

Chapter 16 – Definitions

1600 DEFINITIONS

The symbol § means “section.”

Abandonment: The intentional discontinuance of a use of a structure or of land. An intention to discontinue a use may be inferred from the circumstances surrounding the discontinuance.

Accessory Apartment, Commercial Caretaker: A residence used by an employee who serves as a caretaker of a principal commercial use located on the same lot. The residence may be attached to or detached from the principal commercial use.

Accessory Apartment, Residential: A residence located on the same lot as a principal single-family home. The accessory residence may be attached to or detached from the principal structure.

Accessory Structure: (see Structure, Accessory)

Accessory Use: (see Use, Accessory)

Agriculture-Related Terms

Agriculture: Except as otherwise specifically limited in these Regulations, the words “agriculture” and “farming” shall include cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. For the purposes of these regulations the term “agricultural” also includes the use of horses for riding, pulling, training, lessons, showing, and other similar uses, but only when such uses are incidental to the raising and/or boarding of horses on the same lot.

The term “farm” includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoop houses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities.

The term “aquaculture” means the farming of any waters and/or wetlands and the production of plant or protein food, including fish, oysters, clams, mussels and other molluscan shellfish. “Aquaculture” includes, without limitation, outdoor and/or indoor hatcheries, aquaponics, and hydroponics.

Agricultural Buildings and Structures: Buildings or other structures used in connection with agriculture, including shelter for livestock and storage for farm machinery, equipment and supplies.

Agricultural Building, Specialized: A building used for (a) processing or packaging of farm products or by-products produced on the premises; (b) shelter for more than one hundred (100) cattle or pigs, 50 horses, or 20,000 fowl; or (c) workplaces for more than five (5) non-family employees.

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Agricultural commodity: Same meaning as “Farm products.”

Commercial Farm: A farm producing farm products for sale by wholesale, or for sale at locations (not including farmers’ markets) other than the farm property on which they were produced.

Farm: A tract of land used principally for agriculture, with or without an associated single-family dwelling. In zoning districts in which a farm is allowed, both the agricultural activities and any single-family dwelling that may exist shall be deemed to be permitted, joint principal uses.

Farm pond: A pond used as an accessory to an agricultural use.

Farm products: Any products of agriculture, including fruits; vegetables; mushrooms; nuts; shell eggs; honey or other bee products; maple syrup or maple sugar; flowers; nursery stock; Christmas trees; other horticultural commodities; livestock food products, including meat, milk, cheese and other dairy products; food products of “aquaculture,” as defined above, including, but not limited to, all plant food, fish, oysters, clams, mussels and other molluscan shellfish; products from any tree, vine or plant and their flowers; or any such products that have been processed by a farmer, including, but not limited to, baked goods made with farm products.

Farmers’ market: A for-profit or nonprofit cooperative, enterprise, or association that regularly occupies a given location, and that operates principally as a common marketplace for a group of farmers, at least two of whom are selling Connecticut-grown fresh produce, to sell Connecticut-grown farm products directly to consumers.

Farm Store: Retail sales of farm products, the majority of which are produced in North Stonington.

Seasonal Roadside Stand: A building or other structure, not to exceed a gross floor area of 200 square feet, from which agricultural products, primarily produced on the owner’s premises in North Stonington, are sold.

Advertising: Any wording, logo, or other representation that, directly or indirectly, names, identifies, announces, or calls attention to a business, product, service, or other commercial activity.

Adventure Park (Outdoor): An Outdoor Recreational Facility which can contain a wide variety of elements, such as rope climbing courses, obstacle courses and zip-lines, and other non-motorized rides intended for recreation. Rides primarily propelled by gravity such as an alpine slide, a mountain coaster, and other similar rides are not considered to be motorized nor mechanical and are permitted in an Outdoor Adventure Park. (See also Recreational Facility, Outdoor)

Aircraft: Any machine or device now known or hereafter invented for use in or designed for navigation of or flight in air.

Aircraft Landing Field: A lot, or portion thereof, used for the purpose of landing, parking, storing, or launching aircraft.

Alteration: Any construction, reconstruction, or other action resulting in a change in the structural parts or height, number of stories, size, use, or location of a building or other structure, as well as any excavation, grading, or filling of land.

Amusement Park: A park that features various attractions, including mechanical and motorized rides and devices (such as a merry-go-round, Ferris wheel, roller coaster, etc.), booths for games and refreshments, and other events for entertainment purposes. A theme park is a type of amusement park that bases its structures and attractions around a central theme, often featuring multiple areas with different themes.

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Area median income: The area median income for the area in which the Town of North Stonington is located, as that area has been determined by the United States Department of Housing and Urban Development (see CGS §8-30g).

Arterial Roadway: Roadways that provide rapid connection between regional freeways and the community collector streets. Connecticut Routes 2, 49, 184, 617 and 201 are arterial roadways.

At Least: The term “at least” is used in these Regulations to mean “equal to or more than.”

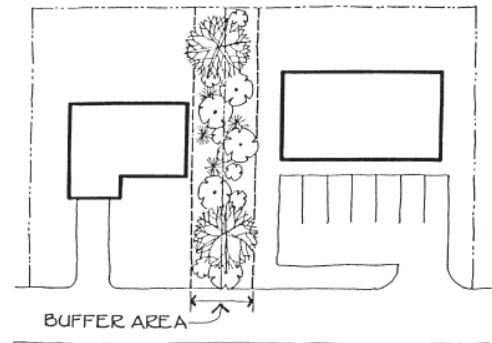
Base Flood: (See Flood, 100-Year)

Beacon: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same premises as the light source. Also, any light with one or more beams that rotate or move.

Bed and Breakfast: A private house in which a portion of the building is maintained and held out to the public as transient overnight accommodations, and which provides breakfast for overnight guests only.

Board: The Zoning Board of Appeals of the Town of North Stonington.

Buffer Area: An area within a required yard that may be designed or required to contain trees, shrubs, walls, rocks, berms, and other landscaping materials whose primary function is to provide visual, noise, and odor insulation from adjacent property and roadways.



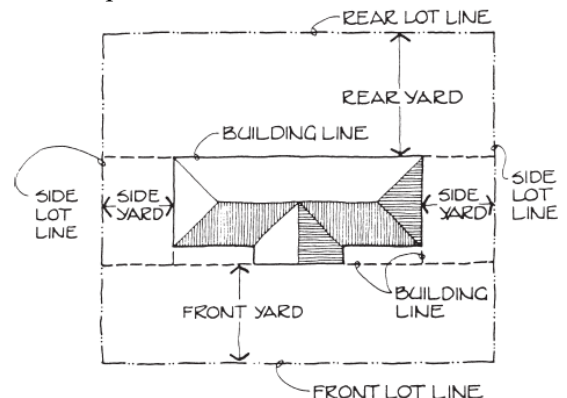
Buildable Area: A minimum amount of contiguous area required on each lot to be capable of locating the principal building, accessory uses and on-site water and sewer facilities without major physical alterations of the land. See § 402 of these Regulations for further description of the term.

Building: An enclosed, roofed structure designed or intended to provide shelter for persons, animals, or property. For the purposes of this definition, the term “roof” shall include a covering made of any material, including but not limited to wood, stone, metal, and fabric, whether or not permanent in nature.

Building Lot: (see Lot, Building)

Building Line: The line or lines created by the required front, rear, and side yard dimensions for unoccupied space of a lot, to establish an area within which structures allowed by these Regulations may be located.

Bulk: The size and shape of buildings and non-building uses and the physical relationships of their exterior walls or their location to lot lines and other buildings or other walls of the same building and to all open spaces required in connection with a building. Bulk regulations include provisions 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. Buffer requirements are not deemed to be bulk regulations.



Burial Ground: (See Cemetery)

Business Office: (see Office, Business)

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Camp: A lot, consisting of five (5) or more acres, on which non-profit organizations offer the temporary occupancy of seasonal shelters, as well as indoor or outdoor activities for children or adult participants, including sports, arts and crafts, entertainment, recreation, educational activities, swimming, fishing, horseback riding, and incidental food service. If incidental to the camp use, camp facilities may be used to provide meeting, recreation, or social facilities for a private association or group.

Cannabis Related Terms

Backer – A licensed Backer is an individual with a financial interest in a cannabis establishment, and either (1) owns 5% or more of the cannabis establishment, including in the aggregate with a spouse, parent, and child, or (2) participates directly or indirectly in the control, management, or operation of the cannabis establishment. **Cannabis Cultivator Facility** – A licensed cultivator or micro-cultivator may cultivate, grow, and propagate cannabis and is licensed to sell cannabis to food and beverage manufacturers, product manufacturers, and/or cannabis retail facilities. A cannabis cultivator facility may include licensed food and beverage manufacturer, product manufacturer, product packager and transporter accessory use.

Cannabis Manufacturer Facility - A manufacturer facility is a licensed food and beverage manufacturer or product manufacturer who is permitted to purchase cannabis from a licensed cultivator, then manufacture products, food and/or beverages and sell them to a licensed retailer. A cannabis manufacturer facility may be an accessory use to a cannabis cultivator facility.

Cannabis Retail Facility - Retailers are licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs. A cannabis retail facility may include additional licensed accessory uses including product hybrid retailer, transporter, delivery service, and/or product packager.

Cultivator - A licensed cultivator may cultivate, grow, and propagate cannabis at an establishment containing not less than 15,000 square feet of grow space.

Delivery Service - A licensed delivery service may deliver cannabis and cannabis products from certain cannabis establishments to consumers or qualifying patients and caregivers.

Employee - An employee is anyone that is a member of the board of a company with an ownership interest in a cannabis establishment, and anyone who is directly employed by a cannabis establishment or has routine access to the establishment and its products.

Food and Beverage Manufacturer - A licensed food and beverage manufacturer may incorporate cannabis into foods or beverages as an ingredient. Licensed food and beverage manufacturers may not sell directly to consumers or qualifying patients or caregivers, and may only sell, transfer, or transport its own products to licensed cannabis establishments, laboratories, or research programs.

Hybrid Retailer - A licensed hybrid retailer may sell cannabis and cannabis products to adult consumers over 21 years of age as well as medical marijuana products to qualifying patients and caregivers.

Key Employee - an employee with one of the following management positions, or an equivalent title in the cannabis establishment:

President or chief officer, or the top-ranking individual at the cannabis establishment responsible for all staff and overall direction of business operations.

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Financial Manager, or the individual who reports to the president or chief officer and who is generally responsible for oversight of the financial operations of the cannabis establishment, including, but not limited to, revenue generation, distributions, tax compliance and budget implementation.

Employee, An employee is anyone that is a member of the board of a company with an ownership interest in a cannabis establishment, and anyone who is directly employed by a cannabis establishment or has routine access to the establishment and its products.

Compliance Manager, or the individual who reports to the president or chief officer and who is generally responsible for ensuring the cannabis establishment complies with all laws, regulations and requirements related to the operation of the cannabis establishment

Micro-cultivator - Micro-cultivators are licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment that is between 2,000 square feet and 10,000 square feet of grow space, prior to any expansion authorized by the Department of Consumer Protection Commissioner. Once licensed, the micro-cultivator may expand up to 25,000 square feet or convert to a cultivator if they expand to more than 25,000 square feet of grow space.

Product Manufacturer - A licensed product manufacturer may perform cannabis extractions, chemical synthesis, and all other manufacturing activities. A product manufacturer may sell, transfer, or transport its own products to a cannabis establishment, laboratory or research program, provided such transportation is performed by utilizing its own employees or a transporter. A product manufacturer may not deliver any cannabis to a consumer, qualifying patient, or caregiver directly or through a delivery service.

Product Packager - A licensed product packager shall be responsible for ensuring that cannabis products are labeled and packaged in compliance with all state laws, regulations, and policies.

Retailer - licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs. A licensed retailer may sell cannabis and cannabis products to adult consumers over 21 years of age.

Transporter - A licensed transporter may deliver cannabis and cannabis products between cannabis establishments.

Cemetery: Land used for the burial of the dead, and dedicated for cemetery purposes, excluding columbariums, crematories mausoleums, and mortuaries.

CGS: The Connecticut General Statutes

Church: A building, facility, or main activity area used primarily as a place for regular religious assembly and worship. Includes synagogue, temple, mosque, and similar places for worship.

Cluster Development: A building pattern concentrating units on a particular portion of a parcel so that at least one-third of the parcel remains as open space to be used exclusively for recreational, conservation and agricultural purposes.

Collector Street: Any public roadway other than an interstate highway, arterial roadway or dead-end road.

Commission: The Planning and Zoning Commission of the Town of North Stonington.

Commercial Services: Business services that generally relate to real or personal property (as opposed to services that are performed on people, such as barbering and hairdressing).

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Commercial Use or Facility: A use or facility intended as a profit-making enterprise.

Common Driveway (See Driveway, Shared)

Communications-Related Terms

Communications Tower: A structure erected for the principal purpose of receiving, transmitting or re-transmitting radio frequency signals, such as wireless communications. Examples of communications towers include guy-wire-supported and self-supporting lattice and monopole towers.

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

Co-location: The installation of antennas owned by more than one provider on a single tower. Also, the installation of towers, antennas and facilities owned by more than one provider on a single site.

Fall Circle: The area created by a circle formed with the tower at the center and a radius equal to the tower height or other specified length.

Lattice Tower: A tower typically having a triangular cross-section constructed with continuous cross-bracing. It may be self-supporting, guyed or bracketed.

Monopole: An unguyed tower of tapered pole construction, made of steel or other materials, such as concrete.

Tower Height: Distance from the ground elevation at the base of the tower to the topmost point of the tower including any antenna or other appurtenances.

Wireless Communications (or Telecommunications): Commercial wireless communications and telecommunications systems that include but are not limited

to cellular, personal communications services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging and related systems.

Wireless Communications (or Telecommunications) Facilities: All ground and roof-mounted equipment, ancillary buildings and other structures, except towers, associated with the transmission and reception of wireless communications.

Community Facility: A facility intended for social, recreational, or other non-commercial uses by Town residents generally or by members of established residential subdivisions or similar communities.

Comprehensive Plan: The Commission's general plan to control and direct the use and development of property in North Stonington, as found in the overall scheme of the Zoning Map and these Regulations.

Consolidated Parcel: Two or more adjoining parcels that are planned and developed as one integrated development. The parcels do not need to have the same owners.

Construction Office or Construction Trailer: A temporary structure, which may be mobile, established for the specific purpose of providing contractor office space at a site during the construction phase of a building.

Convalescent Home: A facility established to care for patients while recuperating health and strength following physical illness or injury, or one dedicated to the care of the elderly.

Corner Lot (see Lot, Corner)

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Country Inn: Any owner-occupied dwelling or group of related dwellings having twenty (20) or fewer guest rooms (not including the owners' or staff quarters) without their own separate kitchen facilities, in which overnight accommodations and meals are provided to guests, and in which no guest may arrange to stay for a single period of more than thirty (30) consecutive days.

Curve Return: The point at which a curve beginning near the end of a driveway or similar, generally linear feature terminates at an intersecting linear feature, such as a road.

Day Care/Nursery School: A service that provides supplementary care to seven (7) or more children outside their primary residence(s) on a regular basis during a portion of the day, and for one or more days in any week.

Dead-End Road: A public road, or segment of a public road, that has only one point of ingress and egress and that terminates at a point beyond which further travel by motor vehicles is prohibited or effectively impractical.

Detention Basin (see also Retention Basin): A structure or facility, natural or artificial, which stores stormwater on a temporary basis and releases it at a controlled rate. A detention basin may drain completely after a storm event, or it may be a body of water with a fixed minimum and maximum water elevation between runoff events. For the purposes of these Regulations, a drainage system that incorporates infiltration components shall also be considered a detention basin.

Discontinuance: Cessation or termination. For example, the phrase “discontinuance of a use” means the cessation, or termination, of that use, regardless of the reasons for the cessation or termination or the intention of the persons who were making or carrying out such use.

Driveway: A paved or unpaved access strip of land providing a vehicular connector between the public right-of-way of a street and the interior of a lot or other tract of land.

Driveway, Common or Shared: A driveway that provides access to more than one (1) lot or separate tract of land.

Duplex Residence (see Residence, Duplex)

Dwelling-Related Terms

Dwelling: A single building designed and used exclusively as living quarters. The term “dwelling” shall not be deemed to include hotel, motel, inn, boarding or rooming house, convalescent or nursing home, mobile home trailer, tourist home, or tent.

Dwelling, Multi-Family (See Residence, Multi-Family)

Dwelling, Single-Family (See Residence, Single-Family)

Dwelling Unit: One (1) or more rooms in a residential building that are collectively arranged, designed, or intended for use by one (1) family, and that include lawful cooking space and lawful sanitary facilities reserved for the occupants thereof. The term “dwelling unit” shall not be deemed to include hotel, motel, inn, boarding or rooming house, convalescent or nursing home, mobile home trailer, tourist home, or tent. In the case of buildings having two (2) or more portions divided by party walls forming a complete separation above the basement, each such portion shall be considered to be a separate principal dwelling unit.

Education Facility: A public, parochial, or private institution that provides educational instruction to students.

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Emergency Services: Private or public services, such as fire protection, ambulance, and rescue, provided in times of emergency for the general health and welfare of Town residents.

Excavation (Excavation of Earth Materials): The removal of earth, sand, gravel, clay, rock or other natural earth products from the ground.

Facade: The exterior surface of a building.

Fall Circle: The area created by a circle formed with the tower at the center and a radius equal to the tower height or other specified length.

Family: (1) All persons related by blood, marriage, or legal adoption; or (2) five or fewer persons who are not related by blood, marriage, or legal adoption, including domestic employees, but who occupy a single dwelling unit and live as a single, permanent, housekeeping unit. Lodgers shall not be deemed to be part of the family whose home they are temporarily occupying.

Farm Winery: Any place or premises in which wine is manufactured, stored and sold, and which is located on a farm consisting of at least twenty-five (25) acres with at least five (5) acres dedicated to vineyards or to the growing of other fruits used on site for creating wine.

Farm Winery Restaurant: A use that is incidental, complementary and secondary to a farm winery. A farm winery restaurant shall be conducted in a permanent building in which hot and cold food can be prepared and served to members of the public seated indoors or on a patio area adjoining the building.

Filling (Filling of Earth Materials): The addition to existing land of earth, sand, gravel, clay, rock or other natural earth products.

Financial Institution: A facility such as commercial bank, savings bank, mutual savings bank, savings and loan, or credit union that is chartered and regulated by a State or Federal agency.

Flood-Related Terms

Flood: The temporary inundation of normally dry land areas.

Base Flood: The elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

Base Flood Elevation (BFE): The elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

Basement: Any area of the building having its floor subgrade (below ground level) on all sides.

Building: See definition for “Structure”

Cost: As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor’s estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor’s overhead; contractor’s profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as

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landscaping, sidewalks, fences, yard lights, irrigation systems, detached structures such as garages, sheds and gazebos.

Development: Any man-made change to improved or unimproved real estate, including but not limited to the construction of buildings or other structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials; the storage, deposition, or extraction of materials; and the installation of public or private sewage disposal systems or water supply facilities.

Existing Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured home are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before April 26, 1985, the effective date of the floodplain management regulations adopted by the community.

Expansion to an existing manufactured home park or subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Federal Emergency Management Agency (FEMA): The federal agency that, in addition to carrying out disaster response and recovery activities, oversees the administration of the National Flood Insurance Program (NFIP).

Finished Living Space: Finished living space can include, but is not limited to, a space that is heated and/or cooled, contained finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.

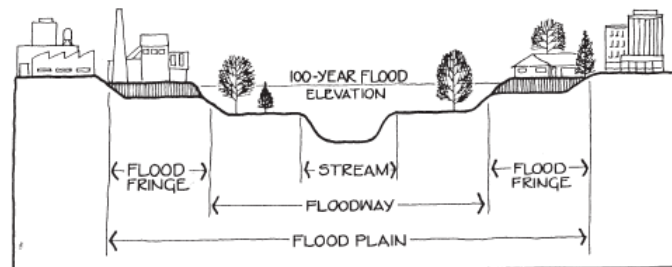
Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

The collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined above.

Flood Hazard Area: The maximum area of the flood plain that is likely to be flooded by a 100-year flood, or any area on which mudslides can reasonably be anticipated.

Flood Insurance Rate Map (FIRM): The official map of a community on which the Federal Emergency Management Agency (FEMA) has



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delineated both the special flood hazard areas (100-year floodplain) and the risk premium zones applicable to a community.

Flood, 100-Year: That level of flooding having a one percent probability of occurrence in any year.

Flood Insurance Study (FIS): The official study of a community in which the Federal Emergency Management Agency (FEMA) has conducted an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Flood Plain Area: The relatively flat area or low lands that adjoin the channel of a river, stream, watercourse, canal, or any body of standing or tidal water, and that has been or may be covered periodically by flood water.

Floodproofing: Any combination of structural and nonstructural additions, changes, or adjustments to properties and structures, primarily for the reduction or elimination of flood damage to lands, water, and sanitary facilities, structures, and contents of buildings.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot, or a designated height. For the purposes of these regulations, the term “Regulatory Floodway” is synonymous in meaning with the phrase “Floodway”.

Functionally Dependent Use or Facility: A use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood process facilities, long-term storage, manufacturing, sales or service facilities.

Historic Structure: Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building’s lowest floor, provided that such an enclosure is not built to render the structure in violation of the applicable non-elevation design requirements as specified in 307.6(C) of this regulation.

Manufactured Home: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” also includes park trailers, travel trailers, recreational vehicles and other similar vehicles placed on a site for greater than 180 consecutive days.

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Manufactured Home Park or Subdivision: A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

Market Value: For floodplain management purposes, the market value of the structure shall be determined by the property's tax assessment, minus land value prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

Mean Sea Level (MSL): The North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.

New Construction: Structures for which the "start of construction" commenced on or after the effective date, April 26, 1985, of a floodplain management regulation adopted by the community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date, April 26, 1985, of floodplain management regulations adopted by the community.

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

Special Flood Hazard Area (SFHA): The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on the Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. SFHAs include, but are not necessarily limited to, the land shown as Zones A, AE, AO, and AH. The SFHA is also called the Area of Special Flood Hazard.

Start of Construction: For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, substantial improvement or other improvement was within one hundred and eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erections of temporary forms; not does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure: A walled and roofed building, including a gas or liquid storage tank, which is principally above ground, as well as a manufactured home.

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the

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structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement: Any combination of repairs, reconstruction, rehabilitation, alterations, additions or other improvements to a structure, taking place during a five (5) year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage”, regardless of the actual repair work performed. For purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or (2) Any alteration of a “historic structure”, provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

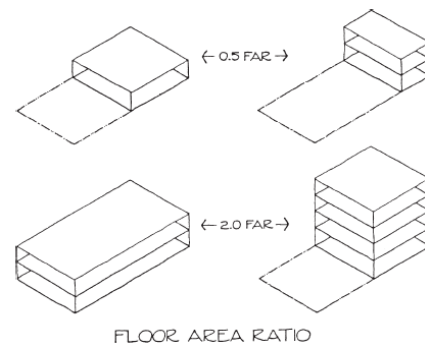
Variance: A grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.

Violation: The failure of a structure or other development to be fully compliant with the community’s floodplain management regulations.

Water Surface Elevation: The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Floor Area: The sum of the areas of the floors intended for human occupancy of a building as measured by the external wall dimensions. The following surfaces shall not be considered in calculating floor area: porches, decks, and other surfaces not fully enclosed by walls; floor space that is above the first floor and that does not have access by an inside permanent stairway; floor space that does not have a ceiling height of at least seven (7) feet; garages; and detached accessory buildings.

Floor Area Ratio: The numerical value obtained by dividing the gross floor area of a building by the area of the lot on which the building is constructed.



Footprint: When used in connection with a building or other structure, “footprint” means the area of the minimum horizontal plane which, if its perimeter were extended vertically upward, would enclose all portions of the structure. If a structure is partly cantilevered, or includes a deck or similar feature extending above, but not touching, the ground, the area directly below the cantilevered portion, deck or other similar feature is included in the footprint.

Frontage: The linear measurement of the distance between the intersection of each side lot line with the front lot line.

Funeral Home: An establishment with facilities for the preparation of the dead for burial or cremation, for the viewing of the body, and for funeral services or ceremonies.

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Gasoline (Gas) Station: An establishment, with or without an associated convenience store and/or food service, whose primary business is to provide petroleum products for motor vehicles.

Golf Course Development: A playing course of at least eighteen (18) golf holes, which may also include as accessory uses a clubhouse, restaurant, pro-shop, health facility, maintenance facility, golf practice facility, golf villas, gatehouse, and additional recreational facilities, as may be specified in these Regulations.

Grading: Any excavating, grubbing, filling (including hydraulic fill), or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

Graveyard (See Cemetery)

Groundwater: All water beneath the surface of the ground. Unless otherwise indicated, the term “depth to groundwater” shall mean the vertical distance from the ground surface to the level to which the water table generally rises for the duration of one (1) month or longer during the wettest season of the year.

Hazardous Substance: Any substance defined by regulation as hazardous by the U.S. Environmental Protection Agency or the State of Connecticut Department of Energy and Environmental Protection, with the exception of heating oil, motor fuel, and gasoline.

Health Club: A gymnasium or other establishment that provides facilities and equipment for exercise, and that may include game courts, swimming facilities, saunas, showers and lockers.

Height: When used in relation to a building or other structure, “height” means the average vertical distance from the finished grade level to the highest point of the structure, calculated from measurements taken at all sides.

Home Occupation: The use of a portion of a dwelling or residential accessory building(s) for business purposes by the resident occupants when clearly incidental and secondary to the residential use of the dwelling.

Hospital: An institution that is licensed by the State of Connecticut to provide in-patient and out-patient medical care and/or major surgical services for persons who are sick or injured, and that may include such related facilities as laboratories, medical testing services, central service facilities, hospice care, and staff offices. The term “hospital” does not include drug rehabilitation facilities, halfway houses, convalescent or nursing homes, institutions for mentally ill individuals, or other similar facilities.

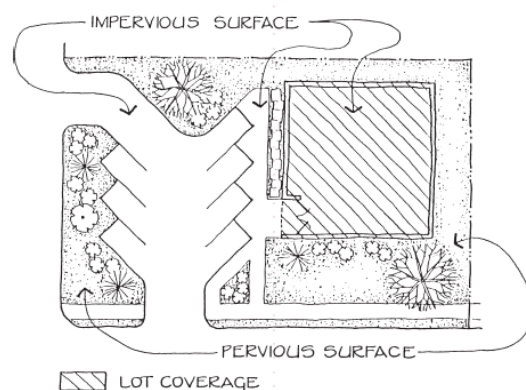
Hotel: One or more buildings containing living units intended to be occupied by guests on a temporary basis, in rooms without cooking facilities except for a manager’s apartment.

Impervious Coverage: The area of a building site or lot that is covered by materials that prevent the infiltration of surface water into the ground beneath. Such materials may include, but are not limited to, roofs, paved driveways, concrete slabs, sealed-joint paving blocks or stones, and pools.

Income, Median (see Median Income)

Interior Lot, (see Lot, Interior)

Junk Yard: A lot, land, or structure, or part thereof, used primarily for the collecting or storage of waste paper, rags, scrap metal, or discarded materials, or for the collecting, dismantling, storage, and salvaging of



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machinery or vehicles not in running condition, or of discarded solid materials including garbage, scrap metal, junk, and refuse materials, including inert matter and landscape refuse.

Junk: Any worn out, cast off, or discarded article or material that is ready for destruction or has been collected or stored for salvage or conversion to some use. Any article or material that, unaltered or unchanged and without further reconditioning, can be used for its original purpose as readily as when new shall not be considered junk.

Kennel, Commercial: The boarding, breeding, raising, grooming, or training of two or more dogs, cats, or other household pets that either (1) are not owned by the owner or occupant of the premises, or (2) are intended for sale. When pets are available for sale from the premises on a frequently recurring basis, the premises shall be deemed to be a commercial kennel.

Kennel, Hobby: The boarding, breeding, raising, grooming, or training of two or more dogs, cats, or other household pets that are owned by the owner or occupant of the premises and are not regularly intended for sale.

Land Trust: A private, not-for-profit conservation organization formed to protect natural resources.

Lighting-Related Terms

Outdoor Lighting: Any device used outdoors for artificial illumination.

Disability Glare: Outdoor lighting that can cause momentary blindness or reduced vision.

Down-light: Any light source that distributes illumination only below a vertical cut-off angle of ninety (90) degrees.

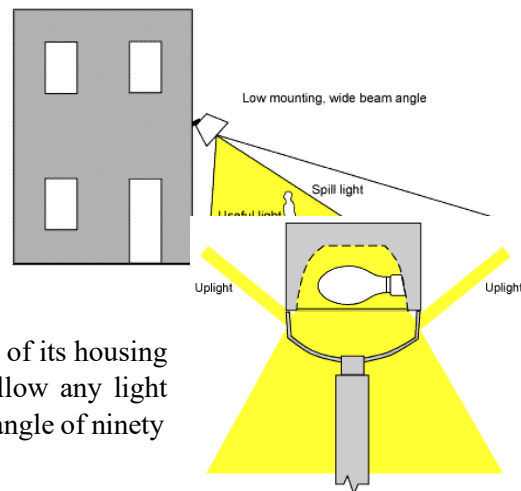
Foot-candle: A unit of measure for illuminance. The ratio of quantity of light in lumens divided by the surface area in square feet on which the lumens are falling.

Glare: The sensation produced by lighting that is bright enough to cause discomfort or reduced vision.

Light Trespass: Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.

Luminaire, Full Cut-Off: A light fixture that, by design of its housing and when installed in a horizontal position, does not allow any light dispersion or direct glare to shine above a vertical cut-off angle of ninety (90) degrees.

Up-light: Any light source that distributes illumination above a ninety (90) degree horizontal plane.



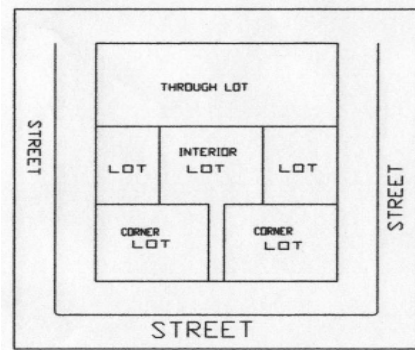
Loading Berth or Space: An off-street area available for the standing, loading, and unloading of one tractor-trailer truck, excluding additional maneuvering area.

Lodger: An individual who is furnished transient living accommodations within a dwelling unit and is not related to the persons therein by blood, marriage or similar legal status.

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Lot-Related Terms

Lot: An undivided area or parcel of land designated and recorded in the land records of the Town as a separate tract of land. Where two or more adjacent parcels are occupied by a single use, as, for example, when a building straddles the line dividing the parcels as described in the land records, the parcels may collectively be deemed a single lot. See also § 305.3.B, regarding lot merger. For the purposes of meeting minimum lot area requirements, the land beneath the waters of Billings Lake, Blue Lake, Wyassup Lake, and/or Long Pond shall not be included.



Lot, Building: A lot that is in conformance with all applicable provisions of these Regulations for building purposes.

Lot, Corner: A lot that has two (2) adjacent lot lines abutting the rights of way of two (2) intersecting public roads with an interior angle of one hundred and thirty-five (135) degrees or less.

Lot Depth: The mean horizontal distance between the front lot line and rear lot line.

Lot Line: Any property line bounding a lot.

Lot Line, Front: The line dividing a lot from the right of way of a public road.

Lot Line, Rear: Any lot line or portion of a lot line that is parallel to, or within 45 degrees of being parallel to, the line along which lot frontage is measured.

Lot Line, Side: Any lot line that is not a front lot line or rear lot line.

Lot, Interior: A parcel of land having access to, but less than the required frontage on, a public road and having, typically, a major portion of its area located to the rear of the abutting lots fronting on the public road.

Lot, Non-conforming: A lot, existing on the effective date of these Regulations or any subsequent amendment thereto, that is not in conformity with all provisions of these Regulations for building purposes.

Lot, Through: A lot that has two non-adjacent lot lines that each abut the right of way of a public road.

Lot Width: The linear distance between the side lot lines as measured at the required front-yard setback.

Low Impact Development (LID): An ecologically friendly approach to site development and stormwater management that integrates site design and planning techniques to mitigate development impacts to land, water, and air. Such practices include conservation measures, reduced impervious coverage, and the use of landscape design and features to reduce and cleanse runoff.

Manufacturing, Heavy: The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, and the creation of products. Also: (1) the manufacturing, assembly, fabrication, packaging or other industrial processing of products primarily from extracted or raw materials or the bulk storage and handling of such products and materials, and (2) any industrial establishment having potential to produce substantial noise, dust, glare, odors or vibration beyond its property line. This term includes but is not limited to: (a) processing and packaging of alcoholic

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beverages; (b) chemical manufacturing; (c) manufacturing of stonework or concrete products; (d) fabrication of metal products; and, (e) motor-vehicle manufacturing.

Manufacturing, Light: The manufacturing, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and the incidental storage, sales, and distribution of such products, provided that all manufacturing activities are contained entirely within a building and that noise, odor, smoke, heat, glare, and vibration resulting from the manufacturing activity are confined entirely within the building.

Marquee: Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Mechanical Amusement Ride: A mechanical device or attraction (such as might be found in a theme park) that carries riders over a fixed or restricted area, primarily for the passengers' amusement.

Medical Clinic: An office that is operated by physicians, dentists or similar professionals or that is staffed on a rotational basis with personnel from an area hospital, where persons are examined or treated on an outpatient basis only. Medical laboratory work is permitted as a principal use within a medical clinic and may be performed for persons not examined or treated at the site. A pharmacy may be permitted as an accessory use; however, only prescription and nonprescription drugs and similar health-related items may be sold from the premises.

Median Income: After adjustments for family size, the lesser of the state median income or the area median income for the area in which the municipality containing the affordable housing development is located, as determined by the United States Department of Housing and Urban Development. The definition of the term "median income" is intended to be the same as set forth in CGS §8-30g.

Medical Office: (see Office, Medical)

Membership Club: An establishment operated solely for recreational, social, fraternal, religious, political, or athletic purposes, in which activities are confined to the members and guests of an organization whose primary purpose is not financial gain, and which meets the criteria for exemption from federal income tax under Internal Revenue Code §501(c)(7).

Micro-Assisted Living Facility: A living residence primarily serving adults age 55 and older, who are capable of self-preservation, and who need some health or nursing care or assistance with activities of daily living such as cooking, bathing, toileting, dressing, and minor house chores, but do not need the skilled care a nursing home provides.

Mixed Use Development: A single building, or a group of buildings on one lot, in which multiple principal uses may occur. The different uses must be in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

Mixed Use Structure: A single building containing more than one land use.

Mobile Home: A trailer used as a temporary or permanent residence.

Mobile Home Park: Two or more mobile homes located on the same lot.

Motor Vehicle Dealership: An establishment whose primary business is to provide new, factory direct, motor vehicles for sale with supplemental related services.

Motor Home: (see Recreational Vehicle)

Multi-family Residence: (see Residence, Multi-family)

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Multiple Use Commercial Building: A single building having more than one principal commercial use.

Multiple Structures/Single Use Commercial Development: Developments having only one principal commercial use but more than one principal building.

Non-conforming: A use, building or other structure, or lot that fails to conform to one or more of the current requirements of these Regulations will be deemed lawfully “non-conforming” if it (1) was lawfully established or created prior to the date these Regulations, or any applicable amendment thereto, became effective; and (2) the non-conforming use or structural element has never been abandoned. If the use, building or other structure fails to comply with these Regulations as currently amended but does not meet the criteria above, it shall be deemed to be an unlawful non-conforming use. Unless the context otherwise requires, the term “non-conforming,” as used in these Regulations, shall be deemed to mean lawfully non-conforming.

Office-Related Terms

Office, Business: Building space used by a commercial enterprise primarily for administrative purposes. Business offices include offices for real estate, insurance, and travel agents and for contractors. The following are examples of offices that are not business offices: retail sales establishments, professional offices (e.g., lawyers, doctors, and accountants), medical testing laboratories and personal service establishments.

Office Facility: A building or group of buildings with offices or office suites.

Office, Medical: The private office or offices of physicians, dentists, or similar professionals, where persons are examined or treated on an outpatient basis only. Minor laboratory tests shall be permitted as an accessory use only, and may be performed only for patients receiving medical attention within the office.

Office, Professional: The office or offices of members of recognized professions, including doctors or physicians, dentists, optometrists, ministers, architects, engineers, lawyers, and other recognized professional occupations.

Open Space: Land areas designated for protection from commercial or residential development, including but not limited to lands reserved for protection of public health and safety, outdoor recreation, natural resource protection, farmlands and forests, preservation of community character, and historic and archaeological preservation.

Open Space Surplus Percentage: The difference between (1) the percentage of open space that would be permanently preserved by a cluster development subdivision plan, and (2) 15 percent. For example, if 50 percent of the parcel would be preserved as open space, the open space surplus percentage would be 35 percent (i.e., 50 – 15 %).

Outdoor Lighting: (see Lighting-Related Terms)

Overlay Zoning District: A designated area or district, delineated by an overlay on the Zoning Map that may incorporate portions of one or more underlying zoning districts, and that generally includes special regulations that differ from those in the underlying district(s).

Owner: When these Regulations require action or a signature by an “owner,” the term shall be deemed to include the duly authorized agent or attorney of such owner, or any other person having lawful authority to act in lieu of the owner with regard to the relevant property rights.

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Park: An area of land and/or water primarily in its natural state, except for man-made recreational facilities or other improvements related to the purposes hereafter stated, and dedicated and used for recreation, scenic, leisure, conservation, historic, or ornamental purposes. A park, as used herein, does not include an “amusement park” or any type of park with mechanical rides, games, arcades, or similar amusements.

Parking-Related Terms

Parking Island: A landscaped area located within the interior of a parking lot, and surrounded on all sides by parking spaces and/or aisles.

Parking Lot: An off-street, ground-level area used exclusively for parking motor vehicles.

Parking Space: An off-street space intended, designed, and reserved exclusively for the parking of one motor vehicle.

Structured Parking Facility: A covered structure or portion of a covered structure, accessory to a principal use, that provides parking areas for motor vehicles. Parking on top of a structure, where there is gross building area below the parking, but nothing above, is considered structured parking.

Passive Solar: A system specifically designed to use natural and architectural components to collect and store solar energy without using any external mechanical power.

Personal Services: Grooming or physical fitness services provided to individuals or groups of individuals. Massage parlors are excluded from this definition, except for state licensed therapeutic massage facilities.

Personal Services, Accessory: Grooming or physical fitness services provided to individuals or groups of individuals as accessory to another principal commercial or recreational use. Massage establishments are excluded from this definition, except for state licensed therapeutic massage facilities. (See § 603.4 of these Regulations)

Planned Business Development: (see §606 of these Regulations).

Portable Storage Container: (see §306 of these Regulations)

Post Office: A building, or portion thereof, that is used primarily for receiving and distributing U.S. mail.

Print Shop: An establishment whose primary purpose is to reproduce printed or graphic material by electronic or mechanical means.

Principal Structure: (See Structure, Principal)

Principal Use: (See Use, Principal)

Private Roadway: A private right-of-way providing vehicular access to one (1) or more tracts of land.

Professional Office: (See Office, Professional)

Public Road: A road accepted and maintained by the Town or by the State of Connecticut for public travel by motor vehicles.

Public Utility: A building or structure, including office space, used or intended to be used by any public utility company for activities primarily related to the generation, transmission, treatment, storage, or delivery of utilities, as defined in these Regulations.

Public Utility Distribution: Facilities for the conveyance of utilities. Also includes pipeline surface and terminal facilities, such as pump stations, surge and storage tanks. Does not include offices or service centers, or distribution centers.

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Recreation, Active: Recreational activities and uses that require either: (a) the use of a playing field or playground; (b) the installation of buildings or other structures; or (c) the substantial modification or grading of a tract of land.

Recreation, Passive: Recreational activities and uses that are not included in the definition of “active recreation.” The installation of a building or structure in connection with a particular recreational activity shall not, in and of itself, cause the activity to be classified as “active” if the building or structure was not necessary to allow the activity to occur. For example, the installation of posts, signs, or water fountains along a hiking trail will not cause hiking to be deemed an active recreational use.

Recreational Campground: A commercial lot containing camping sites for two (2) or more recreational vehicles or for two (2) or more tents.

Recreational Facility, Indoor: A commercial recreational land use conducted entirely within a building, including, but not limited to an arcade, indoor water park, arena, art gallery and studio, art center, assembly hall, athletic clubs, auditorium, bowling alley, club or lounge, community center, conference center, exhibit hall, gymnasium, library, movie theater, museum, performance theater, pool or billiard hall, and accommodations for a variety of individual or organized non-professional athletic activities, including but not limited to basketball, ice hockey/skating, wrestling, soccer, tennis, volleyball, racquetball, or handball. Such facility may also provide health and fitness club facilities, swimming pool, snack bar, restaurant, and retail sales of related sports, health or fitness items, and other support facilities. Franchised sports facilities and events, and racetracks of any kind are expressly excluded/prohibited.

Recreation Facility, Outdoor: Recreational uses conducted wholly outdoors or in partially enclosed or screened facilities, including golf driving ranges (not associated with a golf course), miniature golf, adventure activity centers, athletic fields, skateboard parks, swimming facilities, tennis, handball, and basketball courts, batting cages and similar uses, and characterized by potentially moderate impacts on traffic, the natural environment, and the surrounding neighborhood. Mechanical outdoor amusement park rides, outdoor water parks, firing ranges, franchised sports facilities and events, and racetracks of any kind are expressly excluded/prohibited.

Outdoor Recreational Facilities consisting of woodlands, water courses, and fields used for active recreational activities that do not require significant modification to the existing setting, including but not limited to, paintball, laser tag, and orienteering. (See Also Adventure Park, Outdoor)

Recreational Vehicle: A self-propelled, towed, or mounted unit currently registered and licensed for highway use and providing temporary living quarters for travel, camping, recreation, or vacation purposes. The new (2012) Recreational Park Trailers or Park Model RVs (PMRVs) not to exceed 400sf in set-up mode as defined by Recreational Vehicle Industry Association (RIVA) are included in this definition.

Recreational Vehicle Park: Any lot or parcel of land used or intended to be used for the accommodation of recreational vehicles, established or maintained for occupancy by the general public for a fee as temporary living quarters for recreation or vacation purposes. Park may include buildings and sites set aside for individual or group camping and buildings containing laundry, restrooms, showers, and similar uses intended to serve the needs of the residents of the park.

Recreational Vehicle Park, Luxury: Any Recreational Vehicle Park as defined above except that additional accessory uses may be permitted per §1018 of these Zoning Regulations.

Rehabilitation Facility: A place in which persons are given medical care and services during rehabilitation for conditions including, but not limited to, stroke, spinal cord injury, congenital deformity, muscular injury, amputation, major multiple trauma, bone fracture, brain injury, neurological disorders (e.g., multiple

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Sclerosis, Parkinson's), burns, and arthritis. Facilities for alcohol and/or drug treatment are excluded from this definition.

Repair Shop, (Non-vehicular): A building, or portion thereof, used primarily for the purpose of repairing or rebuilding of appliances, shoes, or other consumer products, but not including motor vehicles.

Research Facility: A building, or portion thereof, or a group of buildings, within which the primary function is research and development as opposed to sales, manufacturing, repair, or similar end products.

Residence, Duplex: A building containing two (2) principal dwelling units connected by at least one (1) common wall or ceiling (i.e., units may be built one on top of one another, or one beside the other). The dwelling units may, but need not, have separate driveways, yards, and ownership.

Residence, Multi-family: A building containing more than two (2) principal dwelling units, with each such unit being connected to at least one other unit by a common wall or ceiling.

Residence, Single-Family: A building containing no more than one principal dwelling unit and no more than one accessory apartment.

Residential District: One of the following zoning districts: R-40, R-60, or R-80.

Restaurant: An establishment devoted primarily to the serving of prepared foods and drinks, which, when properly licensed under State law, may include the serving of alcoholic beverages to seated customers.

Retail Store: A building, or portion thereof, whose primary business is to sell products directly to consumers. A component of the retail business may include the on-site production of certain handcrafted goods including, but not limited to, candles, small-scale wood furniture, cabinets, toys, woven textiles, and other such craft items, where such items are then sold on site.

Retention Basin: A stormwater facility that is designed to accept runoff from a developed site and discharge it at a limited rate. Flows exceeding the limited rate are stored until they can be released at the limited rate (when the runoff rate into the system drops below the limited rate). A specified volume is stored indefinitely (retained) until it is displaced by runoff from another storm.

Roadside Stand: A building or structure from which agricultural products produced on the owner's premises are sold.

Setback Line: The line created by the minimum yard dimensions set forth in these Regulations.

Shared Driveway: (See Driveway, Common or Shared)

Sidewalk: An improved pedestrian walkway or access way.

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Sign-Related Terms

Sign: Any natural or artificial structure, object, device, light or display that is used to advertise, identify, or attract attention to any object, product, institution, organization, business, service, or location by any means, including but not limited to letters, numbers, banners, flags, insignias, devices, designs, symbols, fixtures, colors, illumination or logos; and which is situated so that it can be seen from a street.

Animated Sign: A sign that uses movement or change of lighting to depict action or create a special effect or scene.

Awning Sign: A sign painted on or attached to the cover of a moveable frame of the hinged, roll, or folding type of awning.

Banner Sign: A sign of lightweight fabric or similar material that is mounted to a structure by means of attachments to one or more of its edges. Banners used as a symbol of a nation, state, or other political subdivision shall not be considered banner signs under these Regulations.

Billboard: A free-standing sign larger in area than permitted in §312 of these Regulations, or a wall sign covering more than ten (10) percent of the area to which it is affixed.

Bunting Sign: A sign made of coarse, open fabric or worsted; or of lightweight fabric, or paper, usually mounted in the form of draperies or wide streamers. Bunting used as a symbol of a nation, state, or other political subdivision shall not be considered bunting signs under these Regulations.

Changeable Copy Sign: A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight (8) times per twenty-four (24) hour period shall be considered an animated sign and not a changeable copy sign. A sign on which the only copy that changes is an electronic or mechanical indication of date, time or temperature shall be considered a “time and temperature” portion of a sign and not a changeable copy sign.

Clustered or Compositional Unit Sign: Multiple signs clustered together in a single structure or unit.

Date/Time/Temperature Sign: A sign that, through electronic or mechanical means, imparts the current date, time, and or temperature.

Flag Sign: A sign of lightweight fabric, varying in design, usually attached at one edge to a staff or cord, with distinctive colors, patterns, or symbols. Flags used as a symbol of a nation, state, or other political subdivision shall not be considered flag signs under these Regulations.

Flashing Sign: A sign whose illumination is not kept constant in intensity at all times when in use, and that exhibits changes in light, color, direction, or animation. Illuminated signs that indicate only the date, time, and temperature shall not be considered flashing signs.

Freestanding Sign: A self-supporting sign not attached to any building, wall, or fence, but in a fixed location. This definition does not include portable or trailer-type signs.

Illuminated Sign: Any sign lit by electrical bulbs, fluorescent lights, neon tubes, or other light emitting source (e.g., LED) Neon tubes used as abstract, graphic, decorative, or architectural elements shall be considered to constitute an illuminated sign.

Mailbox Sign: A sign that resembles in design or structure the rural free delivery mailbox, but to which no mail deliveries are made by the U.S. Postal Service.

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Marquee Sign: A sign attached in any manner to, or painted on or incorporated into, or made a part of, a marquee.

Non-conforming Sign: A sign that does not conform to the provisions of §312.

Off-premises Sign: A sign that is not on the premises of the use or service that it denotes, including a billboard.

On-premises Sign: A sign that advertises, calls attention to or identifies the occupant of the premises on which the sign is located, or the business transacted thereon.

Painted Wall Sign: A permanent message or mural painted directly onto a building surface.

Pennant Sign: Any sign made of lightweight plastic, fabric, or other material suspended from a rope, wire, or string, usually in a series, designed to move in the wind. Pennants used as a symbol of a nation, state or other political subdivision shall not be considered pennant signs under these Regulations.

Portable Sign: A sign not permanently attached to the ground or to another permanent structure, or a sign designed to be transported, as, for example, by wheels. Examples include A- or T-frame signs; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on parked vehicles that are visible from a public right-of-way, unless said vehicle is regularly used for transportation in the normal day-to-day operations of the business.

Projecting Sign: A sign affixed to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface to which it is affixed.

Ribbon Sign: A sign made of a long, narrow flexible woven strip of fine material, usually wound around a pole or similar structure, suspended from a structure, or suspended between two (2) or more points within or between structures. Ribbons used as a symbol of a nation, state or other political subdivision shall not be considered ribbon signs under these Regulations.

Roof Sign: A sign that is located above, or projects above, the lowest point of the eaves or the top of the parapet wall of any building, or that is painted on or fastened to a roof or constructed through the arrangement of the structured materials constituting the roof.



Sign Area: The surface area of any sign is the entire area within a single continuous perimeter, enclosing the extreme limits of lettering, representations, emblems, or other figures, together with any material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed. Only one (1) side of a double-faced sign shall be used in computing the total sign area, providing that the two (2) surfaces are joined at an angle of no greater than sixty (60) degrees. The area of a sign composed of characters or words attached directly to a large, uniform building wall surface shall be the smallest rectangle that encloses the whole group of said characters or words.

Sign Setback: The distance from the front, rear, or side lot line to the nearest part of the sign, measured perpendicularly to the applicable lot line.

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Spinner Sign: A sign made of any material that is designed or constructed to rotate, spin, or move either through the force of wind or by electrical or mechanical means. Spinners used as a symbol of a nation, state, or other political subdivision shall not be considered spinner signs under these Regulations.

Streamer Sign: A long, narrow banner sign, flag sign or pennant sign. Streamers used as a symbol of a nation, state, or other political subdivision shall not be considered streamer signs under these Regulations.

Suspended Sign: A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Wall Sign: A sign that is painted on, incorporated into, or affixed parallel to the wall of a building such that its leading edge extends no more than six (6) inches from the surface to which it is attached, and that displays only one sign surface.

Window Sign: A sign that is placed inside or on a window and is visible from the exterior of the window.

Site Plan: A drawing or series of drawings by which proposed or existing uses, dimensions, or conditions of land or any building or structure are graphically illustrated.

Single-Family Residence: (see Residence, Single-Family)

Specially Permitted Use: (see Use, Specially Permitted)

Special Zoning District: A zoning district for which standards and criteria have been established in these Regulations but which, as of the time of adoption of the specific regulations pertaining to such districts, had not yet been established on any land within the Town.

Stacking Lane: The space specifically designated as a waiting area for vehicles whose occupants will be using a drive-through window at a business location. Such space encompasses the area directly alongside the drive-through window and the lanes leading up to and away from it.

Storage Trailer: A vehicle used or designed primarily for hauling or storing materials or goods, and capable of being readily moved by a tractor or other motor vehicle, including shipping containers such as those transported by trucks or rail.

Story: A set of rooms on the same floor or level of a building. A “full story” has a ceiling at least eight (8) feet above the floor over 75 percent or more of the floor area on that level. A “half story” has a ceiling at least eight (8) feet above the floor over less than 75 percent of the floor area on that level.

Chapter 16 – Definitions

Street: Includes (1) any public road; (2) any way designated for vehicular travel on a recorded subdivision map duly approved by the Commission; and (3) any way designated for vehicular travel on a map duly recorded in the Town land records and constructed in accordance with all then-existing Town ordinances and regulations. “Street” shall be deemed to include the entire width of the right-of-way.

Street Line: A boundary of a street right-of-way.

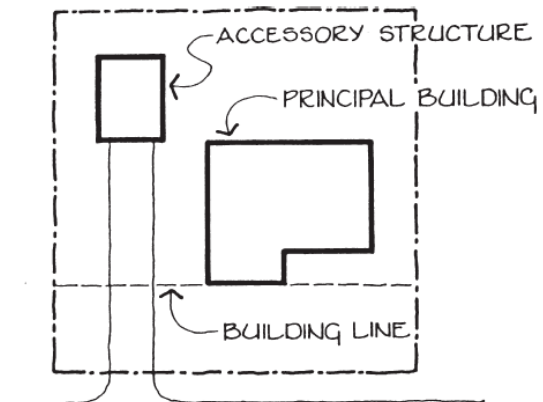
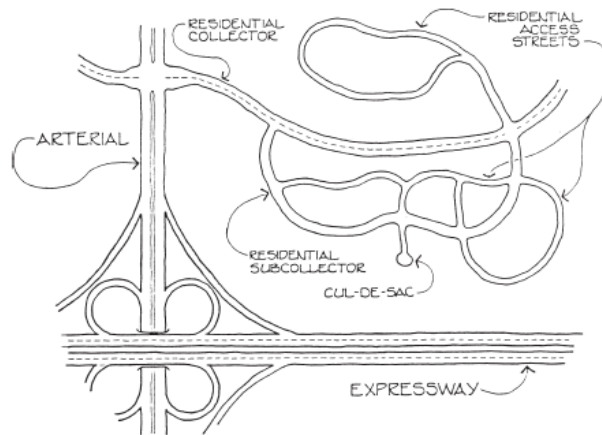
Structure: Includes (1) an object that is constructed or erected and the use of which requires more or less permanent location on ground or water areas or attachment to something having permanent location on ground or water areas, not, however, including a vehicle; (2) an edifice or building of any kind; (3) any production or piece or work, artificially built up or composed of parts and joined together in some definite manner, and requiring an attachment to the ground, including but not limited to wharves, docks, satellite dishes, above-ground tanks, solar panels, tennis and other game courts, and fences and walls. A “structure” is also a “use” of land, as defined under these Regulations.

Structure, Accessory: Any permitted structure other than a principal structure.

Structure, Principal: A structure in which the most significant or substantial aspects of the primary use of the property regularly occur, or are intended to occur. In some instances, a single principal use may be carried on in multiple principal structures on the same lot.

Studio for Production, Television and Film: A structure or structures housing film and television production facilities, and associated outdoor facilities such as temporary outdoor sets, that are used for the creation of film, television, music video, multi-media, and associated production activities. Such a facility shall not be open to the general public.

Substantial Improvement: Any combination of repairs, reconstruction, alteration or improvements to a structure taking place over a one (1) year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure. The “market value of the structure” is defined as the appraised value of the structure using the cost method, either (a) prior to the start of the initial repair or improvements, or (b) in the case of damage, prior to the occurrence of the damage. For the purpose of this definition, “Substantial Improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: (a) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications that are necessary solely to assure safe living conditions; or, (b) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.



Chapter 16 – Definitions

Temporary Outdoor Set: A temporary structure or group of structures that is accessory to a production studio for film and television, and that is used for a specific production and removed at the end of production.

Terrace or Patio: An improved or graded area located on the ground with no structural supports other than the subsurface base material and retaining walls.

Theater: A building or structure dedicated to public entertainment in the form of movies or live performances.

Through Lot (See Lot, Through)

Trailer: Any vehicle that is or can be used for sleeping, living or working quarters, or storage, and that is, has been, or can be mounted on wheels, whether or not currently resting upon a temporary or permanent foundation. The term “trailer” includes, but is not limited to, park trailers, travel trailers, camper-trailers, and mobile homes, but excludes manufactured homes having as their narrowest dimension twenty-two (22) feet or more and built in accordance with federal manufactured home construction and safety standards.

Truck Terminal: A building, or portion thereof, or a group of buildings whose primary use is for the loading, unloading, and parking of trucks.

Use-Related Terms

Use: The purpose for which a structure or land is actually used, occupied or maintained. If no use has yet been established, the term “use” shall mean the purpose for which the structure or land is arranged, designed, or intended to be used, occupied, or maintained. Every structure, in itself, shall also be considered a “use” under these Regulations.

Use, Accessory: A use of land, buildings or structures that is incidental and subordinate to, customarily used in connection with, and located on the same lot as the principal building, structure or use.

Use, Principal: The main or primary purpose for which a structure or lot is used.

Use, Permitted: A use of property that is appropriate generally or without restriction throughout the zoning district as allowed by the Commission and/or ZEO as appropriate, in accordance with all applicable statutory and regulatory procedures and upon determination that all applicable requirements and standards set forth in these Zoning Regulations have been met. Permitted Uses are designated as either ZP or SPL in the table of uses in Chapters 5 and 6 of these Regulations.

Use, Permitted by Right: A Permitted Use, as defined herein, approved administratively by the Commission or ZEO (as appropriate) after the submission and approval of a Site Plan and/or Zoning Permit Application that demonstrates compliance with all applicable requirements and standards set forth in these Zoning Regulations for the permitted use.

Use, Specially Permitted: A use of property that would not be appropriate generally or without restriction throughout the zoning district, but that may be allowed by the Commission upon issuance of a Special Permit in accordance with applicable statutory and regulatory procedures and upon determination that all requirements and standards set forth in these Zoning Regulations would be met and that such specific use would be in harmony with the neighborhood and the Town as a whole. Specially Permitted Uses are designated as SPP in the table of uses in Chapters 5 and 6 of these Regulations.

Used Car Dealer: A person, firm or corporation engaged in the business of merchandising used motor vehicles, and who may, incidental to such business, offer as a service the repair of motor vehicles.

Chapter 16 – Definitions

Utilities: Utilities include water, sewer, natural gas, electricity, and telephone and television lines and cables, but not petroleum.

Variance: A relaxation or modification of the terms of these Regulations by the North Stonington Zoning Board of Appeals pursuant to Connecticut General Statutes §§8-6 and 8-7.

Vehicle: A man-made object or device, whether motorized or unmotorized, that is designed or used primarily to move persons, materials or goods from one place to another.

Veterinary Hospital: A building or group of buildings dedicated to health care services for domestic animals and/or household pets.

View Shed Analysis: An analytical technique for determining and delineating geographic areas from which a proposed structure or use will be visible.

View Shed Map: A map resulting from a view shed analysis and delineating the geographic areas from which a proposed structure or use will be visible. Coding is used to illustrate areas from which the structure will be visible.

Villa: A detached structure located within a Golf Course Development and providing accommodations for guests of the golf course.

Warehousing/Distribution: A use engaged in storage, wholesale, and distribution to off-site locations, of manufactured products, supplies, and equipment, excluding bulk storage of hazardous materials, manure or other waste products, or other substances or materials that are toxic or highly flammable.

Waste Product: Any defective, superfluous, or otherwise unusable material destined for disposal or reclamation that is generated from animal or human activity or process, or is the byproduct of an operation or service. Earthen materials are excluded from this definition providing they are clean, inert, and uncontaminated (e.g., rock or soil that is natural, crushed, or ground and is free of hazardous wastes, scrap metal, wood, trash, and garbage).

Watercourse: Any river, stream, brook, waterway, lake, pond, marsh, swamp, bog, or other body of water, natural or artificial, public or private, vernal or intermittent, that is contained within, flows through, or borders upon the Town or any portion thereof, and is not regulated pursuant to §§22a-28 through 22a-35 of the Connecticut General Statutes.

Water Table: The level in the ground below which all voids and pore spaces are filled with water.

Wetland: Land, including submerged land, that is not regulated pursuant to §§22a-28 through 22a-35 inclusive of the Connecticut General Statutes, and that consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and flood plain by the National Cooperative Soils Survey, as it may be amended from time to time, of the Natural Resources Conservation Service of the U.S. Department of Agriculture (USDA). Such areas may include filled, graded or excavated sites, which possess an aquatic (saturated) soil moisture regime as defined by the National Cooperative Soil Survey.

Wind Energy Facility-Related Terms

Wind Energy Facility: All equipment, machinery and structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to, transmission, storage, collection and supply equipment, substations, transformers, service and access roads, and wind turbines.

Wind Energy Facility, Large-Scale: (see §1019.3)

Chapter 16 – Definitions

Wind Energy Facility, On-Site: A wind project located at a commercial, industrial, agricultural, institutional, or public facility that will consume more than fifty (50) percent of the electricity generated by the project on-site.

Wind Energy Facility, Small-Scale: (see §1019.2)

Wind Monitoring or Meteorological Tower: A temporary tower equipped with devices to measure wind speeds and direction, and used to determine how much wind power a site can be expected to generate.

Wind Turbine: A device that converts kinetic wind energy into rotational energy that drives an electrical generator. A wind turbine typically consists of a tower, nacelle body, and a rotor with two or more blades.

Wine: Includes any alcoholic beverage, other than beer and hard cider, obtained by the process of fermentation.

Yard: An ungraded open space between a structure and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein.

Yard, Required or Minimum: The minimum distance that a yard is required to be maintained from property lines.

Yard, Front: A yard extending between the nearest line of a structure and all points along the front lot line(s).

Yard, Rear: A yard extending between the nearest line of a structure and all points along the rear lot line(s).

Yard, Side: A yard extending between the nearest line of a structure and all points along the side lot line(s).

Yard Sale: The non-regular sale of miscellaneous items commonly associated with residential use. Yard sales shall not be for the sale of products grown, made or produced on the property. The term “yard sale” includes “sidewalk sale,” “garage sale,” “basement sale,” “estate sale,” and similar appellations.

Zoning Compliance, Certification of: A written notice issued by the Commission or its designated agent upon application, certifying that a land use or any extension or alteration thereof, as proposed, built or established, conforms with all applicable requirements of the Zoning Regulations and of any Zoning Permit or Special Permit issued to allow such use, extension, or alteration. A Certification of Zoning Compliance is required both prior to the issuance of a Building Permit and prior to the issuance of a certificate of occupancy.

Zoning Enforcement Officer (ZEO): A person officially designated by the Commission to enforce the provisions of these Regulations.

Zoning Permit: The type of permit required for a generally permitted use. As used in these Regulations, a “Special Permit” is not a “Zoning Permit.”

