

SOUTH CENTRAL CONNECTICUT  
Regional Planning Commission

**RPC  
Representatives**

**Bethany:**  
Mary Shurtleff

**Branford:**  
Charles Andres

**East Haven:**  
Vacant

**Guilford:**  
Peter Goletz

**Hamden:**  
Richard Szczypek

**Madison:**  
Christopher Traugh  
(Chair)

**Meriden:**  
David White

**Milford:**  
Mark Bender

**New Haven:**  
Kevin DiAdamo  
(Vice Chair)

**North Branford:**  
Frances Lescovich

**North Haven:**  
James Giulietti

**Orange:**  
Paul Kaplan

**Wallingford:**  
Vacant

**West Haven:**  
Christopher Suggs

**Woodbridge:**  
Peggy Rubens-Duhl

**AGENDA**

To: Regional Planning Commission  
From: Eugene Livshits, Regional Planner  
Subject: Agenda for Thursday, October 11, 2012 RPC Meeting, 5:15pm @ SCRCOG  
Offices: 127 Washington Avenue, North Haven, CT 06473

**1. Administration**

1.1. Minutes of the September 13, 2012 RPC Meeting **1**

**2. Statutory Referrals – October Action Items**

2.1. Town of Stratford: Proposed Zoning Regulation Amendments to Section 15:  
Regulations Relating to the Locations of Places for the Sale of Ale, Beer, Wine, and  
Liquor. Submitted by: Town of Stratford. Received: September 4, 2012. Public  
Hearing: October 16, 2012 **3**

2.2. Town of Orange: Proposed Zoning Regulation Amendment to Section 383-117 E:  
Architectural Design Standards. Submitted by: Town of Orange. Received:  
September 21, 2012. Public Hearing: November 6, 2012 **8**

2.3. Town of Southington: Proposed Zoning Regulation Amendment to Section 3-01.3  
(Residential Zone R-80 and R-40: Special Exception). Submitted by: Town of  
Southington. Received: September 27, 2012. Public Hearing: November 7, 2012. **14**

**3. Other Business**



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**DRAFT - Not yet approved by the Commission**

**MEETING MINUTES**

To: Regional Planning Commission  
From: Eugene Livshits, Regional Planner  
Subject: Minutes for Thursday, September 13, 2012 Meeting

**Present:** Christopher Traugh, Kevin DiAdamo, Mary Shurtleff, Charles Andres, Peggy Rubens-Duhl, James Giulietti, Mark Bender, Richard Szczypek, Christopher Rappa, Eugene Livshits

**1 Administration**

1.1 Minutes of the August 9, 2012 RPC meeting. Motion to accept the minutes as presented: Mary Shurtleff. Second: Peggy Rubens-Duhl. Vote: Unanimous. Abstain: Richard Szczypek, James Giulietti

**2 Statutory Referrals**

2.1 Town of Southington: Proposed Zoning Regulation Amendments to Sections 2, 4-01.2F, 4-03.2E, 5-01.2J, 5-02.2I and 11-23 pertaining to Medical Marijuana

By resolution, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Mark Bender. Second: Richard Szczypek. Vote: Unanimous.

2.2 Town of Hamden: Proposed Zoning Regulation Amendments to the Town of Hamden Zoning Code

By resolution, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Mary Shurtleff. Second: Kevin DiAdamo. Vote: Unanimous.

2.3 Town of Prospect: Proposed Zoning Regulation Amendment to Section 3.1: Uses by District

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment does not appear to cause any negative impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Charles Andres. Second: Peggy Rubens-Duhl. Vote: Unanimous.

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- 2.4 Town of Clinton: Proposed Zoning Regulation Amendments to Home Occupations (Sections 26.2.4, 26.2.15), Lot Requirements – Standards (Section 25), Signs (Section 28), and Application Requirements, Procedures, and Decision Process (Section 4).

By resolution, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Kevin DiAdamo. Second: Mary Shurtleff. Vote: Unanimous.

- 2.5 Town of North Branford: Proposed Zoning Regulation Amendments pertaining to Farm/Winery and related uses

By resolution, the RPC has determined that the proposed use of a Farm/Winery does not have any inter-municipal impacts or impacts to the habitat or ecosystem of the Long Island Sound. The farm winery café and other non-farming uses need to be more thoroughly defined and additional standards should be incorporated. As the regulations are proposed, consideration has not been given to the bulk standards and noise buffering from potential adjacent residential uses. Standards that may be examined include lot coverage, occupancy, and amount of buildings, which could affect the traffic going into the Farm/Winery. Motion: Peggy Rubens-Duhl. Second: Mark Bender. Vote: Unanimous.

- 2.6 Town of Clinton: Proposed Zoning Regulation Amendments to add Section 1.5: Temporary and Limited Moratorium

By resolution, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Mary Shurtleff. Second: Richard Szczypek. Vote: Unanimous.

### **3 Other Business**

Motion to Adjourn: Richard Szczypek. Second: Mark Bender. Vote: Unanimous.

## **Referral 2.1: Town of Stratford**

**Subject:** Proposed Zoning Regulation Amendments to Section 15: Regulations Relating to the Locations of Places for the Sale of Ale, Beer, Wine, and Liquor.

### **Staff Recommendation:**

The proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

### **Background:**

The Town of Stratford has submitted proposed Zoning Regulation Amendments to *Section 15: Regulations Relating to the Locations of Places for the Sale of Ale, Beer, Wine, and Liquor*. The changes are summarized, by subsection, below. The rationale for the major changes can be found in the cover letter on page four of the agenda packet.

#### *Section 15.1 - Approval of Zoning Commission*

The regulations now state that the Zoning Commission will take into consideration the “number of premises having permits of any class allowing the sale or consumption of alcoholic beverages in the immediate neighborhood” when reviewing a permit application. The 200 foot distance requirement related to residential districts, churches, and schools has been removed.

#### *Section 15.2 – Proximity of Outlets*

This section, which did not allow the approval of a permit if another property with a permit was within 1,500 feet, has been deleted.

Accordingly, all references to Section 15.2 and the 200 foot distance requirement of Section 15.1 have been deleted. Additionally, the text related to the enlargement, extension, or alteration to any class of permit has been revised to enhance clarity and moved to a new section, *15.10 – Enlargement, extension, etc. of classes of permits*.

**Communication:** In researching this proposal, I notified the adjacent municipalities in the South Central Region.

August 30, 2012

South Central Regional  
Council of Governments  
127 Washington Avenue  
4<sup>th</sup> Floor West  
North Haven, CT 06473-1715



Gentlemen:

The following is referred to your Agency:

The Zoning Commission proposes to amend Section 15 of the Zoning Regulations entitled "Regulations Relating to the Location of Places for the Sale of Ale, Beer, Wine and Liquor." Specifically, the main change is the elimination of all distance requirements set forth in Section 15.1 and 15.2 of the Zoning Regulations. The Commission felt that Section 15.1 provided sufficient criteria to determine the suitability of any proposed permit without having a strict 200 ft. distance requirement and they also felt that the 1,500 ft. requirement in Section 15.2 had out-lived its usefulness and now served only as an anti-competitive purpose.

This application will be heard at a public hearing of the Zoning Commission on Tuesday evening, October 16, 2012 at 7:00 P.M. in the Council Chamber, Town Hall.

Regards,



GARY LORENTSON  
Planning & Zoning Administrator  
ZONING COMMISSION

GL/ej

August 7, 2012

## REGULATIONS RELATING TO THE LOCATION OF PLACES FOR THE SALE OF ALE, BEER, WINE AND LIQUOR

### 15.1. Approval of Zoning Commission

No building or lot or any portion thereof shall be used for the sale, ~~[as packaged merchandise, for consumption on the lot or in the building or otherwise]~~ of alcoholic liquor, beer, ale or wine unless such building or lot is located in a district appropriate for the class of permit sought in accordance with section 15.8 of these regulations and shall have been approved by the Zoning Commission. Such approval shall be given only after public hearing and upon the affirmative vote of four or more members of said Commission. In determining whether or not an application shall be approved, the Commission shall take into consideration the proximity of the premises to churches, schools, libraries, public playgrounds or any places frequented by minors, together with the number of premises having permits of any class allowing the sale or consumption of alcoholic beverages in the immediate neighborhood. ~~[No building or lot shall be approved for a package store permit, druggist permit or any class of permit allowing the consumption on the lot or in the building of beer, wine, ale, or alcoholic liquor if located within 200 feet, measured along or across the public highway, of the street frontage of any residential district or church, or any school for the instruction of children under 16 years of age and giving a regular instruction at least five days a week for 150 days a year.]~~ The Zoning Commission may refuse to approve any location for the sale of alcoholic liquor, wine, beer or ale, if it has reasonable cause to believe that the number of approved locations for all classes of permits in an immediate neighborhood is such that the approval of another location in the locality is detrimental to the public interest. In reaching a conclusion in this respect, the Commission may consider the character of, the population of, the number of all approved permit locations in, the neighborhood concerned, and the effect which a new permit location may have on such neighborhood.

### 15.2. ~~Proximity of outlets.~~

~~No building or lot shall be approved for any class of permit if its entrance lies within 1,500 feet of the entrance to any other building or lot where the same class of permit as defined in section 15.8 is in use or has been approved by the Commission. The required minimum distance of 1,500 feet between outlets shall be measured between two points along the center line of the right of way of the public streets that would produce the shortest route between the two points. Said points to be determined by extending a line from the center line of the entrances of the buildings in question perpendicular to and through the front lot line to the center line of the nearest street right of way. Where no building exists, the midpoint of the front lot line shall be extended to the center line of the nearest street right of way, but in no case shall the center line of the entrance of any building be less than 1,500 feet from the center line of the entrance of any existing location.]~~

### ~~15.3 [Exemptions~~

~~(Effective 2/19/97)~~

~~A. The following must comply with the 200 foot distance requirement set forth in Section 15.1 but are exempt from the 1,500 foot distance requirement set forth in Section 15.2.~~

- ~~1) Buildings used for the sale of alcoholic beverages exclusively at wholesale.~~
- ~~2) Shopping centers as per section 15.11.~~
- ~~3) Hotels/motels with 25 or more rooms for sleeping purposes and accommodations for 100 or more diners at tables.~~
- ~~4) Restaurants with Class D & I permits (full liquor permits) and Class H permits (beer and/or wine only permits) when they have complied with the following items:
  - ~~a) Such restaurants must provide meals, with the service of alcoholic beverages being secondary to the service of meals.~~
  - ~~b) As an accessory or incidental use, such restaurants may have one bar/ lounge area which occupies not more than twenty percent of the total patron area of the establishment. The bar/lounge area shall be structurally separated from the restaurant.~~~~

~~Café permits (Class D or I) are not exempt from this 1,500 foot distance requirement.~~

~~B. The following is exempt from the distance requirements set forth in Section 15.1 and 15.2 of the regulations:~~

- ~~1) Grocery stores selling canned or bottle beer or ale.~~
- ~~2) Golf country club permits for golf courses located in an approved residential open space development.~~
- ~~3) Hotel, restaurant and restaurant beer/wine permits located within a Theater District. Each petition however, shall be carefully scrutinized prior to decision to determine the impact upon the district, its relationship to other outlets, and the necessity for this outlet.]~~

### **15.6. Change of location.**

If the holder of any permit issued by the liquor control commission changes the location of the permit, the new location must first be approved as provided in sections 15.1 [and 15.2] of these regulations. If the liquor control commission grants such permit for a new location, the old location shall not again be used for the sale of alcoholic liquor, wine, ale or beer unless it is located in a district where such sale is permitted and complies in all respects with all other provisions of these regulations. Such certification shall be made as provided in section 15.7.



### 15.8. Location in zoning districts.

No building or lot shall hereafter be approved for the sale as packaged merchandise, for consumption on the premises or otherwise, of alcoholic liquor, wine, beer or ale, except such building or lot be located within a zoning district of the town in accordance with the following class of permit:

CLASS:

- K - A restaurant permit for catering establishment may be located in CA Districts or in any district in which a catering establishment is now located [~~and shall be exempt from the distance limitation provisions of Section 15.1.~~]  
(Effective 11/23/81)
- L - A restaurant permit may be granted to an establishment located in a district not conforming to the zone in which it is currently located [~~and shall be exempt from the distance limitation provisions of Section 15.1 and Section 15.2.~~] provided said establishment has seating for at least fifty (50) persons (exclusive of counter area), has been in continuous existence for a period of thirty (30) years prior to the effective date of this section, all music and entertainment shall be confined to the interior of the building and not heard off the premises, and, at the discretion of the Zoning Commission, a service bar with no seating be permitted.  
(Effective 10/23/94)

### 15.10 Enlargement, extension, etc., of classes of permits

~~Any waiver or variance necessary for the enlargement, extension or alteration to any class of permit as defined in section 15.8 shall be subject to the provisions of section 20.2 of these regulations.~~

**Any application for the enlargement, extension, or alteration to any class of permit as defined by Section 15.8 shall be a special case, subject to the provisions of Section 20.2 of these regulations.**

### 15.12 Nonprofit theater permits

Notwithstanding Section 15.1, [~~15.2~~] and 15.8 of these regulations, the retail sale of alcoholic liquor may be permitted on the premises of this nonprofit theater only, provided that the liquor is consumed on its premises by patrons on any day on which a performance is given, and provided further that the proceeds derived from such sales, except for operating costs, shall be used in furtherance of the charitable, literary and educational activities of such theater. The consideration of an application for a nonprofit theater permit shall be governed by the provisions of Section 20.2 of these regulations.  
(Effective - September 4, 1976)

### **NEW LANGUAGE – BOLD AND UNDERLINED.**

**[Deleted Language]**



## **Referral 2.2: Town of Orange**

**Subject:** Proposed Zoning Regulation Amendment to Section 383-117 E: Architectural Design Standards

### **Staff Recommendation:**

The proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

### **Background:**

The Town of Orange has submitted a proposed Zoning Regulation Amendment to Section 383-117 E (Architectural Design Standards). The amendment is a re-write of subsection (5). The introductory paragraph now discusses building design and appearance as it relates to the commercial and industrial districts. This introduction acknowledges that the commercial and industrial districts provide an impression of the Town to many people and businesses. Subsection (5) has been divided into two parts: (a) Overall standards and (b) Industrial Zones.

#### *(a) Overall Standards*

Buildings/structures in commercial and industrial zones “shall be designed to add to the visual amenities of the district.” “Architectural renderings are now required to be submitted as part of the site plan approval process.

#### *(b) Industrial Zones (LI-1 through LI-5 zones)*

The proposed text re-formats and clarifies what is found in the existing regulations. The sentence that stated the Commission may “consider the limited use of cement fiber board, such “hardiplank” clapboard,” for all facades that are parallel to or within 45 degrees of being parallel to a public street has been removed. The proposed regulations no longer permit the use of metal panel siding and pre-engineered steel structures for exterior walls.

**Communication:** In researching this proposal, I notified the adjacent municipalities in the South Central Region.



# Town of Orange, Connecticut

## Zoning Department

TOWN HALL  
617 ORANGE CENTER ROAD  
ORANGE, CONNECTICUT 06477-2499

PHONE: (203) 891-4743  
FAX: (203) 891-2185  
www.orange-ct.gov

September 20, 2012  
CERTIFIED MAIL

Mr. Carl Amento, Executive Director  
Council of Governments  
127 Washington Avenue  
4th Floor - West  
North Haven, CT 06473-1715



**REFERRAL OF PETITION TO AMEND**  
**THE ORANGE ZONING REGULATIONS**

**-Submitted upon the initiative of the Orange Town Plan & Zoning Commission.**  
**To Amend the Architectural Standards in the Orange Zoning Regulations.**

Dear Mr. Amento:

In accordance with the Connecticut General Statutes, enclosed for your review are proposed amendments to the Orange Zoning Regulations. I have also enclosed a copy of our existing regulations. A public hearing on this matter is tentatively scheduled for November 6, 2012.

If you have any questions, please contact me at 203-891-4743.

Very truly yours,

Paul Dinice, Zoning Administrator  
& Enforcement Officer

enclosures (2)  
cc: TPZC Members  
V. Marino, Esq.  
J. Zeoli, First Selectman

Existing

**CODE OF THE TOWN OF ORANGE, CONNECTICUT, v29 Updated 02-01-2012 /  
PART III MISCELLANEOUS REGULATIONS / Chapter 383, ZONING / ARTICLE XIII,  
Site Plans [Amended 6-19-2001; 10-16-2001] / § 383-117. Application.**

- E. Architectural design standards. The Town Plan and Zoning Commission shall consider the following standards and criteria when reviewing the architectural and design considerations of a site plan: [Amended 9-20-2005]
- (1) The site plan, architectural design and construction materials, lighting and landscaping are of such character that they will complement and enhance the appearance of the community;
  - (2) Proposed structures relate harmoniously to the natural environment, community and topographical conditions;
  - (3) Reasonable provision has been made for sound and sight buffers, the preservation of views, light and air, and such other elements of design as may have an adverse impact on adjacent properties and the community at large;
  - (4) Signage, lighting and landscaping are coordinated in an overall design theme;
  - (5) All building materials, texture, and color used on the exterior walls and roof shall be of traditional styles and shapes and shall comply with the requirements set forth below. Particular emphasis is placed on those building elevations, facades and other exterior wall components that are facing and visible from any public street. Unless otherwise determined by the Plan and Zoning Commission, exterior building materials shall conform to the following requirements: [Amended 2-21-2006]
    - (a) In any Industrial Zone, for all such facades and exterior walls that are parallel to or within 45° of being parallel to a public street, a substantial portion of the area of all siding materials on that wall shall consist of quality wood siding, brick and/or stone masonry siding material. The Commission may also consider the limited use of cement fiber board such as "hardiplank" clapboard. For purposes of such determination, the area of siding on any wall shall consist of its total exterior wall area minus the area of all windows, doors and roof eaves, overhang canopies and similar roof treatments. The balance of these and other exterior walls may consist of other permitted materials, including split faced block, other finished masonry units, painted masonry blocks, pre-cast concrete panels, stucco, Drivit or similar stucco masonry treatment as well as metal panel siding and pre-engineered steel structures, but the use of metal panels on the front facades is not permitted. The use of asphalt shingle siding, aluminum or vinyl siding, or grooved plywood siding treatments such as Texture-111 and similar materials is prohibited; however, the use of cellular PVC

trim board such as "Azek" may be used at the discretion of the Commission.  
Notwithstanding the above, the Commission, in its sole discretion, may allow a clearly identified expansion wall, intended to be removed within five years, to be constructed of an approved, alternative material.

Proposed

Amend Section 383-117 E. (5) (a) by replacing it as follows:

- (5) It is the policy of the Town of Orange to ensure that the design and appearance of all buildings in the commercial and industrial districts be reflective of a high quality, appropriate for contemporary and future development patterns. The regulations also recognize the commercial and industrial zoning districts regulate a relatively small area of the Town, but one which is the economic center of the Town, and offers many people and businesses the impression of the Town. Therefore, the Commission finds that special architectural regulations for the construction of commercial and industrial structures are within the interest of the overall health, safety and welfare of the residents of the Town.

Therefore, all construction of building within the commercial and industrial zoning districts of the Town of Orange shall conform to the following architectural design standards as determined by the Town Plan and Zoning Commission.

- (a) Overall Standards
- a. All buildings and structures within the Orange commercial and industrial zones shall be designed to add to the visual amenities of the district.
  - b. Architectural renderings of the proposed buildings shall be submitted to the Commission as part of the site plan approval process.
- (b) Industrial Zones – The following standards shall apply to all property within the Light Industrial 1, Light Industrial 2, Light Industrial 3, Light Industrial 4 and Light Industrial 5 zones.
- a. All facades of buildings that are parallel to or within 45 degrees of being parallel to a public street, a substantial portion of the area of all siding material on the wall, in the opinion of the Commission, shall consist of quality wood siding, brick, stone masonry siding material, or any other material deemed suitable by the Commission. For purposes of such determination, the area of siding on any wall shall consist of its total exterior wall area minus the area of all windows, doors and roof eaves, overhang canopies and similar roof treatments.
  - b. The balance of these and other exterior walls may consist of other materials approved by the Commission, such as split faced block, other finished masonry, painted masonry blocks, pre-cast concrete panels, stucco, drivit, and other materials deemed appropriate by the Commission. The use of asphalt shingle, grooved plywood siding treatments, or similar materials is prohibited; however the use of cellular PVC trim may be used at the discretion of the Commission.

- c. Notwithstanding the above, the Commission, in its sole Discretion, may allow a clearly identified expansion wall, intended to be removed within five years, to be constructed of an approved alternative material.



### **Referral 2.3: Town of Southington**

**Subject:** Proposed Zoning Regulation Amendment to Section 3-01.3 (Residential Zone R-80 and R-40: Special Exception).

#### **Staff Recommendation:**

The proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

#### **Background:**

The Town of Southington has submitted a proposed Zoning Regulation Amendment to *Section 3-01.3: Residential Zone R-80 and R-40: Special Exception*.

The proposed amendment adds subsection H, which allows, as a special exception, for the sale of wine and beer at restaurants in the R-80 and R-40 zones that existed on or before October 1, 2012.

**Communication:** In researching this proposal, I notified the adjacent municipalities in the South Central Region.

# PLANNING AND ZONING DEPARTMENT

MUNICIPAL CENTER – 196 NORTH MAIN STREET  
SOUTHINGTON, CONNECTICUT 06489

Phone: (860)276-6248 / Fax: (860)628-3511



September 27, 2012

RPC Referral  
South Central Regional COG  
127 Washington St., 4th Fl  
North Haven, CT 06473

RE: Proposed Zoning Regulation Amendment – Section 3-01.31H (ZA #568)

Dear Sir or Madam:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of a proposed zoning text revision to allow the sale of wine and beer at existing nonconforming restaurants in residential zones.

The Planning and Zoning Commission anticipates opening the public hearing on this item on November 7, 2012. The complete file is available for review in the Planning Department, the Town Clerk's office and on the web page. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6248.

Respectfully,

  
Mary F. Savage-Dunham, AICP  
Town Planner

enclosures

Please mail to:

Re: RPC Referral  
South Central Regional COG  
127 Washington Avenue, 4<sup>th</sup> Floor West  
North Haven, CT 06473

# RPC Referral Submission Form

South Central CT Regional Planning Commission

**1.) General Information:**

Date Sent: \_\_\_\_\_

Subject: ZA# 568: Section 3-01.31 H

Applicant Name: Town of Southington

Property Address (if applicable): \_\_\_\_\_

Town/City: Southington, CT

Referral is from a private individual

Referral is from the Town/City Planning Department or the P & Z Commission

Public Hearing Date: November 7, 2012

**2.) Statutory Responsibility:**

Application involves a subdivision of land within 500 feet of a town/city border

Application involves a proposed change to a town/city zoning regulation

If neither, applicant requests a voluntary RPC review for informational purposes

Material is for informational purposes only; an RPC resolution is not necessary

Other: \_\_\_\_\_

**3.) Process:**

Material sent "Return Receipt Requested" (as required by law) /pdf

Information on proposed change included

Existing language included (if applicable)

**4.) Preferred contact regarding this RPC referral:**

Name: Mary Savage Dunham

Telephone Number: 860-276-6248

E-mail Address: savagem@southington.org

Comments: \_\_\_\_\_

Questions: (203) 234-7555  
South Central Regional Council of Governments | <http://www.scrkog.org>

**PROPOSED NEW TEXT = BOLD ITALICS**  
**PROPOSED DELETIONS = [ITALICS]**

**3-01.3 Special Exception**

**3-01.31**

The Zoning Board of Appeals may, after public hearing and subject to appropriate safeguards in harmony with the general purpose of these Regulations, grant a special exception for the following uses:

- A. **Circuses, carnivals or similar types of entertainment of a temporary nature, for local, civic, fraternal or philanthropic purposes only.**
- B. **The keeping of a family flock of chickens (limit 12), subject to the following conditions:**
  - 1. **The use shall be confined to an enclosure having a total area of not more than 400 square feet.**
  - 2. **Any structure used for this purpose is to be located not less than 30 feet from any lot line, and 100 feet from any street line.**
  - 3. **No roosters.**
- C. **The sale of alcoholic beverages when part of a bona fide golf course, tennis, country or athletic club operation that is located on nine or more acres, provided that the said use is clearly incidental and subordinate to the principal use, and located within the principal building.**
- D. **Christmas trees or similar seasonal sales of a temporary nature by a civic, fraternal or philanthropic group.**
- E. **Adult day care facilities for six or fewer clients in private homes.**
- F. **Adult or child day care facilities for not less than seven nor more than twelve persons subject to the licensing requirements of the State, and providing said facility is in either an R-80 or R-40 zone.**
- G. **Outdoor flea markets, craft and antique shows and other activities of a similar nature operated for profit are subject to the following conditions:**
  - 1. **Such proposed activities shall only be allowed in the CB and B zones.**
  - 2. **Advisory recommendations shall be solicited from the Town Planner, Engineer and Chief of Police with regard to insuring that the site chosen shall be adequate in size, layout and cleanliness to accommodate the proposed activity and that the site will not be hazardous to associated pedestrian or vehicular traffic.**

**PROPOSED NEW TEXT = BOLD ITALICS**  
**PROPOSED DELETIONS = [ITALICS]**

3. Proposed activities shall take place on weekends and holidays only between April 15 and November 15.
4. The Board shall establish the appropriate time period for each permit issued.
5. The Board shall have the power to revoke any approval granted under this section if it determines the applicant is not in compliance with either the terms of this section or the application is not in the interest of public safety.

H. ***The sale of wine and beer at restaurants existing on or before October 1, 2012.***

I:\Planning and Zoning\regs folder\revisions\ZA #568\section 3-01.3 proposed text.doc