fire Marshall can accompany the Zoning Officer to check for Building and Fire Code compliance.

12.44 Commercial Agricultural Buildings (Site Plan Required).

12.44.1 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 impacts may include odors, flies and other vectors, and contamination of surface and groundwater, light pollution and aesthetics, among others.

12.44.2 A commercial agricultural building is defined in Section 1.2.

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

a. The building(s) shall be designed to resemble traditional New England style farming structures.

b. The property shall have the appearance of a traditional working farm, or be screened from view with natural vegetation. A temporary privacy fence may be necessary while the vegetation matures.

c. Roads and intersections providing access to the property and associated parking and loading will be adequate to provide safe and uncongested movement of traffic.

d. Parking and driveways will be set back 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.

e. The applicant is required to submit its plans for storage and disposal of wastes to the Northeast District Department of Health for any comments they may wish to make. It is the responsibility of the applicant to obtain any applicable State and Federal permits.

f. 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 abutting property. 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.

g. 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.).

h. If the site is to be illuminated between the hours of 8:00pm and 6:00am, full cut-off box light fixtures shall be used. Lights shall not be mounted higher than fourteen feet and light shall not spill off the property. A lighting diagram shall be required.

12.45 Agri-tourism (RA-60 District only)(See section 1.2 Definitions)

The intent of this regulation is to allow working farms (registered with the State of CT) with a minimum of twenty (20) working acres to participate in agri-tourism while minimizing impact to residents in the area. Considerations must be made in regards to traffic, accesses, parking, noise, light, etc. and will be reviewed on a case by case basis. A detailed description of the proposal is

required. Depending on the scope of the project, an A-2 survey and site plan may be required by the Commission.
Any new buildings to be constructed must meet Zoning requirements along with the approval of the Building Inspector, Fire Marshal, and Department of Health.
If products are to be sold, at least 40% of those products shall be produced by the owner(s) of the farm and a list of the types of products sold shall be provided as part of the special permit. The intent is to allow the sale of locally produced, agricultural related products such as plants, food, etc.

12.46 Auto Recycling Facility (Z-2015-0671) (08/01/2015)

An Auto Recycling Facility may be permitted by Special Permit in Industrial 1 District ("I-1") and Industrial 2 District ("I-2") if the Commission determines that the use will not adversely affect the surrounding area. In addition to any requirements established by Connecticut State Statutes, such Auto Recycling Facility is subject to the standards below:

a. Description of the purpose and nature of the proposed use, any associated processing and the type and quantity of all materials to be used or produced in connection therewith. The description shall demonstrate that the proposed use will not pose a risk of pollution of the groundwater.

b. Description of the nature and means of disposal of any water, including waste water, to be generated in connection with the proposed use.

c. The site plan filed in connection with such special permit application shall show measures to be taken to provide buffer areas and other proposed screening measures. A landscaping buffer of one hundred (100') feet shall be provided for any property boundary adjacent to a residential district. Such buffer area may remain in its natural state provided that such natural state, combined with any additional screening measures to be provided by applicant, is determined by the Planning and Zoning Commission to be sufficient screening from abutting residential areas. The site plan shall also include location of a gate and fencing to minimize access during times when the facility is not open and shall be screened in accordance with the following regulations:

1. The entire site shall be screened either:
    a. by a buffer zone at least 25 feet wide with natural or planted screening material of sufficient height and thickness to screen the facility from all directions at all times of the year (plantings must be deer resistant); or
    b. by a solid, maintenance free fence at least 8 feet high sufficient or screen the facility at all times of the year; or
    c. by other natural topographic features approved by the Commission, sufficient to screen the facility at all times of the year; or
    d. by any combination of the above which fulfills the surrounding screening material.
2. Parts and vehicles shall be stacked higher than the surrounding screening material.

d. The grant of such special permit shall be conditioned in all cases upon the receipt by the applicant prior to commencement of operation of such Auto Recycling Facility of a Connecticut Motor Vehicle Recycler (Junk Yard) License.

e. Storage of waste oil, batteries, antifreeze, and used electronics shall in accordance with the following:

1. Waste oil, batteries, antifreeze, and used electronics shall be stored in an enclosed structure or under a roof that prevents storm water entry to the containment area and shall be protected from groundwater intrusion.

2. Floors within a structure where waste oil, batteries, antifreeze, and used electronics may be stored shall be coated to protect the surface of the floor from deterioration due to spillage of or from any such material.

3. Waste oil, batteries, antifreeze, and used electronics shall be stored within an impermeable containment area capable of containing at least the volume of the largest container of such material present in structure, or 10% of the total volume of all such containers in such area, whichever is larger, without overflow or release of material from the containment area.

4. Waste oil, batteries, antifreeze, and used electronics shall be stored in a manner that will prevent the contact of materials with such materials so as to create a hazard of fire, explosion or generation of toxic substances.

5. Waste oil, batteries, antifreeze, and used electronics shall be stored only in containers that have been certified by a State or Federal agency or the American Society of Testing Materials as suitable for the transport or storage of such materials.

6. Storage area for waste oil, batteries, antifreeze, and used electronics shall be inspected daily for damage, leaks, or spills. Cleanup of all spills shall be initiated no longer than two hours after discovery.

f. Provisions shall be made to minimize noise and dusts emitted by operations carried on at the site.

g. The Auto Recycling Facility must be located on a lot: (i) outside of areas of the Town designated as an Aquifer Protection District pursuant to these regulations; and
(ii) containing at least twenty (20) acres.

h. No exterior dismantling or stacking operations shall take place between the hours of 6:00 PM and 7:00 AM. The facility shall not be open on Sundays. Crushing activities shall be limited to weekdays only and shall take place only during the hours of 9 AM to 4 PM.

i. Height of any exterior parts storage areas shall not exceed thirty (30) feet or the height of the visual screening material.

j. The facility must contain at least seventy-five (75,000) square feet of enclosed building space.

k. Dismantling of vehicles shall take place in an area located inside the main building provided for in Section 12.46(j) above, which dismantling area shall contain no less than 15,000 square feet.

l. External warehousing of parts shall be in an orderly fashion.

m. Vehicles must be processed within 90 days of being brought to the facility.

n. The Site Development Plan must include regulations and design of storm water treatment and management system for those areas where vehicles will be stored outside.

12.50 Application Procedures

Application for special permits shall be submitted to the Planning and Zoning Commission or its appointed agent in writing and in a form prescribed by the Planning and Zoning Commission.

12.51 Application Fee (Amended 3/11/03)

An application for a special permit shall be accompanied by a fee that is listed under Section 20 (Application Fee Schedule) of the Town of Plainfield Zoning Regulations. The purpose of this fee is to defray the cost of public notice required for hearings, processing and supplies.

12.52 Site Development Plan

a. Purpose

A site plan is intended to provide the Commission with information that will enable it to determine that the proposed structures and uses comply with the requirements of these Regulations; and, in conjunction with any application for a special permit use, assist the Commission in determining that the structures and uses are arranged in a manner that enhances the health, safety and welfare of the citizens of Plainfield and shall be of such character as to harmonize with the neighborhood, to accomplish a transitioning character between 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.

b. Procedure

Four (4) copies of the Site Development Plan shall be submitted for approval with an application for a zoning permit involving uses other than single and two family dwellings and accessory buildings and excavations less than 500 cubic yards.

(i) A site plan shall be prepared by a professional engineer and/or land surveyor licensed and registered to practice in Connecticut. If the proposed development includes wetlands, or areas located within 100 feet of wetlands, the Commission shall have the right to require that a certified soil scientist delineate the wetlands. The signed seal(s) of those who prepared the site plan shall be included on the site plan. The site plan shall conform with Class A-2 and T-2 Standards for Accuracy in accordance with Sections 20-300b-1 through 20-300b-20 of the Regulations of Connecticut State Agencies and Standards for Surveys and Maps in the State of Connecticut.

(ii) A written statement describing the proposed use or uses in sufficient detail will be submitted with each site plan to determine compliance with the permitted uses or special permits in the applicable zoning district.

(iii) A location map at a scale of 1 inch equals 1,000 feet shall be submitted showing the subject property, streets, lot lines, and zoning district boundaries within 1,000 feet of the subject property.

c. Site Plan Content

A site plan drawn at a scale of 1 inch equals 40 feet or such other scale as may be approved by the Town Planner shall be prepared and clearly show to the satisfaction of the Commission the following information.

(i) The name and address of the applicant and owner of record.

(ii) North arrow, scale, date of the drawing or its revision date and the names and seals of those persons preparing the site plan.

(iii) Property boundaries, dimensions and area in acres and square feet of the lot and all existing monuments, pipe markers and other physical evidence concerning property boundaries.

(iv) Zoning districts and dimensions of all yards as required by these Regulations. This information will be shown in both mapped tabular form.

(v) Existing and proposed contour lines at 2-foot intervals.

(vi) Location, width and purpose of all existing and proposed easements and rights of ways on the property.

(vii) Location of all existing watercourses, wetlands, public water supply, watershed boundaries and bedrock outcrops.

(viii) Location and size in square feet of all existing and proposed structures including underground storage tanks and uses on the property and the approximate location and size of all existing structures on abutting properties which are within 100 feet of the property lines.

(ix) Location of all storage areas for materials, supplies, products, vehicles and equipment that will not be kept inside a structure.

(x) Location, size and arrangement of all parking and loading areas including existing and proposed driveway entrances and exits. The Town Planner may require the applicant to submit a traffic evaluation report prepared by a traffic engineer if the proposed development has the potential to impact traffic flow or significantly impact peak period traffic counts.

(xi) Location, size and arrangements of all pedestrian walkways and sidewalks.

(xii) Location, layout, type and size of buffer or landscaped area, plant materials, fencing, screening devices or other materials proposed for use.

(xiii) Location, size, height, lighting and orientation of all signs.

(xiv) Location, size, height and orientation of all outdoor lighting facilities.

(xv) A detailed analysis and calculation of the storm water drainage system, including the location and elevations of all existing and proposed street drainage facilities within 100 feet of the property.

(xvi) Location, size and type of all water and fire protection facilities.

(xvii) Location, size and type of all sewerage disposal facilities.

(xviii) Building elevations in conceptual form showing the general type of building proposed for construction.

(xix) In cases where the applicant intends to develop in stages, an overall site and staging plan shall be required.

(xx) A detailed erosion and sediment control plan as required in Section 6 of these Regulations.

(xxi) For any use which contains more than 10,000 square feet of gross floor area and for all satellite parking areas, the site plan shall be accompanied by a detailed traffic study delineating the traffic impacts which will occur as a result of the proposed development, including, but not limited to, ingress and egress to and from the site and all parking areas.

(xxii) A signature and, if applicable, waiver block for endorsement of the site plan by the commission.

(xxiii) Any additional information in order to satisfy the requirements of Section 19 of these Regulations.

d. Waivers

The Commission may waive one or more of the site plan ingredient requirements of Section 12.42(c) if it finds that the information is not necessary to reach a decision on the application. A waiver of the applicable section or sections must be requested in writing by the applicant.

12.53 Floor Plans and Sketches

An application shall be accompanied by floor plans of all proposed new or renovated buildings on the site, sufficient to show room configurations, entrances, exits, loading areas, restrooms, and cooking areas, and the sketches of proposed construction sufficient to assist the Planning and Zoning Commission in determining the visual impact of the development on neighboring properties. Such plans may be in a preliminary form.

12.60 Planning and Zoning Commission Action

The Planning and Zoning Commission shall, within sixty-five (65) days or receipt of an application for a special permit, hold a public hearing on such application. Notice of the time and place of such hearing shall be published in a newspaper having a substantial circulation in the municipality at least twice, at intervals of not less than two (2) days, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days before the date of such hearing. At such hearing any party may appear in person and may be represented by such agent or by attorney. The Commission shall decide upon such application within sixty-five (65) days after the hearing. Special permits may be approved subject to any appropriate conditions and safeguards deemed necessary by the Planning and Zoning Commission in order to secure the findings required by Section 12.11 of these regulations. Whenever the Commission grants or denies a special permit, it shall state upon its records the reason for its decision. Notice of the decision of the Commission shall be published in a newspaper having a substantial circulation in the municipality and addressed by certified mail tot he person who applied for the special permit by its secretary or clerk, under his signature in any written, printed, typewritten or stamped form within fifteen (15) days after such decision has been rendered.

12.70 Effective Date of Special Permits

A special permit shall become effective at such time as it has been approved by the Planning and Zoning commission and the following obligations have been satisfied.

a. The approved site development plan, including any stipulations approved by the Commission, is signed by the Chairman of the Commission.
b. The approved, signed site development plan has been filed in the office of the Town Clerk by the applicant or record owner, at his expense.
c. A performance bond has been posted and approved as required in this article.
d. Whenever a State of Connecticut or federal agency is required to approve a plan for any project prior to commencement of construction or to approve a permit for road, street, or driveway connections, a special permit shall not become effective until such approvals have been granted.

12.80 Expiration of Special Permits (Amended May 11, 1993)

A special permit shall be valid for a period of two (2) years after the date of approval of the permit by the Commission. Such permit shall continue to be valid thereafter, provided all construction, landscaping, and other improvements are completed according to the approved site plan. At any time, the Commission, at its discretion, may require the owner to prepare and submit an as built drawing, and other evidence and/or otherwise show compliance with the approved site development plans and terms of approval. If the Commission finds substantial noncompliance it shall schedule the matter for a public hearing. Based on the evidence submitted at the public hearing, the Commission shall extend, extend with conditions, or revoke the special permit. A special permit is only valid for the specific use for which it was granted except per Section 9.23 of these regulations.

12.90 Performance Bond (Amended May 11, 1993)

The record owner of the property for which the special permit has been approved may be required to post a bond approved by the Commission or its designated agent as to form and sureties, in an amount sufficient to cover the cost of construction of street improvements, driveway connections, drainage and pollution control facilities, sewer and water supply facilities, landscaping, and other conditions required by the Planning and Zoning Commission. Evidence of all terms of such bond shall be made available by the Commission or its agent for public inspection. The performance bond shall not be released until the work bonded has been completed in accordance with the approved site development plan to the satisfaction of the Commission.

SECTION 13 – Liquor uses, Gasoline service stations, Parking requirements, Signs and Existing Junkyards (Amended 6/01/2009, TA-2009-02)

13.0 Notwithstanding what is provided elsewhere in these regulations, the following uses involving the sale of liquor or alcoholic beverages and the sale of gasoline products shall be subject to the provisions of this article.

13.1 Liquor Sale

13.11 After the adoption of these regulations, no permit shall be issued for the erection of a liquor sale place, nor for the conversion or alteration of any premises for such use, if any part of the building or lot to be so used be within five hundred (500) feet of any entrance to a public park or playground, excluding small park areas within the boundaries of a highway, or within five hundred (500) feet of the nearest point of any building in which there is established or maintained a school, hospital, church, theater, youth club, public library or building for public assembly.

13.2 Public garages, Automobile filling and servicing stations
(Front Setback changed 12/05) (CZ-2005-05)

13.21 No gasoline or diesel filling appliance shall be located within ten (25) feet of the street lot line or within twenty-five (25) feet of the side or rear lot line of the lot on which such filling appliance is located.

13.3 Parking Requirements

13.31 Dimensions of parking space. A required parking space shall contain not less than two hundred (200) square feet in the case of a parking lot and not less than one hundred sixty (160) square feet in the case of a parking garage or a parking lot to be used for an Industrial or Municipal use. Each space shall be useable shape and exclusive of driveways and access areas. (Amended 2/11/03) (CZ-2002-12)

13.32 Required minimum parking spaces. Except as provided elsewhere in these regulations, off-street parking in the following minimum amounts shall be provided:

a. Two (2) parking spaces for each dwelling unit.
b. For a permitted home occupation, in addition to the parking requirements of Section 13.32.a, the following requirements apply:
    1. One (1) parking space for each employee plus one (1) parking space for every three hundred (300) square feet of building floor area devoted to such use except for:
        a. Skilled handcrafts which require one (1) parking space plus one (1) additional space for each employee.
        b. Bed and Breakfasts which require one (1) space per guestroom and one (1) space per employee on the numerically largest shift.
c. For industrial and manufacturing plants, one (1) parking space for every 1.25 employees based on the numerically largest shift.

d. For hotels, one (1) parking space for each guest room, plus one (1) additional space for each employee.
e. For motels, tourist homes or trailer courts, one (1) parking space for each rental unit plus one (1) additional space for each employee of the premises.
f. For boarding houses, rooming houses or dormitories, one (1) parking space for each resident plus one (1) additional space for each employee.
g. For hospitals, sanitariums, convalescent or nursing homes, one (1) parking space for each four (4) beds plus one (1) additional space for each employee based on the numerically largest shift.
h. For medical or dental offices, two (2) parking spaces for each examination room plus (1) additional space for each employee.
i. For funeral establishments, one (1) parking space for each "official" vehicle, plus one (1) additional space for each employee, plus one (1) additional space for each three (3) legal occupants of the building.
j. For theaters and places of assembly, amusement and recreation, one (1) parking space for each three (3) seats, plus one (1) additional space for each employee.
k. For business offices, financial institutions and fitness facilities, one (1) parking space for each two hundred (200) square feet of building floor area exclusive of basement storage and service areas and stairs.
l. For restaurants or other eating places, one (1) parking space for each one hundred (100) square feet of building floor area exclusive of basement storage and service areas and stairs. For bars and nightclubs, one parking space for every fifty (50) square feet.
m. For retail stores and personal service shops, one (1) space for each two hundred (200) square feet of gross feasible floor area.
n. For Day Care facilities, an adequate pick-up and drop-off area with parking for at least four (4) vehicles, plus one space per employee.
o. For auto sales & service, number of reserved parking spaces:
    1. One (1) space per employee
    2. One (1) space per five hundred (500) square feet of interior customer area.
    3. One (1) space per two thousand (2000) square feet of exterior display area.
    4. One (1) space per service bay.

13.33 Parking for the physically handicapped shall be located as close as possible to walkways, ramps, and building entrances. Parking spaces shall be located so that physically handicapped persons are not compelled to wheel or walk behind parked vehicles to reach building entrances, ramps or walkways. There is to be three (3) feet of cross-hatch on either side of the required parking space. Such spaces shall be so designated both on the pavement and with an above grade sign (Parking for the Handicapped - Standard).

total parking in lot	# handicapped spaces (min.)
up to 25	1
26 to 50	2
51 to 75	3
76 - 100	4
100 +	5+

13.5 Sign Regulation (Amended 4/01/16) (Z-2016-0854)

13.51 Authorization. No sign shall be established, constructed, enlarged, altered, extended or moved except in conformance with these regulations.

13.52 Purpose. The purpose of these regulations is to permit signs while regulating and restricting them so as to prevent signs from being: Excessive in number, illumination, area or height; distracting to motorists; incompatible with the use of the land or building to which they are accessory; having an adverse impact on property values and the aesthetic and historic character of the Town of Plainfield; or otherwise impairing the public health, safety and welfare.

13.53 Overview of signs. Unless specifically stated otherwise, signs can be either one or two sided. When referring to the size of a sign, the size is referring to one side of the sign. For example, if it is stated that the maximum allowable size for a sign is 50 square feet, that 50 square feet refers to one side. If that sign is allowed to have two sides, it can have a maximum of 50 square feet for each side. Two sided signs shall be lettered back to back.

The height of a sign shall be measured from the ground to the top of the sign face. Decorative tops of a reasonable size and height will not be measured as the top of the sign. No part of the decorative top shall exceed three feet above the top of the sign face and shall not contain any lettering.

No sign shall be located within the right-of-way for any street or restrict the sightline of traffic traveling within or entering on to any public right-of-way.

New signs shall be located such that they do not block the sight lines of existing signs on neighboring properties.

No sign shall be erected in such a manner that will interfere with, obstruct, mislead or confuse traffic.

Signs shall be made of material sufficient to withstand the elements and maintain their original appearance for a number of years.

13.54 Prohibited Signs. The following signs are prohibited in all zones.

13.54.1 Flashing signs, as defined in these regulations (see section 1) except for signs on Town or State highways used for traffic safety.

13.54.2 Moving signs (also at times called “mechanical” signs) as defined in these regulations (see section 1). “Moving signs” shall include, but not be limited to, permanent spinners, streamers, banners, and the like.

13.54.3 Portable or mobile signs, being any sign which is mounted on wheels, is collapsible, or mounted or painted on a vehicle. “Portable signs shall include, but not be limited to signs on balloons, kites or other objects suspended in the air.

13.54.4 Signs painted directly upon any building surface, such as wall, roof or painted or otherwise displayed upon the surface of the earth itself.

13.54.5 Roof signs or sky signs, as defined in these regulations (see section 1).

13.54.6 Any sign which displays lights resembling those customarily used by police, fire, ambulance other emergency vehicles; and any sign which resembles a traffic control sign that may be misconstrued to be a public safety warning sign or other official traffic control sign.

13.55 Exempt Signs. The following signs do not require a Zoning Permit provided that they comply with the provisions of these regulations:

13.55.1 Public signs. Signs erected in the public interest by or on the order of a public official in the performance of his or her duty, including but not limited to, safety, trespassing, traffic control signs, and signs of memorial or historic interest.

13.56 Regulated Signs. Except where it is specifically stated that no Zoning Permit is required, no sign shall be erected or established until the issuance of a Zoning permit for that sign. For any sign requiring a special permit or site plan review pursuant to these regulations, all required information shall be submitted as part of the application for such special permit or site plan review and shall be approved, modified and approved or disapproved exclusively by the Commission, as part of its application on the special permit or site plan review. Where a special permit or site plan review is not required, the Commission's Designated Agent, currently the Zoning Enforcement Officer, will review all applicable information and will issue the Zoning Permit for the sign. Non-residential use signs shall have landscaping around them.

13.56.1 Application for a Permit for a Sign. Every application for a permit for a sign, whether as part of an application for a special permit, site plan review, or simply for a Zoning permit shall contain, at minimum, the following information:

a. A site plan depicting the location of the sign(s) on the subject site and its relation to adjacent buildings and structures and any associated landscaping, lighting sources, structural components, existing signs (located on and remaining on the site) and the like.

b. An illustration of the proposed sign(s), including dimensions, text/content, materials, color and structural support.

c. A narrative description of the sign(s), including the method of illumination, materials (if not evident from the illustration), a description of the total signage area for each sign.

13.56.2 Signs in a residential zone.

a. Residential uses (no permit required).

1. Building mounted signs – up to 4 square feet of area.
2. Free-standing ground signs – up to 4 square feet of area. Not to exceed 6 feet in height. One sign per property.
3. Temporary signs (not to exceed 60 days) – up to 16 square feet of area.

b. Legally existing non-residential uses.

1. Building mounted signs – up to 50 square feet of area per use, or 1 square foot of area per every 2 feet of linear building frontage occupied, not to exceed 150 square feet per use.
2. Free-standing ground signs – One sign per property, not to exceed 50 square feet of area or 10 feet in height, except per section 13.56.4 lots with multiple non-residential uses.
3. Temporary signs (not to exceed 60 days) – up to 16 square feet of area.
4. Window Signs.
   a. Permanent Window Signs: Permanent window signs shall be permitted in addition to the exterior signage. The window signage shall not cover more than 25% of the total window area. The signage shall be painted or be vinyl, gold leaf, silver leaf, or other similar material approved by the Commission or its appointed agent, and shall be affixed to the inside of the window.

   b. Temporary Window Signs: Temporary display window signs shall not cover more than 20% of the total window area and can be used in addition to the permanent window signage. The signs shall not remain for more than 30 days at a time. The signs shall be placed against the interior portion of the window.

13.56.3 Specific Requirements for Signs located in Commercial and Industrial Zones.

a. Building mounted signs – up to 50 square feet of area per use, or 1 square foot of area per every 2 feet of linear building frontage occupied, not to exceed 150 square feet per use.
b. Free-standing ground signs – One sign per property, not to exceed 50 square feet of area or 10 feet in height, except per section 13.56.4 lots with multiple non-residential uses.
c. Temporary signs (not to exceed 60 days) – up to 32 square feet of area.
d. Window Signs.
   1. Permanent Window Signs: Permanent window signs shall be permitted in addition to the exterior signage. The window signage shall not cover more than 25% of the total window area. The signage shall be painted or be vinyl, gold leaf, silver leaf, or other similar material approved by the Commission or its appointed agent, and shall be affixed to the inside of the window.
   2. Temporary Window Signs: Temporary display window signs shall not cover more than 20% of the total window area and can be used in addition to the permanent window signage. The signs shall not remain for more than 30 days at a time. The signs shall be placed against the interior portion of the window.

13.56.4 Properties with Multiple Non-residential Uses.

In the case of properties having more than one business on it, one (1) permanent freestanding sign (typically referred to as a marquis sign) may be erected to display all of the businesses located on the property. The structure shall not exceed 20 feet in height nor exceed 15 feet in width, nor shall the overall size of the structure exceed 200 square feet. Not more than 50 square feet of said structure shall be dedicated to each legal use on the property.

13.56.5 Pylon Signs. Special Permit Required.

a. Allowed in Highway Commercial Zones only.
b. Uses located within the Highway Commercial Zone may be allowed additional signage to be seen by motorists traveling on Interstate 395. Through Special Permit, the Commission may permit up to 150 square feet of additional signage per use on a structure separate from the ground sign. No part of the structure or signs located thereon shall exceed 50 feet in height. This additional signage does not have to be located on the same property as the use, but must remain within the Highway Commercial Zone and be used for uses within that same Zone. It is encouraged that multiple uses utilize the same sign structure to minimize cluttering of the skyline. The Commission has full control over the height, size, appearance, and location of the sign structure and the signs located thereon, should the signs or structure be permitted. The Commission reserves the right to request a skyline demonstration showing digitally enhanced photos of the proposed structure and signs located thereon from various points in the vicinity of that structure.

13.6 <u>Regulation of existing junkyards and scrap metal processing facilities.</u>

All junkyards, automobile junkyards and scrap metal processing facilities lawfully in existence as of June 26, 1985, are required to meet the following regulations by January 1, 1986. (See Definitions, Section 1.2, for terms defined.)

a. The entire site shall be screened either:
   1. by a buffer zone at least 25 feet wide with natural or planted screening material of sufficient thickness to screen the facility from all directions at all times of the year; or
   2. by a solid wooden fence at least 8 feet high sufficient to screen the facility from all directions at all times of the year; or
   3. by other natural topographic features sufficient to screen the facility at all times of the year; or
   4. by any combination of the above which fulfills the screening requirement.
b. Scrap shall not be piled higher than the surrounding screening material.

SECTION 14 - Nonconforming buildings, lots and uses, Abandonment

14.1 Nonconforming Building and Uses

Any nonconforming use of a building or premises lawfully existing at the effective date of these regulations or of any amendments hereto, may be continued and any building so existing which was designed, arranged, intended for or devoted to a nonconforming use may be reconstructed and structurally altered and the nonconforming use therein changed subject to the following regulations.

14.11 Unsafe structures. (Amended 8/01/2010)

Nothing in this ordinance shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority. An unsafe structure which does not conform to the minimum setback dimensions for the zone in which it is located may be demolished and reconstructed in the same location as the original structure.

14.12 Extension.

A nonconforming use may be extended to another part of a building designed for such use but not at the expense of a conforming use.

14.13 Change to conforming use when altered. (Amended 6/11/02 CZ-2002-02) (Amended 2/11/2014, Z-2013-0401)

No building devoted to a nonconforming use shall be enlarged in area unless the use therein is changed to a conforming use. Structural improvements and alterations are permitted, provided that the area of the nonconforming use is not increased.

Mobile homes located in an existing non-conforming mobile home park may be replaced provided that the new mobile home does not exceed two hundred (200) percent of the floor area of the existing mobile home.

14.14 Reconstruction after fire, etc., damage.

When a building in which there is a nonconforming use is damaged by fire, collapse, explosion, act of God, or act of the public enemy, it may be reconstructed, repaired or rebuilt only to its previous floor area and cubical content provided such reconstruction or rebuilding is commenced within one (1) year of such damage and the nonconforming use continued.

14.15 Change of use.

No nonconforming use may be changed except to a conforming use, except that the Planning and Zoning Commission may permit a nonconforming use to be changed to another nonconforming use or additional nonconforming use upon determination by it, after public hearing duly advertised, that the proposed new use or additional use will be no more detrimental to its neighborhood and its surroundings than is the use it is to be added to or replace and further provided that such building or structure shall not be reconstructed

or structurally altered except in conformity with these regulations. In determining relative "detriment" the Planning and Zoning Commission shall take into consideration, among other things: traffic generated, nuisance characteristics such as emission of noise, dust and smoke; fire hazards; and hours and manner or operation.

14.2 Nothing herein contained shall require any change in plans, construction or designed use of a building or structure for which a building permit has been issued and the construction of which shall have been diligently prosecuted within six (6) months of the date of such permit and the ground-story framework of which, including the second tier of beams, shall have been completed within six (6) months of such period and which entire building shall be completed according to such plans as filed within two (2) years from the date of adoption of this ordinance.

14.3 Bulk Requirements

A building containing a permitted use but which does not conform to the requirements regarding building height limit, width of lot, required yard and parking facilities for the district in which it is located, may be enlarged or altered, provided:

14.31 Such enlargement provides for a permitted use containing no more family dwelling units than now exists.

14.32 Any additions are constructed within the applicable yard requirements or are not nearer to the lot lines than the existing building.

14.4 Abandonment (Amended 8/01/2010)

No nonconforming use which has been abandoned shall be thereafter resumed. A nonconforming use shall be considered abandoned when there is an actual cessation of such use for a period of one (1) year.

14.5 District changes

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, the foregoing provisions shall also apply to any nonconforming uses existing therein.

14.6 Construction on existing non-conforming lots (Added 8/01/2010)

Nothing in these regulations shall prevent the construction of a permitted building or structure on an undeveloped lot existing at the time of adoption of these regulations, which does not contain the required minimum lot area or minimum lot frontage on a street, subject to the provisions of these regulations for the zoning district in which the lot is located and Department of Health requirements, if applicable. Building setbacks for undeveloped lots shall not be less than the average setbacks of those lots in the surrounding area. Any undeveloped lot in a subdivision approved by the Planning and Zoning Commission shall conform to the zoning setback requirements in effect at the time the subdivision was approved.

SECTION 15 - General Requirements

15.1 Conformity to Regulations

15.1.1 Conformity of buildings and land use and occupancy. No building, structure, or premises shall be used or occupied and no building or part thereof or other structure shall be erected, raised, moved, placed, reconstructed, extended, enlarged or altered, except in conformity with the regulations herein specified for the district in which it is located.

15.1.2 Conformity of building heights, yards, area, etc.
No building, structure or premises shall be erected, altered or used so as to produce greater heights, smaller yards or less unoccupied area and no building shall be occupied by more families than prescribed for such building, structure or premise for the district in which it is located.

15.1.3 Conformity of open spaces.
No yard, court or open space or part thereof, shall be included as a part of the yard, court or open space similarly required for any other building, structure or dwelling under the provisions of these regulations.

15.1.4 Reduction of dimension of lot areas. (Amended 8/01/2010)
No lot shall be diminished in area or frontage nor shall any yard, court or open space be reduced except in conformity with the requirements of these regulations.

15.2 Lots in more than one district
Where a lot lies in more than one district, the provisions of the less restrictive district may be applied for a distance of not over twenty-five (25) feet into the more restrictive district provided that such lot has frontage on a street in the less restrictive district.

15.3 Height Limitations *Amended March 10, 1998, Amended 9/12/2006, TA-2006-08*
Structure height limit shall be applied separately for each wing or other distinct portion of the structure, and may be increased for any structure or distinct portion thereof by one foot for every two (2) feet by which such structure or such portion thereof lies inside the nearest line of any required front, side or rear yard. Spires, cupolas, towers, chimneys, flagpoles, ventilators, tanks, and similar features except Wireless Telecommunications Facilities (which shall be regulated in accordance with Section 12.35.5)**,** occupying in the aggregate not more than ten (10) per cent of the structure area and not used for human occupancy, may be erected to an additional reasonable and necessary height not to exceed 40 ft.. The Maximum height of elevated storage facilities for public and private water supply and distribution companies shall be as determined by certification and computations by a professional engineer.

15.4 Projections into yards
Nothing in this ordinance shall prohibit the projection of not more than one (1) foot into a required open space of pilasters, belt courses, sills, cornices or similar architectural features, nor the planting or landscaping of such open spaces, except as limited in Section 15.8 and subsection 15.8.1 hereof.

15.5 Corner visibility *Amended April 14, 1992*
Generally, except as provided in subsection 15.8.1, no wall, fence or other structure shall be erected and no hedge, shrub tree or other growth or earth fill shall be maintained on a corner lot

between the building line and the street line, so as to create a traffic hazard by obstructing the view.

15.5.1 In residence district. *Amended April 14, 1992*

On a corner lot in any residence district no fence, wall, hedge or other structure or planting more than three (3) feet in height shall be erected, placed or maintained within the triangular area formed by the intersecting street lines and a straight line adjoining said street lines at points which are twenty five (25') feet distant from the point of intersection, measured along said street lines.

15.6 Fences (Effective 10/01/2014)

Fences do not require a zoning permit, however they must meet the following requirements:

a. No fence shall within a town or state right of way.
b. No fence shall shall restrict the sightlines of driveways, rights-of-ways, or public roadways. A 200foot sightline must be maintained. The sightline shall be measured from the center of the driveway or right-of-way, 10 feet back from the edge of road at a height of 3 feet off the ground.
c. For fences at intersections, the fence nust also meet the requirements of Section 15.5 of these regulations entitled "Corner Visibility".

15. 7 Temporary Housing (Amended 2/11/03)

The use of a trailer or mobile home for temporary housing may be allowed provided that the existing dwelling has been damaged by fire or by the forces of nature and providing that the following criteria are met.

a. A Building Permit to rebuild or renovate the existing dwelling shall be applied for prior to applying for a Zoning Permit for a Temporary Dwelling Unit.
b. Temporary Dwelling Units shall be located on the same parcel as the existing dwelling to be reconstructed. The Units shall be located within the Building Setbacks established for that Zoning District and shall be located behind dwelling to be reconstructed.
c. Temporary Dwelling Units shall be connected to water (public or private) and sewer (public or private) and meet all specifications of the Northeast District Department of Health.
    1. In addition to the criteria set forth in Section 15.1, the following regulations also apply.
        a. A Zoning Permit for a Temporary Dwelling Unit is valid for one (1) year. If work is not completed by that time, a second Permit may be applied for. This second Permit is valid for six (6) months. A third Permit shall not be granted.
            1. All Temporary Dwelling Units shall be removed from the site within 21 days of the issuance of a Certificate of Occupancy (for the reconstructed/renovated building) from the Building Inspector or shall be removed by the date of Permit Expiration, which ever comes first.
            2. The Zoning Permit for that Temporary Dwelling Unit shall expire once a Certificate of Occupancy has been issued (for the reconstructed/renovated dwelling).
        b. The building to be reconstructed shall not be occupied while the Zoning Permit for the Temporary Dwelling Unit is current.
        c. Only one Temporary Unit shall be allowed per building lot.

Section 15.8 Clothing donation bins (Amended 4/01/16) (Z-2016-0849)

a. No person or other legal entity shall place or maintain any clothing donation bin on any premises open to the public unless issued a Zoning Permit by the Zoning Officer.
b. Clothing donation bins shall be permitted only on a commercially zoned parcel where there exists an occupied commercial building. Clothing donation bins shall not be allowed on vacant lots or lots where a commercial building is unoccupied. Should a building become vacant after a Zoning Permit has been issued for the placement of a clothing donation bin, the bin shall be removed from the property within thirty (30) days. The Zoning Officer shall approve the location of the clothing donation bin on the property such that it does not interfere with parking, traffic flow, pedestrian traffic, and sightlines. The application for a Zoning Permit shall include contact information for the owner of the bin and the property owner. Should the contact information change, the Zoning Officer shall be notified in writing of the new contact information within seven (7) days of the change. Both the owner of the clothing donation bin and the property owner shall sign the Zoning Permit application.
c. The owner, lessee, or other person or legal entity in control of the property where the clothing donation bin is being maintained and the person or entity which owns, maintains, or operates the clothing donation bin in violation of this section shall be jointly and severally liable for such violation(s) therefor.
d. Clothing donation bins shall be emptied at regular intervals so that there is sufficient storage space in the bin for the public to place new donations.
   Any and all items left outside of the clothing donation bins shall be removed from sight within 24 hours of being placed there.
e. Clothing donation bins shall be constructed of steel or fireproof material and be designed in a way that is weatherproof and secured from entry by the public.
   Clothing donation bins shall be no larger than seventy-two (72) inches tall, seventy-one (71) inches wide, and sixty (60) inches deep.
   Clothing donation bins shall be maintained in good condition, free from damage, weathered surfaces and corrosion.
f. All clothing donation bins shall clearly display a notice in block letters at least two inches high stating:
   a. If the donation is for a charitable purpose:
      i. The name of the nonprofit organization that will benefit from the donation;
      ii. The name and telephone number of the owner of such bin; and
      iii. That the public may contact the Department of Consumer Protection for further information, or
   b. If not intended for a charitable purpose:
      i. That such donation is not for a charitable purpose; and
      ii. The name and telephone number of the owner of such bin.
   c. Such notice shall be on the same side of the bin where the donation is likely to be made.
g. The Zoning Permit applicant may apply for two (2) clothing donation bins on a single parcel of land if the volume of donations warrants the extra storage capacity; however, no more than two (2) clothing donation bins shall be allowed on a single parcel.
h. No owner shall be permitted to place more than ten (10) total clothing donation bins in the Town.

i. Property owners having clothing donation bins on their property at the time this Ordinance is adopted shall be notified by certified mail that a Zoning Permit is required. Permits for such unregulated bins must be obtained from the Zoning Office within thirty (30) days of receipt of the mailing of said notices or the person(s) responsible for such unregulated bins will face enforcement proceedings and penalties, pursuant to Section 4 of Town Ordinance No. 124.

j. Enforcement and Penalty:
Violators of this regulation shall be subject to enforcement per Section 4 of Town Ordinance No. 124. – An Ordinance Concerning the Regulation of Clothing Donation Bins.

k. No person or other legal entity shall place or maintain any clothing bin on any premises open to the public except when issued a Zoning Permit by the Zoning Officer.

l. Clothing bins shall be permitted only on commercially zoned parcel where there exists an occupied commercial building. Clothing bins shall not be allowed on vacant lots or where a commercial building is unoccupied. Should a building become vacant after a permit has been issued for the placement of a clothing bin, that bin shall be removed from the property within 30 days. The Zoning Officer shall approve the location of the clothing bin on the property so that it does not interfere with parking, traffic flow, pedestrian traffic and sightlines. Along with the application for a Zoning Permit, contact information for the owner of the bin and the party responsible for maintaining the property shall be submitted. Should the contact information change, the Zoning Officer shall be notified and be provided with new contact information within 7 days of the change. Both the owner of the clothing bin and the owner of the property shall sign the Zoning Permit application.

m. The owner, lessee, or other person or legal entity in control of the property where the clothing bin is being maintained and the person or entity which owns, maintains, or operates the clothing bin in violation of this section shall be jointly and severally liable for such violation(s) therefor.

n. Any and all items left outside of the clothing bins shall be removed from sight within 24 hours of being placed there.

o. Clothing bins shall be constructed of steel or fireproof material and be designed in a way that is weatherproof and secured from entry by the public. Clothing bins shall be maintained in good condition, free from damage, weathered surfaces and corrosion.

p. All clothing bins shall clearly display the company/owner of the bin, a contact number, website of the company/owner (if the company/owner has a website) and whether the company/owner is a non-profit or for-profit entity.

q. The Zoning Officer may permit up to two (2) clothing bins per property if the donation traffic warrants the extra storage.

r. No owner/company shall be permitted to have more than ten (10) total clothing bins within the Town.

15.10 Nothing contained in these regulations shall prohibit the use of a trailer or mobile home for office purposes during and in connection with a construction project, provided all applicable sanitary codes are satisfied.

SECTION 16- Administrative provisions: Interpretation, Enforcement and Zoning Board of Appeals

16.1 Interpretation of Regulations

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

16.2 Enforcement (Modified 6/01/08, TA-2008-05)

16.21 These Regulations shall be administered by the Commission or its appointed agent. A zoning permit shall be applied for before any construction or use is commenced and shall be issued if the provisions of these Regulations are complied with. The method of issuing permits shall be determined by the Commission. Forms for such application shall be furnished by the Commission. All applications for new houses shall submit an A-2 survey site plan showing the proposed house location along with any porches, decks or outbuildings, driveway location, existing and proposed topography, septic system location, foundation drains and setback requirements for that zone. An as-built plan of the house location and any outbuildings shall be submitted before a C.O. will be given for the house. The A-2 survey and as-built may, however, be waived by the Commission or its designated agent if the applicant can satisfactorily demonstrate that the proposed structure will be located a minimum of 100 feet from the property boundaries. The Commission or its designated agent reserves the right to require an A-2 survey of any proposed addition or structure, when the property boundaries are not clearly identified in the field. When completed, an as-built may be required to ensure compliance with zoning setbacks. In addition to the foregoing, the Comission or its appointed agent shall have the power to:

1. Check any building, place, premises or use as to its compliance with these Regulations.
2. Issue or renew a permit if the provisions of these Regulations are complied with. (Amended 3/11/03)
3. Collect a fee that is listed under Section 20 (Application Fee Schedule) of the Town of Plainfield Zoning Regulations. The purpose of this fee is to defray the cost of inspections, processing and supplies.
4. Collect such additional fees as authorized by the General Statutes.

16.21.1 Such fees when collected by the appointed agent, shall be remitted to the Treasurer of the Town of Plainfield, said fees shall include the cost of the certificate of use and compliance. In the enforcement of these Regulation a zoning permit may be combined with a building permit and a certificate of use and compliance with a certificate of occupancy without in any way affecting the fee to be charged for each permit or certificate.

16.21.2 Unless provided otherwise by these Regulations a zoning permit issued shall be valid for a period of one year from the date of issuance. Such permit must be reviewed if the facility for which the permit has been issued is not completed within that year. Such renewal shall be obtained before the expiration date of the initial permit and a permit for one additional year shall be granted by the Commission or its appointed agent.

16.21.3 Collect a fee that is listed under section 20.1 (Application Fee Schedule) of the Town of Plainfield Zoning Regulations. The purpose of this fee is to defray the cost of inspections, processing and supplies.

16.22 Requirements to Obtain a Permit

No building, structure or sign may be erected, altered, or changed in use and no land use may be commenced or changed, except agricultural activity, unless a permit therefor has been applied for and has been granted by the Commission or its appointed agent. All applications for a permit or a special permit shall be accompanied by the following:

1. Plot plan in duplicate, drawn by a Connecticut licensed land surveyor to a scale of at least 1" = 40' showing dimensions, radii and angles of lot, size, elevations and locations of driveway(s), building(s), and accessory building (2) built or to be built, the location of sanitary facilities and water supply and any other information as required by the Commission and as may be necessary to determine and provide for the enforcement of these Regulations.
2. Any change of the information required in Section 16.22(1) must be reported to the Commission or its appointed agent immediately and no work may be undertaken involving such change or changes unless written permission is first obtained from the Commission or its appointed agent upon submission of a revised application showing in detail the changes requested.
3. The filing of plans required in (1) above may be modified or waived when the proposed work is of simple construction, or repairs, provided the scope of the work is adequately described in the application.

16.22.1 Certificate of Use and Compliance.

No land shall be occupied or used and no building hereafter erected, altered or extended shall be used or changed in use until a Certificate of Use and Compliance shall have been issued by the Commission or its appointed agent, stating that the building and proposed use complies with the provisions of these Regulations:

1. All certificates of use and compliances shall be applied for co-incident with the application for a building permit or a zoning permit.
2. The Commission or its appointed agent shall maintain a record of all permits and certificates and a copy shall be furnished, upon request, to any person having a proprietary or tenancy interest in the building or use at a fee of two dollars ($2.00).
3. No permit for excavation for, or the erection or alteration of, or repairs to any building shall be issued until an application has been made for a certificate of use and compliance.

16.22.2 Prior to the issuance of a Zoning Permit and/or Use and Compliance Permit, the applicant is to obtain a house/structure number.

16.3 Zoning Board of Appeals

The Zoning Board of Appeals shall have the following powers and duties:

1. To hear and decide appeals where it is alleged that there is an error in any order, requirement, or decision made by the official charged with the enforcement of these regulations.
2. To hear and decide all matters including special exceptions upon which it is required to pass by the specific terms of these regulations.
3. To determine and vary the application of these Regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured.
4. To hear and decide on applications as required by state statute.
   When an appeal is before the Zoning Board of Appeals for its consideration pursuant to the provisions of these Regulations notice of the time and place of such hearing shall be published in a newspaper having a substantial circulation in the Town at least twice at intervals of not less than two days, the first not more than fifteen days, nor less than ten days and the last not less than two days before such hearing.

16.4 Penalties for Violations

16.41 In accordance with Chapter 124, Section 8-12 of the Connecticut General Statutes, any person, firm or corporation violating any of the provisions of these regulations, shall for each violation, upon conviction thereof, pay a penalty of not less than ten ($10) dollars nor more than one hundred ($100) dollars, for each day that such violation shall continue; but if the offense be willful, the person convicted thereof shall be fined not less than one hundred ($100) dollars nor more than two hundred and fifty ($250) dollars for each day that such violation shall continue, or imprisoned not more than ten (10) days, for each day such violation shall continue, or both.

The Planning and Zoning Commission shall have such other remedies as are provided by law to restrain, correct, or abate any violation of the Zoning Regulations.

16.5 Notice to adjacent property owners and to adjoining municipalities of application or requests.

1. Notice Required
   All applications submitted to the Planning and Zoning Commission and Zoning Board of Appeals, which the appointed agents are not authorized to review and decide, shall be responsible for meeting the requirements of this section.
2. Legal Notice
   The appropriate commission or board shall publish a legal notice of the scheduled public hearing pursuant to statutory requirements.

3. Abutters
   The applicant shall prepare a list of the names and addresses of the owners of all property within 150 feet of the boundaries of the subject property, as shown on the latest Grand List of the Town of Plainfield in the Assessor's Office. Such list and a map indicating all described properties, prepared also by the applicant, shall be submitted to the appropriate Commission or Board, along with the required application and fee. The applicant shall mail, by certified mail – return receipt, notification of said pending application to the owner of each such property not more than thirty (30) days, or less than ten (10) days, before the date set for the public hearing. The mailing shall include, at a minimum, the text of the public hearing notice. Evidence of such notification and mailing shall be submitted to the Planning and Engineering Department at least two days prior to the scheduled hearing date.

4. Adjacent Municipalities
   Where necessary, the Town of Plainfield shall notify adjacent municipalities in accordance with Connecticut General Statutes Section 8-7b and 8-7e, as amended.

SECTION 17 - Separability and Effective date

17.1 Separability

17.11 If any Section, Clause, Provision or portion of these Regulations shall be held to be invalid or unconstitutional by any court of competent jurisdiction such holding shall not affect or impair any other section, clause, provision or portion of the Regulations.

17.2 Effective Date

17.21 The Zoning Regulations shall not become effective until a hearing has been held in compliance with Chapter 124, Section 8-3 of the General Statutes of the State of Connecticut and adoption by the Planning and Zoning Commission. The effective date of these Regulations shall be after publication of notice of such adoption as provided in Chapter 124, Section 8-3 of the General Statutes of the State of Connecticut.

SECTION 18 - Amendments

18.1 Initiation

18.11 On its initiative or on receipt of a written application to amend any portion of these Regulations, the Planning and Zoning Commission may amend the regulations or change the boundaries of the zones herein established after public hearing in accordance with Chapter 124. Section 8-3 of the General Statutes of the State of Connecticut.

18.2 Notice

18.21 Notice of the time and place of such hearing shall be published in a newspaper having a substantial circulation in the Town of Plainfield, at least twice, at intervals of not less than two days, the first time not more than fifteen days nor less than ten days and the last not less than two days before such hearing and a copy of such proposed regulations or boundary shall be filed in the office of the Town Clerk for public inspection at least ten days before such hearing.

18.3 Applications

18.31 Any person, firm or corporation who are property owners or residents in the Town of Plainfield, Connecticut, or their attorney or agent, may make written application for amendment of these Regulations. A plan giving proposed boundaries must accompany each application for a change of zoning boundaries.

18.4 Reapplication

18.41 In the event of the rejection by the Planning and Zoning Commission of the application, or if the application is withdrawn by the applicant, such application shall not again be made within a period of one year from the date of rejection or withdrawal unless the Planning and Zoning Commission finds a material change in the situation justifies a hearing in the interest of the public as well as the applicant.

18.5 Filing Change of Zone (approved July 8, 1986; effective July 24, 1986)

18.51 In the event a zone change application is approved by the Planning and Zoning Commission, the applicant will be notified of such and required to file a record of the change with the Town Clerk. That which is to be filed will be sent with the approval notification. The zone change will take effect only after the record is so filed.

18.6 Deadline for Submittal of Applications (approved 9/9/86; 9/24/86.)

18.61 For an application to be placed on the agenda of the Planning and Zoning Commission, it must be received in the Town Planner's Office no later than two weeks before the meeting date. Plainfield's Planning and Zoning Commission regularly meets on the second (2nd) Tuesday of each month at 7:00 p.m. in the Town Hall.***

18.62 For an application to be placed on the agenda of the Zoning Board of Appeals, it must be received at least eighteen (18) days prior to the meeting date. Plainfield's Zoning Board of Appeals meets regularly on the first (1st) Tuesday of each month at 7:30 p.m. in the Town Hall.***

18.63 For an application to be placed on the agenda of the Inland Wetlands and Watercourses Commission, it must be received at least ten (10) days prior to a meeting. Plainfield's

Inland Wetlands and Water Courses Commission meets the third (3rd) Tuesday of each month at 7:30 p.m. in the Town Hall.***

***When there are no applications and/or matters of discussion a regularly scheduled meeting may not be held.

SECTION 19 - Site Development Plan

19.0 Site Plan Objectives

In reviewing a site plan, the Planning and Zoning Commission shall take into consideration the health, safety and welfare of the public and may prescribe reasonable conditions and safeguards to ensure the accomplishment of the following general objectives:

a. Any proposed building or structure shall be so designed and located on the site so that there will be adequate access for emergency vehicles.
b. The streets and driveways serving the proposed use shall be adequate to safely carry the vehicular traffic generated by the proposed activity. Entrance and exit points shall not create a traffic hazard or undue traffic congestion.
c. All proposed traffic access ways are adequate but not excessive in number; adequate in width, grade, alignment and sightline.
d. Adequate on site parking and loading spaces and the interior circulation systems.
e. All playground, parking and service areas are reasonably screened during all seasons of the year from the view of adjacent residential lots and streets.
f. The character and appearance of the proposed buildings and/or outdoor signs will be in general harmony with the character and appearance of the surrounding neighborhood.

(Added 12/05) (CZ-2005-05)

19.1 Optional Requirements

Applicants may, at the Commission's discretion, be required to:

a. provide a comprehensive traffic study detailing the effects of the proposed development, taking into account current or future shared access to adjacent or consolidated parcels;
b. make improvements to roadways in order to accommodate a proposed development, including but not limited to acceleration and deceleration lanes, left turn lanes with adequate stacking distance, roadway widening, and traffic control devices;
c. close existing curb cuts, limit proposed curb cuts, or close temporary curb cuts when alternative access points become available;
d. align access drives or roads with opposing access drives or roads wherever practical.

19.2 Building Design

The following building design guidelines are not intended to limit creativity but to address issues of architectural variety, compatibility of design and scale with the surrounding neighborhood, and pedestrian access.

19.2.1 Articulation

a. Wall plane projections or recesses should be utilized to limit uniform facades to less than 100 continuous linear feet. The aggregate length of a projection or recess shall be at least 20% of the facade length.
b. Architectural elements such as arcades, display windows, entry areas, awnings, or other such features should account for at least 60% of the horizontal length of the ground floor facade.
c. At least three (3) of the following should be repeated along the facade at intervals of 30 feet and at least one should repeat horizontally.
    1. color change
    2. texture change

3. material change
4. expression of architectural or structural bay through a change in plane no less than 12” in width, such as an offset, reveal, projecting rib or pilaster.

19.2.2 Human Scale Elements

The following human scale elements should be incorporated into the design of buildings to reduce thetheir visual impact and create a pedestrian friendly experience:

a. Arcades are strongly suggested as a means of providing human scale. If provided, arcades should conform to the following requirements:
   1. An arcade should be inviting to pedestrians, incorporating benches, wide walkways, display windows or similar features.
   2. When there are multiple tenants in a building, signs should be incorporated into the design to allow pedestrians to easily recognize establishments from beneath the arcade.

19.2.3 Rooflines

The following guidelines are intended to reduce the massive scale of large buildings, and complement the character of the surrounding neighborhood. Roofs should include at least two of the following elements:

a. Parapets concealing flat roofs and rooftop equipment. The average height of such parapets should not exceed 15% of the height of the supporting wall and at no point should a parapet exceed 30% of the height of the supporting wall. Parapets should feature three dimensional cornice treatment.
b. Overhanging eaves, extending no less than three (3) feet past the supporting walls.
c. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run and less than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run.
d. Three or more roof slope planes.

19.2.4 Materials and colors

Exterior building materials and colors should be compatible with materials and colors used in adjoining neighborhoods. Building materials should comply with the following guidelines whenever practicable:

a. Predominant exterior building materials should be of high quality including brick, stone or wood. Concrete block may only be used on elevations that are not visible from a public vantage point. Exterior insulation finish systems, smoothface concrete blocks, tilt-up concrete panels and prefabricated steel panels shall not be used as the predominant exterior building material.
b. Predominant exterior building materials should be nonglossy and have subtle, neutral or earth tone colors. The use of high intensity, metallic or fluorescent colors or black is discouraged;
c. Building trim and accent areas may feature brighter colors, including primary colors, but shall not include neon-tubing features.

19.2.5 Entrances

a. To orient customers to the entrance(s), each principal building should have no less than three (3) of the following elements:
   1. canopies or porticos;
   2. overhangs;
   3. recesses/projections;
   4. arcades
   5. raised, corniced parapets over the door;
   6. peaked roof forms;
   7. arches;
   8. outdoor patios;
   9. display windows;
   10. architectural details such as tile work and moldings integrated into the building;
   11. integrated planters or wing walls that incorporate landscaped areas and/or places for sitting

19.2.6 Signage

A signage package based on a design theme for the entire parcel that includes, but is not limited to, signage design standards and guidelines, shall be submitted as part of the site plan review application. All standards of Section 13.5 Sign Regulations, shall apply. Signage Programs shall include:

a. A legible scaled drawing with description and dimensions of the sign(s) to be erected or maintained under that permit and the sign's proposed location on the building or site.
b. Size, colors, materials, placement, illumination, and other information as may be required for the Commission to evaluate all attached and detached signs which may be installed on a given site.

19.3 Landscaping

A detailed landscaping plan shall be required as a part of any Site Plan Application and/or Special Use Permit Application. The plan shall include: a planting layout; planting schedule; maintenance plan; the location of required buffers; and shall note the botanical name and size at time of planting of all plants.

19.3.1 Completion of Landscaping in new construction

All landscaping shown on the approved plan shall be completed before Issuance of a Certificate of Occupancy, or a bond in a form and amount satisfactory to the Commission assuring completion within a specific time (not to exceed one year) shall be filed with the Commission. Such bond shall be forfeited if the work has not been completed within such time limit.

19.3.2 All landscaping, screening, fences or walls approved as part of a plan for a Special Use Permit shall be maintained by the property owner in good condition throughout the period of the use of the lot.

19.3.3 Natural and Unique Features

To the extent possible, existing trees, vegetation and unique site features such as stone walls, shall be retained and protected. Existing plant materials may be used to meet all or part of the landscape regulations. Existing trees in good condition over 12 inches in caliper in landscaped or undisturbed

areas shall be preserved unless approved for removal by the Department of Planning. Existing healthy, mature trees, if properly located, shall be fully credited toward the requirements of these regulations.

19.3.4 Storage Areas

There shall be no outside storage of materials unless the same are effectively screened by wooden fencing, stone or brick walls, evergreen trees or shrubs at least 6 feet high. The bulk storage of materials and all loading facilities shall be located at the rear or side of the proposed building or existing building.

19.3.5 Refuse

The location of refuse storage areas shall be indicated on the site plan. All refuse areas shall be screened with fencing and evergreen trees or shrubs at least 6 feet high.

19.3.6 Parking

All parking areas located between the Residential District boundary or existing residence(s) and building(s) shall be screened.

19.3.7 Lot Maintenance

The remaining area of the lot not occupied by buildings and loading and unloading areas, parking and storage areas, vehicular access, sidewalks, and landscape screenings shall be well maintained. Areas disturbed from their natural condition and which are not used for structures, paved parking areas or streets shall be planted with grass.

19.3.8 Lighting

Any lighting used to illuminate any required off-street parking or loading areas shall be arranged and designed so that the illuminated areas shall be confined to the property where the lighting originates. All lighting shall utilize full-cutoff fixtures. The maximum height of lighting fixtures shall be 20 feet.

A lighting plan shall be provided with the site plan review application. The plan shall detail the types of lighting, lighting fixtures and show projection areas. No "skyglow" or light trespass will be allowed.

19.4 Site Development Plan Requirements

An application shall be accompanied by four (4) copies of the site development plan drawn at a scale of one inch (1") equals 40 feet (40'). The following information shall appear on site development plans:

1. The words "Site Development Plan," the name (if any) of the project and the name(s) of the applicant and owner(s) of the property.
2. The name, address and seal of a professional engineer registered in Connecticut and responsible for the design.
3. The date, scale and north arrow.
4. The words, "Approved by the Plainfield, Connecticut Planning and Zoning Commission," with the designated places for the signature of the Chairman and the date.
5. A location map showing the site, streets and aquifers at a scale of 1" = 1000 ft.

6. Property lines within fifty (50) feet of the site and the name(s) of owner(s) of abutting properties and properties across abutting streets labeled on their property.
7. The location and widths of existing buildings, signs, other structures within fifty (50) feet of the site; street names; limits of streets, curbs and sidewalks.
8. Locations of existing buildings, signs, other structures within fifty (50) feet of the site, with identification of proposed demolitions or relocations.
9. Locations and dimensions of proposed buildings, signs and other structures.
10. A comparative table of the bulk and proposed dimensional requirements of the site for which approval is sought.
11. Locations and dimensions of existing and proposed utility lines, including but not limited to, water, sanitary, storm sewer, natural gas, electric and telephone lines.
12. Location of existing stone walls and exposed bedrock outcroppings.
13. Existing and proposed topography showing spot grades and contours at two-feet (2') intervals or less based on the NGVD Datum.
14. Any necessary retaining walls and construction details.
15. Watercourses and wetlands (as defined by the Town of Plainfield Wetlands Regulation).
16. Drainage design for roof acres and site prepared by a professional engineer.
17. Special flood hazard area of 100-year floodplains with the source of such information identified.
18. Wetlands and aquifer location.
19. Certification that the Town's Flood Control Ordinance has been complied with.
20. Locations of existing and proposed wells and on-site sewage disposal systems within one hundred (100) feet of the site; location of percolation and other test holes.
21. Location and dimensions of existing and proposed open space, if any.
22. Parking facilities, showing the location, dimension and number of parking spaces, including handicapped spaces.
23. Internal circulation system, including widths of roadways and directional signs and arrows, pedestrian walkways, loading areas and light and utility poles and handicap access.
24. Location of buffer strips and screening, showing the types and approximate sizes of proposed plantings at the time of planting.
25. Proposed landscaping with specific location and size.
26. Town and zoning district boundaries, properly identified.
27. Where the applicant wishes to develop in stages, the site plan shall show the entire plan, and indicate any phase of development which will not be completed within one year after the commencement of occupancy or use of the site.

SECTION 20 - Application Fee Schedule (Amended 11/13/18 Z2018-1436)

20.1 Planning and Zoning Commission*

Amendment to Zoning Regulations	$400.00
Amendment to Zoning Map	$400.00/parcel
Site Development Plan Review	$200.00
Public Hearing Fee, if required	$350.00
Special Permit which requires Site Development Plan	$550.00
Special Permits which do not require Site Development Plan	$400.00
Home Occupation Permit	$25.00
Use and Compliance Permit	$25.00
Zoning Permit (includes Certification of Zoning Compliance)	$.75 / $1000.00 of estimated Cost / ($25.00 min.)
Amendment to Subdivision Regulations	$400.00
Subdivision and Resubdivision	$300.00 / lot
Engineering Review**	$500.00 (minimum)
Engineering Review for Storm Drainage, Utilities and New Road Design***	$500.00 + $1.00/LF
Engineering Inspections for Approved Applications****	25% of estimated construction costs.

*Additional $60.00 fee for all Planning and Zoning applications per Public Act of the CT General Assembly.

**Plans may be forwarded to the Town's Engineer for review/comment. A $500.00 review fee shall be paid at the time the application is submitted (must be separate checks). Following engineering review, any remaining funds shall be returned to the applicant. Should engineering review fees exceed $500.00, the applicant shall be responsible for submitting the balance prior to Commission action on the application. Failure to pay said balance shall constitute an incomplete application and result in automatic denial of the application.

***Payable at time of application. Must be separate checks.

****Payable before the mylar plans are signed. Any remaining funds shall be returned after the Town's Engineer deems the project to be satisfactorily completed or stabilized. The Town's Engineer may be requested to perform site inspections for compliance with approved plans and E&S controls. The applicant shall provide the Commission with a fee estimate for all site work (excavation, grading, drainage, E&S, paving, landscaping, etc.) during the application process. The Commission may forward the estimate to the Town's Engineer for review of adequacy prior to action on the application; 25% of the total fee shall be submitted, in a form acceptable to the Commission, prior to the mylar plans being signed by the Commission to cover costs associated with inspections by the Town's Engineer. Remaining funds, if any, shall be returned upon determination by the Town's Engineer that the project is complete, or that the site is adequately stabilized if the project is abandoned. Should inspection costs exceed the 25% submitted, the applicant shall be required to submit such additional costs within 10 days of notification by the Town. Should said payment not be made, it will result in non-issuance of a Certificate of Occupancy, and possible revocation of the permit, until payment is received by the Town. The Commission reserves the right to place a lien the property for unpaid costs.

20.2 Zoning Board of Appeals*

Dealer and Repairer Location Approval	$550.00
Gasoline Station Location Approval	$550.00

*Additional $60.00 fee for all Zoning Board of Appeals applications per Public Act of the CT General Assembly.

Variances	$550.00/Application
Dealer and Repairer Location Approval	$550.00
Gasoline Station Location Approval	$550.00

*Additional $60.00 fee for all Zoning Board of Appeals applications per Public Act of the CT General Assembly.

SECTION 21 – Conservation Subdivisions (Effective 3/20/2007 – TA-2007-11)

21.1 Findings: The Commission finds that in some cases the strict adherence to traditional land development and subdivision techniques within the Town of Plainfield has resulted in:

1. The consumption of areas containing valuable recreational, agricultural, forest, and other unique natural resources.
2. The construction of new public roads and other improvements requiring maintenance by the Town of Plainfield.
3. The development of sites without specific consideration of the limitations of, or opportunities offered by, the existing topographic and soil conditions.
4. The destruction of historic sites, geological features, severe slopes, scenic vistas, significant stands of trees, watercourses, wetlands, agricultural lands, wildlife habitat, or other areas of environmental value, natural beauty or historic interest.

21.2 Purpose: The purpose of this section is to:

1. Maintain and enhance the conservation of natural or scenic resources,
2. Protect natural streams and water supplies,
3. Promote conservation of soils, wetlands, agricultural lands and other significant natural features and landmarks,
4. Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces,
5. Enhance public recreation opportunities,
6. Preserve historic sites,
7. Promote orderly urban or suburban development.

These regulations are intended to provide for increased flexibility, balanced by increased control, in the development of land so as to facilitate the preservation of open space, natural resources, recreational uses, and community character by:

1. Permitting a transfer of density by way of reduction in the minimum lot size normally required in specific zones for residential development; or,
2. Permitting the development of oversized lots as provided in Section 21.6 of these Regulations, by incorporating open space into individual lots.

21.3 Definitions:

Conservation Easement. An easement which perpetually prohibits further development or use inconsistent with, or adverse to, the enhancement, preservation, and protection of a defined area for the benefit of fish, wildlife, plants, or other similar ecosystems, or preserves such areas predominantly in their natural scenic or open condition; but which may, in the sole discretion of the Commission, permit recreational and/or agricultural uses which do not involve significant alteration or development of the restricted area in a manner which is inconsistent with, or adverse to, the preservation and protection of the restricted area.

Land encumbered by a conservation easement as part of the minimum required open space, may be used with approval by the Commission, for underground drainage fields for individual or community septic systems. Stormwater management ponds or basins may be included as part of the minimum required open space, as my land within the rights-of-way for underground utilities. However, land with the rights-of-way of overhead power lines or other surface utility lines shall not be included in the minimum required open space.

Normal Lot Size. The lot size, expressed in square feet, normally applicable to the zoning district in which the proposed Conservation Subdivision is located.

Open Space. Land within a Conservation Subdivision that is subject to a Conservation Easement, or other form of development restriction.

Conservation Subdivision. A subdivision approved in accordance with this Section and with Section 6A of the Subdivision Regulations / Conservation Subdivision.

Unbuildable Area. The area, expressed in square feet, within the proposed Conservation Subdivision which is comprised of wetlands, watercourses, flood hazard zone "A" per FEMA maps, existing and proposed streets and highways, easements and rights-of-ways for vehicular access, drainage and utilities, easements and rights-of-way of an undefined width shall be deemed to be twenty-five (25') feet in width.

Conventional Subdivision. A subdivision design that is consistent with the provisions of the Plainfield Zoning and Subdivision Regulations that would be applicable in the absence of this Section and Section 6A of the Plainfield Subdivision Regulations / Conservation Subdivision.

21.4 General Eligibility Requirements - Conservation Subdivision

1. Shall only be permitted in RA-60 Zoning Districts.

2. Must, except as provided for in this Section, comply with all applicable Sections of these Regulations, the Plainfield Inland Wetland Regulations, Plainfield Subdivision Regulations, and provisions of federal, state and local law.

3. Must provide for the dedication of Open Space in accordance with Subsection 21.8 of this Section.

4. Must provide for the beneficial utilization of suitable soil and topographic conditions, and for the protection of soils and topographic conditions not suitable for development.

5. Must comply with the State Health Code Basis Criteria for Septic System Design Minimum Leaching System Spread (MLSS) as incorporated into the State Health Code, as may be amended, except where sewers or community septic systems are being used.

6. Must be consistent with the intent of planning and zoning to promote the public health, safety, and welfare of the Town of Plainfield, and the Plainfield Plan of Conservation and Development.

7. Shall be used only for detached single-family dwellings and permitted accessory buildings. All other uses shall require the normal lot size and be subject to approval of the Commission in accordance with the applicable Sections of these Regulations. In addition, any other use, which is proposed after the approval of the Conservation Subdivision, shall require an amendment to the approval granted under the Section in accordance with the applicable Sections of the regulations. Accessory apartments are prohibited.

21.5 Application Procedure:

a. Pre-Application Conference The Commission recommends that prior to the submission of an application for approval of a Conservation Subdivision, the applicant initiate a pre-application conference with the Commission and its staff to discuss conceptual aspects of the proposed Conservation Subdivision and prepare and present a preliminary plan for informal consideration by the Commission. The pre-application conference is recommended to permit the general consideration of factors and problems affecting the development of the subject site before the applicant proceeds with the application and the preparation of final maps, plans and documents required to accompany such application.

   Following the pre-application conference, the Commission may provide informal, nonbonding suggestions to the applicant regarding the overall layout and design of the proposed subdivision, and whether to proceed with an application under this Section or to adhere to the Conventional Subdivision requirements of the applicable Sections of the Plainfield Subdivision Regulations.

   Neither the pre-application conference, the informal consideration of neither preliminary plans, nor the Commission's suggestions shall be deemed to constitute any portion of the application for approval of a Conservation Subdivision.

b. Application - An application for the approval of a Conservation Subdivision shall:

1. Require approval of the Commission as a subdivision in accordance with the applicable Sections of these Regulations and the Plainfield Subdivision Regulations.

2. Be submitted with a proper complete subdivision application form and application fees as set forth in the fee schedule.

3. Be accompanied by four (4) copies of the proposed plan setting forth the information required by this Section, the applicable Sections of these Regulations, and the Plainfield Subdivision Regulations, as well as such additional information as the Commission may require for a review of the proposed Conservation Subdivision under the applicable Sections of these Regulations, or in order to reach a determination of the impact of the Conservation Subdivision on the surrounding area. Such additional information may include, but is not limited to the following: Information concerning surrounding land uses, building locations, driveways, streets, topography, water courses and wetlands; utilities and other information of a similar nature and purpose; a traffic impact study prepared by a Connecticut Licensed Professional Engineer qualified to prepare such studies; an environmental impact statement prepared by professionals qualified to prepare such studies and any reports prepared by the applicant's staff or consultants.

4. Be accompanied by copies of the proposed Certificate of Incorporation, if any, by-laws, rules and regulations of any association or corporation of the lot owners within the proposed Conservation Subdivision; copies of the proposed covenants and restrictions to be placed in the deeds of conveyance to the lot owners, and copies of any proposed deeds, agreements, conveyances and restrictions necessary for the creation of open space, including a preliminary statement of the proposed Development Restriction.

21.6 Standards, Controls and Design Guidelines for Conservation Subdivisions:

a. Minimum Area Yard and Coverage Requirements

Minimum Lot Area – contiguous buildable area	30,000 Square Feet
Minimum Lot Frontage – on a public street or private lane	100 feet
Minimum Front Yard – as measured from the front lot line	50 feet
Minimum Side Yard	20 feet
Minimum Rear Yard	50 feet
Maximum Building Height	35 feet

Separate accessory buildings shall be located behind the main dwelling and shall not be located any closer then ten (10) feet to any side or rear lot line.

b. Rear Lots

1. Rear lots shall contain at least 30,000 square feet, excluding the area of the fee-simple access strip, shall have a minimum driveway access width of twenty (20) feet and a minimum lot width measured at the building line of one hundred (100) feet. Access strips shall serve a maximum of 2 lots.

2. The owner of a rear lot shall provide and maintain, as per approval specifications, the driveway, drainage and utilities within the access strip and shall be responsible for the continued maintenance and liability thereof. In cases where a common driveway is authorized

in accordance with the subdivision regulations, deed restrictions establishing concise maintenance and liability agreements shall be submitted to the Plainfield Planning and Zoning Commission for review and, upon approval, filed on the land records for each subject lot.

c. Density Limitations

The maximum number of lots allowed in a Conservation Subdivision shall not exceed the number of lots allowed as if the property were to be developed as a Conventional Subdivision. To determine this number, the applicant shall prepare a Conventional Subdivision Plan (called the "Yield Plan") in accordance with Section 16.4 of the Plainfield Subdivision Regulations, and the road specifications of the Town of Plainfield. The Yield Plan may show a reasonable amount of regulated wetland activity. The yield plan will be submitted to the Planning and Zoning Commission for its review and approval during the applicant's Conservation Subdivision approval process.

d. Conformance

Any lot with reduced area approved under the provisions of this Section shall be deemed to be a conforming lot notwithstanding the Normal Lot Size; provided, however, that such lot meets the requirements of the other applicable sections of these Regulations and the Plainfield Subdivision Regulations.

e. Design Guidelines

The proposed Conservation Subdivision shall meet the following applicable design guidelines:

1. Dwelling units shall be grouped allowing a portion of the parcel to remain as open space.

2. The open space in any Conservation Subdivision shall be located entirely within the subdivision and shall be in one contiguous piece except where the Commission finds that the purposes of Section 21.2 would be more effectively served by separated parcels. The open space shall have a suitable shape, dimension, character and location to promote the purposes specified in Section 21.2.

3. The Planning and Zoning Commission reserves the right to require the involvement of a landscape planner in the design of a Conservation Subdivision.

4. Lots shall be laid out to the greatest extent feasible to achieve the following objectives listed below in order of priority (it is recognized that some objectives may conflict with others on any given site):

    a. To place septic systems on the most suitable soils for sub-surface waste water disposal (in unsewered areas only):

b. Within any woodland contained in the parcel, or along the far edges of the open fields adjacent to any woodland (to reduce impact upon agriculture, to provide summer shade and shelter from winter wind, and to enable new construction to be visually absorbed by natural landscape features);

c. In locations least likely to block or interrupt scenic vistas, as seen from the public roadway(s);

d. On the least fertile soils for agricultural uses, and in a manner which maximizes the usable area remaining for such agricultural use;

e. In locations where the greatest number of units could be designed to take maximum advantage of solar heating opportunities.

5. Wherever possible, wetlands should be adjacent, contiguous or included in the open space.

6. Along any part of the parcel perimeter where downsized lots abut normal sized lots a fifty-foot buffer zone, thickly planted with fast-growing native shrubs and trees shall be required; or an already forested strip of natural vegetation may be accepted at the discretion of the Commission.

7. Unless prevented by ledge or other natural restraints, underground utilities shall be required in Conservation Subdivisions.

21.7 Minimum of Open Space Required:

The minimum open space conveyance within a Conservation Subdivision shall be 50% of the total parcel area*.

* The maximum percentage of wetlands, watercourses, and floodplains included in the minimum area or open space required shall not exceed the percentage of wetlands, watercourses and floodplains in the total parcel. However, developers are encouraged to preserve wetlands, watercourses, and floodplains as open space even though these additional wetlands, watercourses and floodplains would not be counted towards the Minimum Area of Open Space Required.

21.8 Dedication of Open Space:

The Planning & Zoning Commission shall determine the most appropriate method of disposition after considering, among other things, the relationship of the subject parcel and its specific characteristics to the Plan of Conservation and Development and the objectives cited in Section 5C.1; the desirability and suitability of public access and use, and the scope of the subdivision proposal. The following disposition options may be utilized by the Commission:

1. Conveyance in fee simple to the Town
2. Conveyance in fee simple to the State of Connecticut
3. Conveyance in fee simple to a land trust (with the concurrence of the sub-divider)

4. Conveyance in fee simple to a homeowners association
5. Conveyance of a conservation easement, with or without public access, to the Town
6. Conveyance of a recreation easement to the Town, the State, or a private, non-profit recreational entity.
7. Conveyance of an agricultural easement to the Town, the State, or a private, non-profit farm preservation entity.
8. Private ownership with the appropriate severance and conveyance of development rights
9. Any combination of the above or any suitable alternative approved by the Commission

Modification by the Commission of Designated Open Space. The Commission may modify any application so as to designate open space in locations other than those proposed. In determining whether the proposed entity is appropriate to own the proposed open space, or whether to require open space in locations different from those proposed, the Commission shall consider the following factors: The ownership of any existing open space on adjacent properties, or the proximity to non-adjacent open space which might reasonably interconnect with the proposed open space in the future; the proposed use of the open space for active or passive uses, and the extent of maintenance, supervision, or management required; the potential benefits which the open space might provide to residents of the Town or the State if it were accessible to them; the size, shape, topography, and character of the open space; the recommendations of the Plainfield Plan of Conservation or Development; the reports or recommendations of any State or Town agencies, including, but not limited to, the Board of Selectmen, the Inland Wetlands and Conservation Commission, the Northeastern Connecticut Council of Governments, and the Connecticut Department of Environmental Protection.

Alteration of Open Space. Any excavation, filling or alteration of open space, any construction or expansion of any building, structure or other improvements thereon, or any paving or surfacing or open space subsequent to the date of approval of the Conservation Subdivision shall require an amendment to the approval granted under this section in accordance with the applicable Sections of the Regulations and shall be for the enhancement of the open space use only.

Evidence of Acceptance. If open space is to be owned by a private not-for-profit conservation trust or corporation, the State of Connecticut, the Town of Plainfield, or another entity, the application shall contain written evidence from the proposed entity satisfactory to the Commission, stating that it is willing to accept ownership of, and responsibility for, the preservation and maintenance of the open space.

Required Provisions. Regardless of the manner of ownership of the open space, the instrument of conveyance must include provisions satisfactory in form and substance to the Commission to ensure:

1. The continued use of such land for the intended purposes
2. The continuity of proper maintenance, for those portions of the open space requiring maintenance, and when appropriate the availability of funds required for such maintenance
3. Adequate insurance protection
4. Recovery for loss sustained by casualty, condemnation, or otherwise

Boundary Lines. The boundary lines of all open space shall be set in the field and marked by permanent, readily-visible markers where such lines intersect any lot line, road, or perimeter line within the proposed Conservation Subdivision and at such other points as may be required by the Commission to insure sufficient identification in the field.

Recording. At the time the approved Conservation Subdivision plan is filed, the applicant shall record on the Plainfield land records all legal documents required to ensure the aforesaid guarantees.

Right to Enforce. A right to enforce the Conservation Easement shall be conveyed to:

1. The Town of Plainfield, the State of Connecticut, or a private, not-for-profit conservation trust or corporation dedicated to conservation or preservation purposes incases where open space is dedicated to an association or corporation of lot owners, individual lot owner, or a private or governmental entity; or
2. To the association or corporation of lot owners in cases where open space is dedicated to the Town of Plainfield, the State of Connecticut, or a private, not-for-profit conservation trust or corporation.

Any deed of conveyance shall contain language providing the holder of the Conservation Easement with the right to obtain reimbursement of all costs it reasonably incurs, including attorney's fees, in any action to enforce the Conservation Easement, in which it is the prevailing party.

Association Requirements. If the open space is to be dedicated to an association or corporation of lot owners, then the Commission may set additional requirements, including, but not limited to, the following:

1. Creation of the association or corporation prior to the sale of any lot;
2. Mandatory membership of the association or corporation by all original lot owners and any subsequent owner; and
3. The association or corporation shall have the power to access and collect from each lot owner a specified share of, and, where necessary, provide reserves for the costs associated with maintenance, repair, upkeep, and insurance of the open space.