

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

**RPC
Representatives**

Bethany:
Michael Calhoun

Branford:
Charles Andres

East Haven:
Vacant

Guilford:
Vacant

Hamden:
Ryszard Szczepk

Madison:
Christopher Traugh

Meriden:
David White

Milford:
Benjamin Gettinger

New Haven:
Kevin DiAdamo
(Chair)

North Branford:
Vacant

North Haven:
James Giulietti
(Secretary)

Orange:
Paul Kaplan

Wallingford:
Vacant

West Haven:
Christopher Suggs

Woodbridge:
Peggy Rubens-Duhl

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Thursday, October 9, 2014 RPC Meeting at 5:15pm in the SCRCOG Offices:
127 Washington Avenue, North Haven, CT 06473

AGENDA

1. Administration

- 1.1. Minutes of the September 11, 2014 RPC Meeting **1**

2. Action Items

- 2.1. Town of Clinton: Proposed Zoning Regulation Amendments pertaining to Section 10.52 – Commercial Oil, Propane or Gasoline Storage Tanks. Submitted by: Town of Clinton. Received: September 11, 2014. Public Hearing: November 3, 2014. **3**
- 2.2. Town of Clinton: Proposed Zoning Regulation Amendments to Section 24.2.61 – Permitted Uses – The manufacturing, processing or assembling of goods. Submitted by: Private Applicant. Received: September 11, 2014. Public Hearing: November 3, 2014. **7**
- 2.3. Town of Clinton Proposed Zoning Regulation Amendments pertaining to Vendors. Submitted by: Town of Clinton. Received: September 11, 2014. Public Hearing: November 3, 2014. **12**
- 2.4. Town of Clinton: Proposed Zoning Regulation Amendments pertaining to Massage Establishments. Submitted by: Town of Clinton. Received: September 11, 2014. Public Hearing: November 3, 2014. **22**
- 2.5. Town of Prospect: Proposed Amendments pertaining to Medical Marijuana Dispensary and Production Facilities. Submitted by: Town of Prospect. Received: September 26, 2014. Public Hearing: November 5, 2014. **28**

3. Other Business

The agenda and attachments for this meeting are available on our website at www.scrkog.org. Please contact SCRCOG for copy of agenda in a language other than English. Auxiliary aids/services and limited English proficiency translators will be provided with two week's notice.

"Necesidades especiales: Audio de circuito cerrado para personas con deficiencia auditiva y/o intérprete de lenguaje de signos y traductor para personas con dominio limitado del inglés; son proporcionados por aviso a dos semanas de anticipación. Agenda puede solicitarse en un idioma distinto al inglés contactando a SCRCOG."

DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, September 11, 2014 Meeting

Present: Kevin DiAdamo, Christopher Traugh, Christopher Suggs, Michael Calhoun, James Giulietti, Charles Andres, David White, Christopher Suggs, Peggy Rubens-Duhl, Eugene Livshits

1 Administration

1.1 Minutes of the July 10, 2014 RPC meeting.

Motion to accept the minutes as presented: Christopher Traugh. Second: Christopher Suggs. Vote: Unanimous. Abstain: Peggy Rubens-Duhl, David White

2 Statutory Referrals

2.1 Town of Wallingford: Proposed Zoning Regulation Amendments to add Section 4.23 – Rental Housing Opportunity District

There was concern expressed because the proposed district has the potential to be located adjacent to the Town of North Branford. The concern was due to the disparity between the existing districts in North Branford and the densities associated with the proposed district.

By resolution, the RPC has determined that should the Proposed Zoning District be mapped closer to the Town of North Branford there may be negative inter-municipal impacts due to the disparity between density (15 units per gross acre) in the RHOD and the density (approximately 1 unit per acre) of the adjacent Zoning District in North Branford.

Motion: Christopher Traugh. Second: Christopher Suggs. Vote: Unanimous.

2.2 Town of Southington: Proposed Zoning Regulation Amendments pertaining to Recreational Vehicles

By resolution, the RPC has determined that 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.

Motion: Peggy Rubens-Duhl. Second: James Giulietti. Vote: Unanimous.

Motion to Add Two Referrals from the Town of Clinton to the Regional Planning Commission Meeting Agenda: David White. Second: Christopher Suggs. Vote: Unanimous.

2.3 Town of Clinton: Proposed Zoning Regulation Amendments pertaining to Liquor Stores and Medical Marijuana Producers and Dispensaries

By resolution, the RPC has determined that 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.

Motion: Michael Calhoun. Second: Christopher Traugh. Vote: Unanimous.

2.4 Town of Clinton: Proposed Zoning Regulation Amendments to add Section 32 – Design Standards

By resolution, the RPC has determined that 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.

Motion: Peggy Rubens-Duhl. Second: Christopher Suggs. Vote: Unanimous.

3 Other Business

Motion to Adjourn: David White. Second: Christopher Suggs. Vote: Unanimous.

Referral 2.1: Town of Clinton

Subject:

Proposed Zoning Regulation Amendments pertaining to Section 10.52 – Commercial Oil, Propane or Gasoline Storage Tanks

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 Clinton has proposed a Zoning Regulation Amendment to Section 10.52 – Commercial Oil, Propane or Gasoline Storage Tanks. The amendment puts a maximum limit of 30,000 gallons on the amount of commercial oil, propane or gasoline, which can be stored on any one lot. The use is permitted by Special Exception in the B-4, I-1 and I-2 Zoning Districts.

Communication:

In researching this proposal, I notified the adjacent municipality in the South Central Region.

From: "Jullie Pudem" <jpudem@clintonct.org>
To: "Carol Szymanski (Carol.Szymanski@ct.gov)" <Carol.Szymanski@ct.gov>, "Eugene Livshits" <elivshits@scrcog.org>, "jangelini@westbrookct.us" <jangelini@westbrookct.us>, "JH Torrance Downes (tdownes@rivercog.org)" <tdownes@rivercog.org>, "ldudek@townofkillingworth.com" <ldudek@townofkillingworth.com>, "Richard Roberts" <roberts@halloransage.com>, "Town Clerk (keelers@madisonct.org)" <keelers@madisonct.org>, "TownClerk" <TownClerk@clintonct.org>
Subject: Commercial Fuel Storage

Please be advised that the attached amendment to the Zoning Regulations will be heard at a public hearing commencing on Monday, November 3, 2014.

Please forward any comments to:

Planning and Zoning Commission
54 East Main Street
Clinton, CT 06413

Or to zoningwetlands@clintonct.org <<mailto:zoningwetlands@clintonct.org>>.

Sincerely,

Jullie Pudem
Land Use Technician
Planning & Zoning
54 East Main Street
Clinton, CT 06413
(860) 669-6133 Fax: (860) 664-4469



10.52 Commercial Oil, Propane, or Gasoline Storage Tanks

(Section added 1/1/2012)

10.52.1 **Purpose:** The purpose of these Regulations is to permit commercial oil, propane and gasoline storage tanks in a way that ensures that this use is compatible with the surrounding area and protects the public health, safety and welfare of the community.

10.52.2 **Standards and Requirements:** A Special Exception may be granted provided that the following criteria are met in addition to the standards, criteria and conditions stated in Section 9:

~~(a)~~ **The maximum amount of commercial oil, propane or gasoline, cumulatively of all these types of fuels, which can be stored at any one lot is 30,000 gallons.**

~~(a)(b)~~ There shall be a one hundred foot (100') setback from all residential districts and abutting residential properties and structures.

- (1) Said distance shall be measured in a straight line between the residential structure and the structure and/or tank that is being used for the commercial oil, propane or gasoline storage tanks.

~~(b)(c)~~ There shall be adequate access to all portions of the facility for fire suppression equipment and personnel.

~~(c)(d)~~ The outside storage of materials and equipment shall conform to the following:

- (1) Materials and equipment shall be located within a designated area shown on the site plan.
- (2) The outside storage area shall be enclosed by a fourteen foot (14') high fence that is opaque or solid.
- (3) The outside storage area shall have a setback of fifty feet (50') from all property lines.
- (4) There shall be no storage of any liquids or hazardous materials, except as approved under Section 10.51 of these Regulations.
- (5) All fuel storage tanks shall have self-containment capabilities in case of a spill or leak.

~~(d)(e)~~ All maintenance work on equipment shall be performed within a structure or on an impervious surface that is designed to retain any spillage of fluids and

cleaned immediately upon completion of work on that particular piece of equipment.

~~(e)~~(f) The transport of material in and out of the site shall be conducted between 7:00 a.m. and 8:00 p.m., Monday through Friday, except in the case of emergency.

~~(f)~~(g) The subject site shall be kept in an orderly and safe condition at all times to provide for access of emergency equipment to all areas of the site.

~~(g)~~(h) Security lighting shall be in effect upon sunset.

10.52.3 Procedures: The applicant shall follow the procedures set forth in Section 4 of these Regulations, in addition to the following:

- (a) The applicant shall submit the following information as a narrative attached to the application at the time of submission:
 - (1) List of the quantity and type of materials being stored.
 - (2) The type of leak detection, fire, smoke and security monitoring.
 - (3) Spill incident procedures and reporting.
 - (4) Standard operating or management procedures.
 - (5) List of on-site emergency equipment.
 - (6) How materials are stored, handled, transported and disposed.
 - (7) Name and contact information of the on-site responsible party.
- (b) The applicant shall submit literature about the inventory monitoring system.
- (c) The required site plan shall include a layout of the storage area showing all separating distances.
- (d) A lighting plan shall be submitted with the application, showing the security lighting.
- (e) The Fire Marshal shall inspect the plans and facility prior to opening.
- (f) The plans and facility shall comply with NFPA standards.

Referral 2.2: Town of Clinton

Subject:

Proposed Zoning Regulation Amendment to Section 24.2.61 – Permitted Uses – The manufacturing, processing or assembling of goods

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:

A private applicant has proposed Zoning Regulation Amendments to Section 24.2.61 – Permitted Uses – The manufacturing, processing or assembling of goods. The amendment would permit the use by Site Plan approval if the floor area is 15,000 sq.ft. or less or by Special Exception if the Floor Area is more than 15,000 sq.ft. in the B-4 Zoning District. The Zoning District is adjacent to the Town of Madison along Route 1. In Clinton the surrounding districts adjacent to the B-4 Zone and the Town of Madison are I-1 and M. In Madison the adjacent Zoning Districts are R-2 and LI.

Communication:

In researching this proposal, I notified the adjacent municipality in the South Central Region.

From: Jullie Pudem [<mailto:jpudem@clintonct.org>]

Sent: Thursday, September 11, 2014 10:06 AM

To: Carol Szymanski (Carol.Szymanski@ct.gov); Eugene Livshits; jangelini@westbrookct.us; JH Torrance Downes (tdownes@rivercog.org); ldudek@townofkillingworth.com; Richard Roberts; Town Clerk (keelers@madisonct.org); TownClerk

Subject: Section 24.2.61 - Walter Goad Jr

Please be advised that the attached petition to amend the Zoning Regulations will be heard at a public hearing on Monday, November 3, 2014.

Please forward any comments to:

Planning & Zoning Commission
54 East Main Street
Clinton, CT 06413

Or to zoningwetlands@clintonct.org.

If you have any questions, please contact me.

Jullie Pudem

Land Use Technician
Planning & Zoning
54 East Main Street
Clinton, CT 06413
(860) 669-6133 Fax: (860) 664-4469





Petition for Amendment to Regulations Change of Zone Boundary/Zone Classification

Petition #: 14 208

- ☒ Amend Regulations ☐ Change of Zone Boundary Lines ☐ Change in Zone Classification
☒ Zoning ☐ Subdivision
☐ Wetlands

APPLICANT: This information and attachments are to be submitted as ¹⁵ ~~2~~ individual packets collated and stapled.

1. Applicant: Walter Goad Jr. Telephone #: 203 314-8840
399 Sea Hill Rd.
 Address: North Branford, CT 06471 FAX #: 203 488-8872
2. Agent: Patricia Goad Telephone #: _____
 Address: 399 Sea Hill Rd. North Branford, CT FAX #: _____
06471
3. Person to Contact: Walter Goad Telephone #: 203 314-8840
classicweldinginc@yahoo.com

PROPERTY INFORMATION

(Fill this out only for Zone Map Amendments)

4. Is the property located in any of the following:

- ☐ Water Company Watershed ☐ CAM Zone ☐ Flood Zone, note zone designation _____
☐ Within 500' of Madison ☐ Within 500' of Killingworth ☐ Within 500' of Westbrook

The Clinton Planning and Zoning Commission or Inland Wetlands and Conservation is hereby petitioned to call a public hearing, pursuant to the Zoning Regulations or Inland Wetlands Regulations. In accordance with subsection 21.1.3 of the Zoning Regulations, at least 15 days prior to the date of the public hearing and continuously thereafter until the close of the public hearing, the applicant shall post a notice of the hearing on the property to be rezoned in a location at a size clearly visible from the public highway.

I (we) hereby grant permission for the Commission, or its agents, to visit the property to conduct a site inspection, if deemed necessary by the Commission, and I (we) hereby certify that the above information is correct to the best of my knowledge and belief.

Date Stamp
RECEIVED
 AUG 11 2014
 CLINTON
 P&Z

5. Signatures: (Both are required)

Applicant: [Signature] Print Name: Walter L. Goad Jr. Date: 8/8/2014
 Agent: [Signature] Print Name: Patricia Goad Date: 8/8/2014

Applicant: Walter Goad
399 Sea Hill Road
North Branford, CT 06471
August 8, 2014

Town of Clinton
54 East Main St.
Clinton, CT

Clinton Land Use Commissions

Please accept this petition for amendment to regulation of zoning classification.
Attached is the original letter submitted for prior PZC meeting to establish a welding repair business currently operating in North Haven, CT in addition to the Petition Form.

Request to the Clinton Planning and Zoning Commission to change the use permitted in zone for the property located at 333 East Main Street to operate a welding repair business.
The business operates as a repair and custom ornamental railing sales.

The special exception approval from the PZC is requested as it applies to Permitted Use 24.2.61.
The floor area of the location at 333 East Main Street, Clinton is less than 5,000 sq. ft. of floor space.

The Permitted Use 24.2.61 - The manufacturing, processing or assembling of goods
Below is the proposed change:

		Current <u>B-4</u>	Proposed Change to <u>B-4</u>
(a)	Occupying less than or equal to 15,000 floor area	X	SP
(b)	Occupying more than 15,000 sq.ft. of floor area	X	SE

Thank you for your consideration.

Sincerely,


Walter Goad

**Classic Welding, Inc.
109 Quinnipiac Ave.
North Haven, CT 06473**

**Town of Clinton
54 East Main St.
Clinton, CT**

To Whom it May Concern,

Please grant me the opportunity to go before the property use commission at the June 9th meeting in order to pursue opening a welding shop in the town of Clinton. The address of this location is 333 E. Main Street, Clinton. The prior business was an auto and tire repair garage. The shop utilized metal working tools as well as welders for repairs.

My shop would use many of the same tools. A well-travelled road, similar to route 1 is required in order to connect with the clientele which my business caters to.

My current location in North Haven is a similar building on a comparable, busy road. Classic Welding specializes in railings and requires a commercial location that gives visibility to sell railings and gates. I look forward to the opportunity of servicing the local community of Clinton. Please call if you have any questions. Thank you.

Sincerely,

**Walter Goad
Classic Welding
203-772-2242**

Referral 2.3: Town of Clinton

Subject:

Proposed Zoning Regulation Amendments pertaining to Vendors

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 Clinton has proposed Zoning Regulation Amendments to add Section 33 – Vendors. The Use is permitted (zoning permit required) in all residential districts if it falls under the Transient or Events categories. The use is prohibited in all residential districts if it is considered Stationary. The use is permitted (zoning permit required) in all commercial and industrial districts. Definitions have been added for Event Vendor, Stationary Vendor, Transient Vendor and Vendor (can be reviewed in Agenda Packet). There are a different set of criteria and application procedures each type of vendor must meet in order to obtain a permit. The specific requirements for the permit and application process can be reviewed in the Agenda Packet. The purpose of the regulations is for vendors within the Town of Clinton to be located in areas which are conducive to pedestrian traffic and to balance the needs of stakeholders.

Communication:

In researching this proposal, I notified the adjacent municipality in the South Central Region.

From: Jullie Pudem [<mailto:jpudem@clintonct.org>]

Sent: Thursday, September 11, 2014 3:07 PM

To: Carol Szymanski (Carol.Szymanski@ct.gov); Eugene Livshits; jangelini@westbrookct.us; JH Torrance Downes (tdownes@rivercog.org); ldudek@townofkillingworth.com; Richard Roberts; Town Clerk (keelers@madisonct.org); TownClerk

Subject: Vendors

Please be advised that the attached amendments to the Zoning Regulations will be heard at a public hearing on Monday, November 3, 2014.

Please forward any comments that you may have to:

Planning and Zoning Commission
54 East Main Street
Clinton, CT 06413

Or to zoningwetlands@clintonct.org.

Sincerely,

Jullie Pudem

Land Use Technician
Planning & Zoning
54 East Main Street
Clinton, CT 06413
(860) 669-6133 Fax: (860) 664-4469



Permitted Use		R-80	R-60	R-40	R-30	R-20	R-15	R-10
24.1.31	Restaurants and other food service establishments, where customers are served <u>only</u> when seated at tables or counters. Such uses may include a food take-out service incidental to the primary permitted use, but shall not include establishments where customers are served in motor vehicles including drive-up windows or primarily at food take-out counters.	X	X	X	X	X	X	X
24.1.32	Restaurants and other food service establishments where customers are served primarily at food take-out counters.	X	X	X	X	X	X	X
24.1.33	<u>Vendors</u>							
	(a) <u>Transient</u>	P	P	P	P	P	P	P
	(b) <u>Stationary</u>	X	X	X	X	X	X	X
	(c) <u>Events</u>	P	P	P	P	P	P	P
24.1.34	(Reserved for Future Use)							
24.1.35	Indoor theaters and assembly halls	X	X	X	X	X	X	X
24.1.36	Outdoor recreation facilities limited to athletic fields, tennis courts, golf courses, swimming pools, skateboard parks, other than the facilities of the Town of Clinton	SE	SE	SE	SE	SE	SE	SE
24.1.37	Nature preserves and wildlife sanctuaries	P	P	P	P	P	P	P
24.1.38	Bowling alleys and billiard or pool halls	X	X	X	X	X	X	X
24.1.39	Commercial recreation facilities, indoor or outdoor, not otherwise specified	X	X	X	X	X	X	X
24.1.40	(a) Riding academies and boarding stables	SP	SP	SE	SE	X	X	X
	(b) Commercial kennels	SE	SE	SE	SE	X	X	X
24.1.41	Veterinary hospitals	X	X	X	X	X	X	X
24.1.42	The keeping and raising of one (1) horse, pony, sheep, cow, goat, pig, burro, donkey, mule, llama or other similar animal for personal or family	P	P	P	P	P	P	P

P - Zoning Permit from ZEO Required
 SP - Site Plan approval from PZC Required
 n/a - Not applicable

X - Prohibited in District
 SE - Special Exception approval from PZC Required

Permitted Use		VZ	B-1	B-2	B-3	B-4	M	I-1	I-2	IP
establishments where customers are served in motor vehicles, including drive-up windows										
(b) With drive-up window.		X	SE	SE	SE	SE	X	SE	SE	X
24.2.31	Restaurants and other food service establishments, where customers are served <u>only</u> when seated at tables or counters. Such uses may include a food take-out service incidental to the primary permitted use, but shall not include establishments where customers are served in motor vehicles including drive-up windows or primarily at food take-out counters.									
(a)	With indoor seating for no more than sixty (60) people	SE	SP	SP	SP	SP	SP	SP	SP	SP
(b)	With indoor seating for more than sixty (60) people	X	SE	SE	SE	SE	SE	SE	SE	SE
(c)	With outdoor seating for no more than twenty (20) people. An outdoor eating area may be located in conjunction with a restaurant with indoor seating	SE	SE	SE	SE	SE	SE	SE	SE	SE
24.2.32	(a) Restaurants and other food service establishments where customers are served primarily at food take-out counters.	X	X	X	X	SE	X	X	X	X
	(b) Drive-up Window	X	X	X	X	SE	X	X	X	X
24.2.33	<u>Vendors</u>									
(a)	<u>Transient</u>	P	P	P	P	P	P	P	P	P
(b)	<u>Stationary</u>	P	P	P	P	P	P	P	P	P
(c)	<u>Event</u>	P	P	P	P	P	P	P	P	P
24.2.34	(Reserved for Future Use)									
24.2.35	Indoor theaters and assembly halls									
(a)	Occupying less than or equal to 15,000 sq. ft. of floor area	SE	SP	SP	SP	SP	X	X	X	X
(b)	Occupying more than 15,000 sq. ft.	X	SE	SE	SE	SE	X	X	X	X
24.2.36	Recreation facilities limited to athletic fields, tennis courts, golf courses, swimming pools, skateboard parks, other	X	SE	X	X	SE	SE	SE	SE	SE

P - Zoning Permit from ZEO Required
 SP - Site Plan approval from PZC Required
 n/a - Not applicable

X - Prohibited in District
 SE - Special Exception approval from PZC Required

Section 33

Vendors

- 33.1 Purpose: These Regulations are intended to allow for the distribution of vendors in the Town of Clinton in such a way as to focus this type of use in locations which are most conducive to pedestrian traffic and gathering. Recognizing that the Town of Clinton contains both established restaurants and a seasonal influx of individuals who may be looking for more casual or recreational options, this Section attempts to balance the competing needs of all stakeholders.

The Regulations are divided into three categories, Transient Vendors, Stationary Vendors, and Event Vendors to recognize the differing needs of these types of uses. A vendor permit may be granted for either Transient or Stationary Vendors. The two uses are mutually exclusive. The holder of a Transient or Stationary Vendor may also apply for an Event Vendor permit.

The Commission has determined that the interests of health, safety and welfare are best served by requiring vendors to obtain zoning permits. Each type of vendor shall be required to obtain a zoning permit prior to commencing operation. Failure to obtain a permit shall subject the vendor to penalties equivalent to those imposed on other zoning violators.

33.2 Definitions:

33.2.1 Event Vendor: A vendor which participates at an event or festival held within the town of Clinton, and may be trucks or trailers which are easily mobile but are intended to stay in one location for several days at a time.

33.2.2 Stationary vendor: A vendor which operates a truck or trailer which is easily mobile but is intended to stay in one location for extended periods, frequently seasonally.

33.2.3 Transient vendor: A vendor which operates a two-axle truck or other two-axle vehicle which move from location to location each day and are inherently designed to be mobile in their sales technique. A transient vendor may stay at each location for up to three (3) hours daily.

33.2.4 Vendor: Any person or persons who engage in the activity of selling, offering for sale, offering to give away, or giving away of anything of value including food, beverages, goods, wares, merchandise or services.

33.3 Transient Vendors:

33.3.1 Standards: A permit may be issued provided that the following criteria are met:

- (a) Transient vendors must park on private property or on a cul-de-sac outside the regular flow of traffic.

- (1) The vendor must have the consent of each private property owner in which they park on or in front of said property.
- (b) Transient vendors shall be located so that they do not obstruct emergency access, line-of-sight or other essential circulation patterns.
- (c) Transient vendors must demonstrate that they have an unobstructed area of at least ten feet (10') in front of and behind the vehicle and fifteen feet (15') from the side of the vehicle on which the sales occur to allow potential customers to approach the vehicle safely and to queue without obstructing traffic or creating a danger to themselves or others.
- (d) Transient vendors are prohibited from erecting permanent or fixed-location structures, tables, umbrellas or similar devices at any location at which they stop.
- (e) Transient vendors must be self-sufficient in electricity and water supply and may not hook up to supplies at any location at which they stop.
- (f) Transient vendors may erect temporary signs pursuant to Section 28.8 of these Regulations.
- (g) Transient vendors shall not impair the character of the neighborhood, nor impair the reasonable use, enjoyment or value of properties in the neighborhood it visits.
- (h) Transient vendors shall not create any objectionable noise, smoke, odor, toxic fumes, vibration, radio interference, or other unsuitable conditions that would degrade the properties in the neighborhood it visits.
- (i) Transient vendors shall be limited in their hours of operation from 8:00 a.m. to 8:00 p.m. Sunday through Thursday, and 8:00 a.m. to 9:00 p.m. Friday and Saturday.
- (j) Transient vendors are responsible for the clean-up of all litter associated with the items they sell which shall be accumulated at the locations they visit.
- (k) A Transient Vendor Permit shall be limited in duration for a period of six (6) continuous months, which period may be extended for three additional one-month periods at the sole discretion of the ZEO. Transient Vendor Permits are limited to no more than nine (9) months in any twelve (12) month period.

33.3.2 Procedures: An applicant for a Transient Vendor Permit shall submit an application for said permit along with the following information:

- (a) The make, model and license plate number of the vehicle or vehicles to be used for vending;
- (b) A statement of use, indicating what will be sold;
- (c) All appropriate State licenses and permits required for the sale of the types of items being sold;
- (d) Specific locations where the Transient vendor will be stopping, by street address, together with the signed consent of the owner of that location.
 - (1) Should these locations change subsequent to the permit being obtained, a modification of the permit is required.
- (e) A copy of the unsigned Clinton Police Department Application – For Solicitor’s/Vendor’s Permit form, along with copies of the drivers licenses of all operators of the vehicle or vehicles to be operated.

33.4 Stationary Vendors:

33.4.1 Standards: A permit may be issued provided that the following criteria are met:

- (a) Stationary vendors must be located on private property.
 - (1) The vendor must have the consent of the property owner on which they are located.
- (b) Stationary vendors shall be located so that they do not obstruct emergency access, line-of-sight or other essential circulation patterns.
- (c) Stationary vendors shall be located so that they are not encroaching into the lot line setbacks for the zone in which they are located.
- (d) Stationary vendors must demonstrate that they have an unobstructed area of at least ten feet (10’) in front of and behind the vehicle and fifteen feet (15’) from the side of the vehicle on which the sale occur to allow potential customers to approach the vehicle safely and to queue without obstructing traffic or creating a danger to themselves or others.
- (e) Stationary vendors may erect semi-permanent or fixed-location structures, tables, umbrellas or similar devices at their location provided that these items are location entirely on private property and do not obstruct pedestrian pathways, such as sidewalks.

- (f) Stationary vendors may hook up to electricity and water supply at their location, provided they have the written consent of the owner of said facilities.
- (g) Stationary vendors may erect temporary signs pursuant to Section 28.8 of these Regulations.
- (h) Stationary vendors shall not impair the character of the neighborhood, nor impair the reasonable use, enjoyment or value of other properties at their location.
- (i) Stationary vendors shall not create any objectionable noise, smoke, odor, toxic fumes, vibration, radio interference or other unsuitable conditions that would degrade the properties at their location.
- (j) Stationary vendors shall be limited in their hours of operation from 8:00 a.m. to 8:00 p.m. Sunday through Thursday, 8:00 a.m. to 9:00 p.m. Friday and Saturday.
- (k) Stationary vendors are responsible for the cleanup of all litter associated with the items they sell which shall accumulate at their location.
 - (1) Vendors shall provide trash receptacles in sufficient quantities to allow customers to dispose of their trash in a sanitary manner and shall be responsible for emptying them when they are full and at the end of each day.
 - (2) No food waste may be left exposed overnight.
- (l) A Stationary Vendor Permit shall be limited in duration for a period of four (4) continuous months, which may be extended for two additional two-month periods at the sole discretion of the ZEO. Stationary Vendor Permits are limited to no more than eight (8) months in any twelve (12) month period.

33.4.2 Procedures: An applicant for a Stationary Vendor Permit shall submit an application for said permit along with the following information:

- (a) The make, model, and license plate number of the vehicle or vehicles to be used for vending;
- (b) A statement of use, indicating what will be sold;
- (c) All appropriate State licenses and permits required for the sale of the types of items being sold;

- (d) The specific location where the Stationary vendor will be located, by street address, together with the signed consent of the owner of that location;
- (e) A copy of the unsigned Clinton Police Department Application – For Solicitor’s/Vendor’s Permit form, along with the names of all proprietors or managers of the Stationary vendor.

33.5 **Event Vendors:** Throughout the year, within the town of Clinton there are festivals or events which typically last one to three days and feature food and other attractions. While the Town would like to encourage these types of events, the goal of the Event Vendor Permit is to regularize how vendors of these types of events are licensed. Event vendors typically arrive twelve (12) to twenty-four (24) hours prior to an event to set up their site, remain in place throughout the event and then remove their personal property within twelve (12) hours of the end of the event.

33.5.1 **Standards:** A permit may be issued provided that the following criteria are met:

- (a) Event vendors must be located on the grounds of the event itself, with the consent of the event organizer.
- (b) The Event vendor shall be located so that it does not obstruct emergency access, line-of-sight or other essential circulation patterns.
- (c) Event vendors must demonstrate that they have an unobstructed area to allow pedestrians to pass unimpeded between the truck/trailer and the nearest fixture or other vendor location. There shall be adequate queuing for each location.
- (d) Event vendors may erect fixed-location structures, tables, umbrellas or similar devices at their location subject to the rules and requirements of the event organizer.
- (e) Event vendors may hook up to electricity and water supply at their location provided they have the written consent of the owner of said facilities.
- (f) Event vendors may erect temporary signs pursuant to Section 28.8 of these Regulations.
- (g) Event vendors shall not create any objectionable noise, smoke, odor, toxic fumes, vibration, radio interference or other unsuitable conditions.
- (h) Event vendors shall be limited in their hours of operation to the hours the event is officially opened for business. This means that even if an Event vendor is physically on-site prior to or following an event, it may not be open for business during those periods.

- (i) Event vendors are responsible for the cleanup of all litter associated with the items they sell which shall accumulate at their location.
- (j) Event Vendor Permits shall be limited in duration for a period of three (3) days, which may be extended by the ZEO for an additional day upon demonstration of need.

33.5.2 Procedures: An applicant for an Event Vendor Permit shall submit an application for said permit along with the following information:

- (a) The make, model and license plate number of the vehicle or vehicles or trailers to be used for vending;
- (b) A statement of use, indicating what will be sold;
- (c) All appropriate State licenses and permits required for the sale of the types of items being sold;
- (d) The specific event where the Event vendor will be attending, together with the signed consent of the owner of that location;
- (e) A copy of the unsigned Clinton Police Department Application – For Solicitor’s/Vendor’s Permit form, along with names of all operators or vendors working at the Event vendor.

Referral 2.4: Town of Clinton

Subject:

Proposed Zoning Regulation Amendments pertaining to Massage Establishments

Staff Recommendation:

Background:

The Town of Clinton has proposed Zoning Regulation Amendments pertaining to Massage Establishments. The use would be permitted (zoning permit required) in all residential districts and in most commercial and industrial district by Special Exception (prohibited in B-3 and IP). The applicable definitions for the proposed use are defined by the Connecticut River Area Health District, Section A - Definitions, "Body Care Code". In a previous iteration of the Zoning Regulation there was Section pertaining to a distance requirement of 1,000 feet in order for a Special Exception to be granted. The Section has standards and requirements under which a Special Exception can be granted including the provisions of the Connecticut River Area Health District and the Town of Clinton Code (Chapter 369).

Communication:

In researching this proposal, I notified the adjacent municipality in the South Central Region.

From: Julie Pudem [<mailto:jpudem@clintonct.org>]

Sent: Thursday, September 11, 2014 2:16 PM

To: Carol Szymanski (Carol.Szymanski@ct.gov); Eugene Livshits; jangelini@westbrookct.us; JH Torrance Downes (tdownes@rivercog.org); ldudek@townofkillingworth.com; Richard Roberts; Town Clerk (keelers@madisonct.org); TownClerk

Subject: Massage Establishments

Please be advised that the attached amendments to the Zoning Regulations will be heard at a public hearing on Monday, November 3, 2014.

Please forward any comments that you may have to:

Planning & Zoning Commission
54 East Main Street
Clinton, CT 06413

Or to zoningwetlands@clintonct.org

Thank you,

Julie Pudem

Land Use Technician
Planning & Zoning
54 East Main Street
Clinton, CT 06413
(860) 669-6133 Fax: (860) 664-4469



10.22 Massage Establishments

10.22.1 Purpose: The purpose of this Section is to regulate uses which, because of the nature, are recognized as having potentially serious objectionable operational characteristics. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These Regulations protect health, general welfare and property values in the town of Clinton.

10.22.2 Definitions: The terms "massage", "massage establishment", "massage therapist" and "massage therapy" shall be defined in Section A. Definitions of the Connecticut River Area Health District "Body Care Code", as may be amended from time to time.

~~10.22.3 Qualifications: A Special Exception for a Massage Establishment may be granted provided that:~~

~~(a) No such establishment shall be located within one thousand feet (1,000 ft.) of the property line of any public, private or parochial school, day care center, library, park, playground or other recreational facility in any zone. Nor shall any such facility be located within one thousand feet (1,000 ft.) of the property line of any church, convent, monastery, synagogue or other similar place of worship or within one thousand feet of a cemetery.~~

~~(1) For the purposes of this Section, distances shall be measured in a straight line, without regard to intervening structures or objects from the nearest portion of the building containing or proposing to contain a massage establishment to the nearest boundary of the uses specified above.~~

10.22.3 Standards and Requirements: A Special Exception may be granted provided that the following criteria are met in addition to the standards, criteria and conditions stated in Section 9:

- (a) The provisions of the Connecticut River Area Health District "Bodye Care Code", as may be amended from time to time, must be adhered to.
- (b) The provisions of the Town of Clinton Code, Chapter 369: Massage Establishments and Practitioners, as may be amended from time to time, must be adhered to.

- (c) The actual act of massage therapy and/or massage shall not be visible from any window or door.
- (d) Parking and loading requirements shall comply with Section 29: Parking, of these Regulations.

10.22.4 **Procedures**: The applicant shall follow the procedures set forth in Section 4 of these Regulations in addition to the following:

- (a) The applicant shall submit a map showing all the properties and uses located within one thousand feet (1,000 ft.) of the property proposed to contain a massage establishment.
- (b) Every two years, starting with the year of approval, the owner of the establishment shall file with the ZEO an Affidavit stating that the requirements of the Connecticut River Area Health District "Body Care Code" and the Town of Clinton Code, Chapter 369: Massage Establishments and Practitioners, have been met.
- (c) Failure to provide the affidavit within sixty (60) days from every two (2) year anniversary year shall constitute a violation, which shall be grounds for institution of enforcement actions that may result in the revocation of the approval such that it may be null and void.

<u>Permitted Use</u>		<u>R-80</u>	<u>R-60</u>	<u>R-40</u>	<u>R-30</u>	<u>R-20</u>	<u>R-15</u>	<u>R-10</u>
(c) No more than fifteen (15) adults		SE	SE	SE	SE	SE	X	X
24.1.16	Bed and Breakfast establishments	SE	SE	SE	SE	SE	SE	SE
24.1.17	Motels	X	X	X	X	X	X	X
24.1.18	(Reserved for Future Use)							
24.1.19	(Reserved for Future Use)							
24.1.20	Business and professional offices	X	X	X	X	X	X	X
24.1.21	Financial institutions, including drive-up windows	X	X	X	X	X	X	X
24.1.22	Retail establishments and personal service facilities, except Shopping Centers, Neighborhood Shopping Centers	X	X	X	X	X	X	X
24.1.23	(a) Shopping Center	X	X	X	X	X	X	X
	(b) Neighborhood Shopping Center	X	X	X	X	X	X	X
24.1.24	<u>Liquor Stores</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
24.1.25	<u>Medical Marijuana Produces and Dispensaries</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
24.1.26	<u>Massage Establishments</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
24.1.27	Tattoo parlors and/or body piercing salons (except ear piercing)	X	X	X	X	X	X	X
24.1.28	Adult Entertainment Business	X	X	X	X	X	X	X
24.1.29	(Reserved for Future Use)							
24.1.30	Coffee houses, ice cream parlors, other food service establishments occupying not more than one thousand square feet (1,200 sq. ft.) where customers are served at counters, with no more than ten (10) indoor seats, and no more than ten (10) outdoor seats. Such uses include food service take-out service, but shall not include establishments where customers are served in motor vehicles, including drive-up windows	X	X	X	X	X	X	X

P - Zoning Permit from ZEO Required
 SP - Site Plan approval from PZC Required
 n/a - Not applicable

X - Prohibited in District
 SE - Special Exception approval from PZC Required

Permitted Use		VZ	B-1	B-2	B-3	B-4	M	I-1	I-2	IP
24.2.19	(Reserved for Future Use)									
24.2.20	Business and professional offices									
	(a) With a ground floor area of less than or equal to 5,000 sq. ft.	SP	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	(b) With a ground floor area of more than 5,000 sq. ft.	SE	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	(c) Occupying less than or equal to 15,000 sq. ft.	n/a	SP	SP	SP	SP	SP	SP	SP	SP
	(d) Occupying more than 15,000 sq. ft.	n/a	SE	SE	SE	SE	SE	SE	SE	SE
24.2.21	(a) Financial institutions	SE	SE	SE	SE	SE	X	X	SE	X
	(b) With drive-up window	X	SE	SE	SE	SE	X	X	SE	X
24.2.22	Retail establishments and personal service facilities, except Shopping Centers, Neighborhood Shopping Centers									
	(a) With a ground floor area of less than or equal to 5,000 sq. ft.	SP	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	(b) With a ground floor area of more than 5,000 sq. ft.	SE	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	(c) Occupying less than 15,000 sq. ft.	n/a	SP	SP	SP	SP	SP	SP	SP	SP
	(d) Occupying more than 15,000 sq. ft.	n/a	SE	SE	SE	SE	SE	X	SE	X
	(e) Drive-up window	X	SE	SE	SE	SE	X	X	SE	X
24.2.23	(a) Shopping Center	X	SE	X	X	SE	X	SE	SE	SE
	(b) Neighborhood Shopping Center	X	SE	SE	SE	SE	X	SE	SE	X
24.2.24	<u>Liquor Stores</u>	<u>X</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>X</u>	<u>X</u>	<u>SE</u>	<u>X</u>
24.2.25	<u>Medical Marijuana Producers and Dispensaries</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
24.2.26	<u>Massage Establishments</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>X</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>X</u>
24.2.27	Tattoo parlors and/or body piercing salons (except ear piercing)	X	X	X	X	SE	X	X	X	X
24.2.28	Adult Entertainment Business	X	X	X	X	SE	X	X	X	X
24.2.29	(Reserved for Future Use)									
24.2.30	(a) Coffee houses, ice cream parlors, other food service establishments occupying not more than one thousand eight hundred square feet (1,800 sq. ft.) where customers are served at counters, with no more than ten (10) indoor seats, and no more than ten (10) outdoor seats. Such uses include food service take-out service, but shall not include	SE	SP	SP	SP	SP	SP	SP	SP	X

P - Zoning Permit from ZEO Required
 SP - Site Plan approval from PZC Required
 n/a - Not applicable

X - Prohibited in District
 SE - Special Exception approval from PZC Required

Referral 2.5: Town of Prospect

Subject:

Proposed Amendments pertaining to Medical Marijuana Dispensary and Production Facilities

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 proposed Zoning Regulation Amendments add definitions for the following terms:

“Licensed Medical Marijuana Dispensary Facility” and “Medical Marijuana Production Facility”.

The dispensary facilities are permitted in the Business District subject to Special Permit Approval and the production facilities are permitted in the Industrial 1 and Industrial 2 Zones subject to Special Permit Approval.

Communication:

In researching this proposal, I notified the adjacent municipality in the South Central Region.

September 26, 2014

South Central Regional Council of Governments
127 Washington Avenue – 4th Floor
North Haven, CT 06473-1715



Eugene Livshits
Regional Planner

In accordance with Section 8-7d(f) of the Connecticut General Statutes please be advised that the Prospect Planning & Zoning Commission has scheduled a public hearing for Wednesday, November 5, 2014 at 7:15 p.m. at the Prospect Town Hall, 36 Center Street on proposed amendments to Prospect's Zoning Regulations. The proposed amendments are available for your review and files as an attachment to this e-mail. Your comments are welcome to be made at the hearing or submitted in writing for receipt into the record.

William Donovan
Land Use Inspector
Town of Prospect
36 Center Street
Prospect, CT 06712
203-758-4461

Subject: *Prospect Proposed Zoning Regulations for Licensed Medical Marijuana Dispensary and Production Facilities*

Section 4.18 Medical Marijuana Dispensary and Production Facilities

** (Replacing current Section 4.18 *Performance Standards*...that will become
Section 4.19 Performance Standards)

4.18.1 Definitions. For use in this section of the Regulations.

A. “Licensed medical marijuana dispensary facility” means a place of business where a person licensed as a dispensary pursuant to CGS Section 21a-408h may acquire, possess, distribute and dispense medical marijuana or paraphernalia relating to marijuana to qualifying patients and primary care givers.

B. “Medical marijuana production facility” means a secure, indoor facility where the production of medical marijuana occurs for palliative use, including selling, delivering, transporting and distributing such marijuana to medical marijuana dispensary facilities as defined in this section and is operated by a person licensed as a producer pursuant to CGS Section 21a-408i.

4.18.2 Applicability:

A. Medical marijuana *dispensary facilities* shall be permitted in a Business District (B) zoning district subject to Special Permit approval in accordance with Article 12 of these Regulations. The dispensing of medical marijuana may only take place on the premises which have been properly permitted to do so and shall further comply with all applicable State of Connecticut laws and regulations.

B. Medical marijuana *production facilities* may be permitted by Special Permit in the Industrial 1 (IND-1) and Industrial 2 (IND-2) zoning district in accordance with Article 12 of these Regulations. Cultivation of medical marijuana plants shall further be conducted in full compliance with all applicable State of Connecticut laws and regulations.