

AGENDA
Regular Hybrid Meeting
Town of Granby
Planning & Zoning Commission
Tuesday, January 28, 2025, at 7:00 pm
Town Hall Meeting Room

Live Stream under “Shows and Spotlight”: www.gctv16.org

Zoom: <https://us02web.zoom.us/j/82793740884?pwd=W7MXrmIomIS0nOy7OTagFaby01F4qa.1>

Call-In: 1-929-205-6099

Meeting ID: 827 9374 0884

Passcode: 670208

1. Call to Order
2. Pledge of Allegiance
3. Seating of Alternates, if applicable
4. Public session, items not on the agenda or subject to a public hearing
5. Action on the minutes of December 10, 2024
6. Conservation Commission Presentation and Discussion, Proposed Invasive and Native Plant Regulations
7. Agricultural Commission Presentation and Discussion, Proposed Right to Farm Ordinance, referral from Board of Selectmen
8. Commission Discussion: proposed revisions and corrections to the Zoning Regulations
9. Receive applications and schedule public hearings
 - a. Application seeking a Special Permit under Zoning Regulations Sections 8.6.13 and 8.6.14 for an illuminated freestanding sign and other signs for property located at 21 Hartford Avenue, COCE Zone.
 - b. Any applications that have been received after publication of the agenda
10. Staff Report and Correspondence
11. Commissioner Reports and Correspondence
12. Adjourn

Please note: The Town of Granby invites any resident who wishes to provide materials to this Commission to provide them to the Office of Community Development by noon on the prior Thursday of the scheduled meeting. In the event you are unable to meet that deadline but still wish to provide the Commission with materials, the Town of Granby respectfully asks that you provide sufficient copies of your materials to the Office prior to the meeting so the materials may be distributed to the Commission. Thank you in advance for your cooperation.

MEETING MINUTES
Town of Granby
Planning & Zoning Commission
Tuesday, December 10, 2024, at 7:00 pm

Present: Eric Lukingbeal, Christine Chinni, Eric Myers, Paula Johnson, Robert Lavitt, Steve Muller, and Brennan Sheahan

Also Present: Director of Community Development Abigail Kenyon and Land Use Coordinator Renee Deltenre

1. Call to Order

Acting Chair E. Myers called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

3. Seating of Alternates, if applicable

P. Johnson was seated for M. Lockwood.

4. Public session, items not on the agenda or subject to a public hearing

Reinhard Maier of 138 Day Street addressed the Commission regarding agenda item#11. E. Myers noted that this is an informal discussion and if the revisions/corrections are supported by the Commission, then a public hearing will be held at a later date.

5. Action on the minutes of November 12, 2024

ON A MOTION by E. Lukingbeal seconded by R. Lavitt, the Commission voted (5-0-2) to approve the November 12, 2024, minutes as presented. C. Chinni and P. Johnson abstained.

6. Public Hearings

a. Application seeking a Special Permit under Zoning Regulations Sections 8.5.2 and 8.5.3 for a detached accessory apartment in excess of 1,200 square feet for property located at 70 Lakeside Drive, R30 Zone. File Z-23-24.

Applicant and property owner John Laudati was present to discuss the application. He is seeking permission to establish a detached accessory apartment over 1,200 square feet within a pre-existing outbuilding on the property. The existing structure was formerly a dining hall that was utilized when the property was used as a camp for tobacco workers. The building is set back about 725 feet from Salmon Brook Street, 85 feet from the side property line to the south, 95 feet from the property line to the east (Manitook Lake) and 180 feet from the northern property line. The apartment would consist of roughly 1,458 square feet, a kitchen, two bathrooms and two bedrooms. The remaining space would be left as storage and there are no proposed exterior modifications to the building at this time. If approved, the applicant would need to consult with Farmington Valley Health District regarding the conversion to ensure the existing septic system is sufficient. A. Kenyon ran through the applicable zoning regulations and there was no public comment. The public hearing closed at 7:14 p.m.

- b. **Application seeking a Special Permit under Zoning Regulations Section 8.1.3.4 for a garage in excess of 1,000 square feet for property located at 10R Eric Drive, R30 Zone. File Z-24-24.**

Applicant and property owner Robert Broderick was present to discuss the application. He is looking to construct a 40'x45'x22' detached metal garage to the rear of his home, which will be accessed by a new gravel driveway off the existing driveway. The building company Morton Buildings requires a 10-foot construction buffer around the footprint of the structure during construction and multiple trees will need to be removed. The garage will be beige and ivory in color, powered by underground electrical from the house and there will be a 20-foot concrete apron in front of the garage bays. The structure will not have floor drains and will be used for personal storage/maintenance of equipment.

There will be two exterior, downward facing LED lights: one over the side entrance door and the other over the three entrance bays. The applicant received approval from the Inland Wetlands and Watercourses Commission Agent on 11/27/24. P. Johnson expressed concerns regarding the overall appearance of the structure and location suitability, noting that Morton Buildings tend to have an industrial look and feel. The Commission discussed prior approvals, and the language outlined within the zoning regulations. The applicant provided a rendering of the proposed structure for consideration, which was received favorably by the Commission. B. Sheahan suggested that additional plantings be utilized to screen the building.

Public Comment

Laura Soule of 12R Eric Drive expressed concerns regarding visibility of the structure from her property and supported the Commission's recommendation for additional landscape screening.

The public hearing closed at 7:30 p.m.

7. **Receive applications and schedule public hearings**

None

8. **Consideration of applications, where the Commission has concluded the public hearing**

- a. **Application seeking a Special Permit under Zoning Regulations Sections 8.5.2 and 8.5.3 for a detached accessory apartment in excess of 1,200 square feet for property located at 70 Lakeside Drive, R30 Zone. File Z-23-24.**

ON A MOTION by P. Johnson seconded by C. Chinni, the Commission voted (7-0-0) to approve an application seeking a Special Permit under Zoning Regulations Section 8.5.2 and 8.5.3 for a detached accessory apartment in excess of 1,200 square feet for property located at 70 Lakeside Drive, R30 Zone, File Z-23-24, as proposed.

- b. **Application seeking a Special Permit under Zoning Regulations Section 8.1.3.4 for a garage in excess of 1,000 square feet for property located at 10R Eric Drive, R30 Zone. File Z-24-24.**

ON A MOTION by C. Chinni seconded by R. Lavitt, the Commission voted (7-0-0) to approve an application seeking a Special Permit under Zoning Regulations Section 8.1.3.4 for a garage in excess of 1,000 square feet for property located at 10R Eric Drive, R30 Zone, File Z-24-24, with the condition that landscaped screening be installed per the satisfaction of Town Staff.

9. Consideration of a Request for a 90-Day Filing Extension for File P-1-24; Cider Mill Heights; 10 lot FRD re-subdivision

ON A MOTION by C. Chinni seconded by E. Lukingbeal, the Commission voted (7-0-0) to approve the last and final, 90-Day Filing Extension for File P-1-24; Cider Mill Heights; 10 lot FRD re-subdivision.

10. Connecticut General Statutes Section 8-24 Referral – Relinquish interest in Phelps Road Cemetery Property, Suffield

The Town of Suffield owns a cemetery on Phelps Road, which was deeded to Suffield in 1788. The deed states, “To Inhabitants of Suffield & Granby from Elijah Phelps” and later in the deed, it states that the “burying place” is for the inhabitants of the north part of Granby in addition to the inhabitants of the west part of Suffield. The Mountain Burying Ground Association owns a parcel adjacent to this cemetery and contacted the Town of Suffield to see if they’d be willing to deed the property to them. Upon review, the Suffield Town Attorney advised that action would be needed from the Town of Granby to relinquish our interest in the property due to the language in the deed. The Granby Town Attorney has been consulted and advised that this request should be referred to the Planning and Zoning Commission under CGS§8-24, which requires a report from the Commission prior to the abandonment of any municipally owned property. The Commission discussed the request and determined that there are no conflicts with the Plan of Conservation and Development (POCD).

ON A MOTION by C. Chinni seconded by P. Johnson, the Commission voted (7-0-0) to issue a positive report to the Board of Selectmen under CGS§8-24 to relinquish interest in the Phelps Road Cemetery Property, located in Suffield, CT.

11. Commission Discussion: proposed revisions and corrections to the Zoning Regulations

A. Kenyon provided an overview of additional revisions and corrections to the Zoning Regulations, which were included as part of the meeting packet for review. It was noted that additional consideration should be given to when the Commission may accept a simplified site plan. Draft language was proposed and received favorably by the Commission. A. Kenyon will update the proposed revisions and corrections based on Commissioner’s comments into one complete document and will present the updates at the next regular meeting for further discussion.

12. Staff Report and Correspondence

A. Kenyon noted that the Conservation Commission has put together draft language regarding the management of invasive species and landscape requirements for new developments. They would like to present their proposal for consideration by the Commission at the second regular meeting in January. The Agricultural Commission recently presented a draft Right-to-Farm Ordinance to the Board of Selectmen, who referred the proposal to the Planning and Zoning Commission for feedback. There will be a joint meeting between the Board of Selectmen and Commission on Aging on January 13th at 6 p.m. to consider the proposals received in response to the Kearn's School RFP.

13. Commissioner Reports and Correspondence

E. Myers noted that the parking issue at 175 Barn Door Hills Road (Julien's Farm Store) has improved, as the business owners have hired a parking attendant and Police Chief Sansom located radar speed signs in the area.

14. Adjourn

ON A MOTION by E. Lukingbeal seconded by P. Johnson, the Commission voted (7-0-0) to adjourn the meeting at 7:55 p.m.

Respectfully submitted,

Renee Deltenre
Land Use Coordinator

TOWN OF GRANBY

MEMORANDUM

TO: Planning and Zoning Commission

CC: Zach Donais, Conservation Commission

FROM: Abby Kenyon, Director of Community Development

DATE: January 23, 2025

RE: Conservation Commission Presentation and Discussion, Proposed Invasive and Native Plant Regulations

In the fall, the Conservation Commission presented to the Planning and Zoning Commission possible changes to the landscaping regulations regarding invasive and native plants. In response to feedback received from the Planning and Zoning Commission, some changes have been made.

The following is a memo from the Conservation Commission outlining the proposed changes for the Commission's consideration. A member will be present to explain and answer any questions.

TO: Granby Planning and Zoning Commission (P&Z)

FROM: Granby Conservation Commission

DATE: 12/6/2024

RE: Invasive and Native Plant Regulations

Invasive plants have been on the radar of the Conservation Commission for a long time. Back in October of 2023 several members of the Conservation Commission initially proposed adding regulations to reduce the intentional planting of invasive species and encourage the use of native plant species.

Several months back the Conservation Commission had the opportunity to review the plans for the Cider Mill Heights development due to a requested amendment for a second time. Upon initial review of the plan's commissioners noted at least two invasive plants being included in the landscaping plan for the development and several other non-native species. Due to lapse in time plans were resubmitted more recently, in which the conservation commission's suggestions of removal of invasive species and use of strictly native plants were incorporated.

The Conservation Commission would like to see similar standards be required for all new large-scale developments.

Invasive species are so named because they can spread prolifically and tend to be harmful by outcompeting native species, eventually reducing the biodiversity of the area they invade. Our landscapes and forests are already littered with invasive species like ornamental bittersweet, burning bush, Japanese knotweed and autumn olive just to name a few.

Native species tend to be adapted to the climate, soil conditions found locally. Well adapted plants produce larger roots (reduce erosion) and produce more nectar and pollen to feed our native pollinators. Native plants have evolved with native insects, birds, and animals. Some have evolved to become specialists, where one species requires the other for survival, such as the monarch butterfly, which cannot reproduce without milkweed. The lack of native milkweed may be part of the reason why the monarch butterfly has found itself on the endangered species list.

The Conservation Commission is proposing adding a new subsection to the end of section 4 (Site Plans) of the Granby Zoning Regulations.

I. Native and Invasive Plants

- Site plans including invasive plants as identified by the [Connecticut Invasive Plants Council](#) shall not be permitted. (CIPWG is hosted on the UConn website)
- Site plans are encourage to contain Connecticut native species as found in the [Vascular Plants of Connecticut checklist](#). (The Vascular Plants checklist is hosted by Conn College).
- Cleared areas not being mowed regularly should be seeded with a mix of native grasses and pollinator friendly species whenever possible.

The Conservation Commission looks forward to working with the Planning and Zoning Commission to reduce the planting of invasive species and increase native species within Granby.

Thank you.

Attachment

Cc: Town Manager Mike Walsh

TOWN OF GRANBY

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Abby Kenyon, Director of Community Development

DATE: January 23, 2025

RE: Agricultural Commission Presentation and Discussion, Proposed Right to Farm Ordinance, referral from Board of Selectmen

On December 2, 2024, the Board of Selectmen was presented a draft Right to Farm Ordinance prepared by the Agricultural Commission. The Board voted to refer the draft to the Planning and Zoning Commission and the Development Commission for review and comment. The memo that was presented to the Board of Selectmen, along with the draft ordinance, is included.

The Development Commission discussed the draft ordinance at their January meeting at which time several questions were raised. The Chair of the Agricultural Commission has been asked to attend the Development Commission's February meeting to respond to the questions. Given the questions and discussion at the Development Commission's meeting earlier this month, staff thought it would be helpful if the Chair could attend the Planning and Zoning Commission meeting to explain the draft ordinance in more detail.

The following were items from the Development Commission's meeting that the Chair of the Agricultural Commission was asked to respond to:

- Information and background regarding the AG Commission's work on this—when did discussions begin about it? Were other items or considerations included in previous drafts that didn't make it into this current draft?
- Is the proposed ordinance in response to a recent issue?
- It appears that the draft ordinance repeats the state statute. Please provide information about this and explain the need to adopt it at the local level if it is covered by statute.
- What happens to the local ordinance if there is a change in the state statute?
- What properties would this apply to? How is a farm defined? There was discussion as to if this would apply to someone on a 2-acre property for instance, that has an agricultural use on the land.
- Has the Town Attorney reviewed the draft and provided input?



TOWN OF GRANBY

MEMORANDUM

DATE: November 25, 2024

TO: The Granby Board of Selectmen
FROM: Mike Walsh, Granby Town Manager
REGARDING: Right to Farm Ordinance Referral

By way of this memo, attached please find a draft of a Right to Farm Ordinance that was prepared by the Agricultural Commission.

At this time, a referral of this draft needs to be made to the Town's Planning and Zoning Commission and Development Commission for their review and comment.

Accordingly, I respectfully request the following motion for referral be approved by the Board of Selectmen.

Proposed Motion:

I move that the Board of Selectmen refer the attached draft Right to Farm Ordinance as prepared by the Town of Granby Agricultural Commission to both the Planning and Zoning Commission and the Development Commission for review and comment, and to further request that both commissions return any comments to the Board of Selectmen within the 90 days.

**PRELIMINARY DRAFT
RIGHT TO FARM ORDINANCE**

Town of Granby, CT

Section 1: Purpose and Intent

Agriculture plays a significant role in Granby's heritage and future and is an essential part of Granby's rural quality of life, public health, scenic vistas, tax base, wetlands and wildlife and local economy. As noted in Granby's Plan of Conservation and Development, "[t]he Town's rural character has its roots in the tradition of New England agriculture; the small farm, the fruit orchard and the dairy.... Visiting our farms, admiring the livestock, catching a scent of manure, experiencing the seasonal scenery of the fields from first seeding to crop maturation, to the harvesting and the re-growth of winter rye builds fond memories to be treasured by all." Recognizing the importance of encouraging the growth and preservation of agricultural and farming operations in the state, in 1981, Connecticut adopted a statute, Conn. Gen. Stat. Sec. 19a-341, that, in essence, protects certain agricultural and farming operations from claims of public or private nuisance. The intent of this Right to Farm Ordinance is to reaffirm the Town of Granby's commitment to farming and agriculture in our community, as set forth in the Plan of Conservation and Development. To the extent that this ordinance is inconsistent with the provisions of Conn. Gen. Stat. Sec. 19a-341, as amended, the statutory provisions will prevail.

Section 2: Definitions

Except as otherwise specifically defined herein or by state statute, the words "agriculture" and "farming" 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, the production of honey, 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. The term "farm" includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoopouses 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 terms "agriculture" and "farming" do not include the cultivation of cannabis, as defined in section 21a-420 of the Connecticut General Statutes. The term

“aquaculture” means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Nothing herein shall restrict the power of a local zoning authority under chapter 124 of the Connecticut General Statutes.

Section 3: The Right To Farm Ordinance

(a) Notwithstanding any general statute or municipal ordinance or regulation pertaining to nuisances to the contrary, no agricultural or farming operation, place, establishment or facility, or any of its appurtenances, or the operation thereof, shall be deemed to constitute a nuisance, either public or private, due to alleged objectionable (1) odor from livestock, manure, fertilizer or feed, (2) noise from livestock or farm equipment used in normal, generally acceptable farming procedures, (3) dust created during plowing or cultivation operations, (4) use of chemicals, provided such chemicals and the method of their application conform to practices approved by the Commissioner of Energy and Environmental Protection or, where applicable, the Commissioner of Public Health, or (5) water pollution from livestock or crop production activities, except the pollution of public or private drinking water supplies, provided such activities conform to acceptable management practices for pollution control approved by the Commissioner of Energy and Environmental Protection; provided such agricultural or farming operation, place, establishment or facility has been in operation for one year or more and has not been substantially changed, and such operation follows generally accepted agricultural practices. Inspection and approval of the agricultural or farming operation, place, establishment or facility by the Commissioner of Agriculture or his designee shall be prima facie evidence that such operation follows generally accepted agricultural practices.

(b) Notwithstanding any general statute or municipal ordinance or regulation pertaining to nuisances, no operation to collect spring water or well water, as defined in section 21a-150, shall be deemed to constitute a nuisance, either public or private, due to alleged objectionable noise from equipment used in such operation provided the operation (1) conforms to generally accepted practices for the collection of spring water or well water, (2) has received all approvals or permits required by law, and (3) complies with the local zoning authority's time, place and manner restrictions on operations to collect spring water or well water.

(c) The provisions of this section shall not apply whenever a nuisance results from negligence or wilful or reckless misconduct in the operation of any such agricultural or farming operation, place, establishment or facility, or any of its appurtenances.

TOWN OF GRANBY

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Abby Kenyon, Director of Community Development

DATE: January 23, 2025

RE: Commission Discussion: proposed revisions and corrections to the Zoning Regulations

The Commission discussed possible revisions and corrections to the Zoning Regulations at the November and December meetings. The following document is a red-lined version showing those changes. It should be noted that in previous discussions, changes to the stormwater regulations were presented. Staff continues to work with the Town Engineer on separate stormwater guidelines and because those guidelines are not yet ready, changes to the stormwater regulations have been removed from this latest draft. Those proposed changes will be presented at a later date to be considered separately from these current changes.

Since the November and December discussions, a question also came up regarding the use ‘Neighborhood Retirement Housing’ and how exactly the use is defined. This use is allowed by Special Permit in the Center Commons and Center Edge Zones. A draft regulation is below for consideration if the Commission is inclined to consider defining this use and outlining conditions pertaining to it. The regulation below uses the PDM, Granby Center, and Active Adult Residential Development Regulations as a guideline, taking applicable components from each section.

Proposed Regulation

Definitions:

Neighborhood Retirement Housing: A building, or group of buildings, which are located on a single parcel of land that share common ownership and management, wherein each dwelling unit is occupied by one or more eligible persons.

Eligible Persons: Persons fifty-five (55) years of age or older.

Neighborhood Retirement Housing Complex: All buildings and structures located on the parcel.

Dwelling Unit: A single unit providing complete, independent living facilities intended for use by one (1) family and includes permanent provisions for living, sleeping, eating, cooking, and sanitation. The term “dwelling unit” shall not be deemed to include hotel, motel, inn, boarding or

rooming house, convalescent or nursing home, or assisted, congregate care, or independent living facility, except as these Regulations may otherwise specifically provide.

Neighborhood retirement housing shall be subject to the following requirements, in addition to the requirements of Section 8.2:

1. The proposed development shall be served by public water and sewer.
2. The maximum number of dwelling units shall be 15 units per acre.
3. Structures that are visible from Salmon Brook Street shall be designed to blend with the historic designs typically found within the Granby Center Overlay District.
4. Accessory uses such as garages, swimming pools, clubhouses, recreational facilities and other structures and facilities which are customarily incidental and subordinate to the principal use may be allowed, provided they are approved as part of the total site plan.
5. All accessory buildings shall be located in the rear yard behind the back line of the principal building.
6. No building shall contain more than three (3) dwelling units and no more than fifty (50%) of the total units shall be in three (3) unit buildings.
7. All dwelling units shall be occupied by at least one (1) eligible person.
8. A person who is the spouse, companion, relative or caregiver of an eligible person may also occupy the dwelling unit.
9. A person who is the spouse, companion or relative who survives his or her spouse, companion or relative or whose spouse, companion or relative has entered into a long-term care facility may continue to occupy the dwelling unit. Any other new occupant must be an eligible person.

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SECTION 1 INTRODUCTION

1.0 AUTHORITY & PURPOSES

These Regulations are adopted under the authority of Chapter 124 of the General Statutes of the State of Connecticut as amended for the purposes of promoting the public health, safety, convenience and property values of the Town of Granby. These Regulations are designed to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision for transportation, water, sewage, schools, parks and other public requirements. The purposes of these Regulations include the protection of existing and potential public surface and ground drinking water supplies, the preservation of the rural character of the Town and of farms and agricultural land areas, open space, wetlands, watercourses, ridges, historic buildings and other features such as stone walls, fences, barns and vegetation; the encouragement of energy-efficient patterns of development; the control of erosion caused by wind or water; and the provision for sedimentation control as outlined in Section 8-2 of the Connecticut General Statutes.

1.1 ZONE TYPES

For achieving these purposes, the Town of Granby is divided into the following zones:

Rural Conservation	R4A
Rural Residential (2 acres)	R2A
Rural Residential (50,000 sq. ft.)	R50
Residential (30,000 sq. ft.)	R30
Planned Development Multifamily	PDM
Neighborhood Shopping	C1
Business	C2
Office Park	OP
Industrial	I
Planned Economic Development	ED
Granby Center Zone	
• Commercial Center	COCE
• Center Commons	CC
• Center Edge	CE
• Granby Center Historic Overlay District	

1.2 ZONE BOUNDARIES

Zone boundaries are established by the Commission and are shown on a map entitled "Zoning Map; Town of Granby". Unless otherwise clearly designated on the Zoning Map, zone boundaries shall be interpreted as:

- Following the centerline of a street, highway, road, river, brook or stream;
- Following property lines;
- Following the lines of a particular geophysical feature including flood plains and steep slopes; or
- Running parallel to any of the aforementioned lines, at measured distances, where zone boundaries appear to be set back from such lines;
- The Commission shall determine the location of zone boundaries in case of an uncertainty.

SECTION 3 USE DISTRICTS

3.1 RURAL RESIDENTIAL R2A

3.1.1 Permitted Uses

The following uses are permitted:

3.1.1.1 Single-family dwellings;

3.1.1.2 Home occupations, subject to Section 8.8;

3.1.1.3 Agriculture, subject to Section 8.15;

3.1.1.4 Governmental buildings and facilities including fire houses; and

3.1.1.5 Accessory uses customarily incidental to permitted uses, subject to Section 8.1 ;

3.1.1.6 Utility Use, subject to Section 8.25.

3.1.1.7 Attached accessory apartment, subject to Section 8.5.1

3.1.1.8 Family Child Care Home or Group Child Care Home, located in a residence and licensed by the Office of Early Childhood

3.1.2 Special Permits

The Commission may grant Special Permits for the following uses, subject to the applicable criteria of Section 8.2;

3.1.2.1 Detached accessory Apartment, subject to Section 8.5.2;

3.1.2.2 Churches, religious buildings and cemeteries ~~and other non-profit organizations;~~

3.1.2.3 Day care centers, other than Family Child Care Home or Group Child Care Home, located in a residence and licensed by the Office of Early Childhood, in public, private and institutional buildings with a valid state license;

3.1.2.4 Golf courses, playgrounds, recreational areas and parks;

3.1.2.5 Health care facilities including hospitals, convalescent homes and nursing homes on a lot of five (5) acres or more;

3.1.2.6 Transitional office use and/or conversion, subject to Section 8.12;

3.1.2.7 Public and private schools with valid State licenses;

3.1.2.8 Special commercial assembly uses, subject to Section 8.4;

SECTION 3 USE DISTRICTS

- 3.1.2.9** Bed-and-breakfast facilities or inns subject to Section 8.10;
- 3.1.2.10** Antique sales subject to Section 8.9;
- 3.1.2.11** Rear lots, subject to Section 8.14;
- 3.1.2.12** Funeral Homes;
- 3.1.2.13** Residential/Recreational Development, subject to Section 8.19;
- 3.1.2.14** Flexible Residential Development, subject to Section 8.20;
- 3.1.2.15** Farm Stores, subject to Section 8.15;
- 3.1.2.16** Garages and Barns, subject to Section 8.1 and 8.15;
- 3.1.2.17** Home Instruction subject to Section 8.22;
- 3.1.2.18** Utility Use, subject to Section 8.2 [5.2](#) and [8.25.3.4](#);
- 3.1.2.19** Farm Hand Residential Facility subject to Section 8.15.14;
- 3.1.2.20** Residential Landscape Business subject to Section 8.28.
- 3.1.3** **Required Lot Areas, Yards, Coverage, Heights and Frontages.**
For required lot areas, yards, coverage, heights and frontages, refer to Section 5.
- 3.2** **RURAL RESIDENTIAL R-50**
- 3.2.1** **Permitted Uses**
The following uses are permitted:
 - 3.2.1.1** All uses permitted in Section 3.1.1.
- 3.2.2** **Special Permits**
The Commission may grant Special Permits for the following uses, subject to the applicable criteria of Section 8.2:
 - 3.2.2.1** All uses allowed in Section 3.1.2.
- 3.2.3** **For required lot area, yards, coverage, height and frontage, refer to Section 5.**
- 3.3** **RESIDENTIAL R-30**
- 3.3.1** **Permitted Uses**
The following uses are permitted:
 - 3.3.1.1** Uses allowed in Section 3.1.1.

SECTION 3 USE DISTRICTS

3.3.2 Special Permits

The Commission may grant Special Permits for the following uses, subject to the applicable criteria of Section 8.2, Active Adult Residential Development, subject to Section 8.27.

3.3.2.1 All uses allowed in Section 3.1.2 other than special commercial assembly uses.

3.3.2.2 The parking and storage of public and private school buses (all with valid state registrations) in use by the Granby School System, with dispatching offices and fuel storage for such buses on a parcel of not less than three (3) acres.

3.3.3 Required Lot Areas, Yards, Coverage, Heights and Frontages.

For required lot area, yards, coverage, height and frontage, refer to Section 5.

3.4 ~~NEIGHBORHOOD SHOPPING C-1, RESERVED~~

~~3.4.1 Permitted Uses~~

~~The following uses are permitted:~~

~~3.4.1.1 Retail sale, rental and/or repair of items such as food, clothing, hardware, garden supplies, jewelry, electronics, appliances, books, sporting goods, nursery items, home improvement products and general merchandise;~~

~~3.4.1.2 Business or professional offices, including financial institutions;~~

~~3.4.1.3 Personal services, including barbershops, beauty shops, cleaning establishments, tailor shops and shoe repair shops;~~

~~3.4.1.4 Limited seating Restaurant;~~

~~3.4.1.5 Accessory uses customarily incidental to permitted uses.~~

~~3.4.2 Special Permits~~

~~The Commission may grant special permits for the following uses, subject to the applicable criteria of Section 8.2:~~

~~3.4.2.1 Residential uses subject to Section 8.13;~~

~~3.4.2.2 Restaurants subject to Section 8.16;~~

~~3.4.2.3 Health care facilities including hospitals, convalescent homes and nursing homes on a lot of five (5) acres or more;~~

~~3.4.2.4 Personal services not listed in Section 3.4.1.3;~~

~~3.4.2.5 Commercial educational or recreational services;~~

~~3.4.2.6 Gasoline filling stations, with or without Connecticut Motor Vehicle Department Repairers' Licenses, or motor vehicle repair facilities, excluding body shops;~~

~~3.4.2.7 Churches, religious buildings and other non-profit organizations;~~

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- 3.4.2.8** Accessory uses customarily incidental to the above Special Permit uses subject to Section 8.4;
- 3.4.2.9** Rear lots in commercial zones, subject to Section 8.23.
- 3.4.3** **Required Lot Areas, Yards, Coverage, Heights and Frontages.**
For required lot areas, yards, coverage, heights and frontages, refer to Section 5.
- 3.4.4** **Special Neighborhood Shopping Regulations**
- 3.4.4.1** Retail establishments and restaurants shall be closed to the public between the hours of 2:00 a.m. and 5:00 a.m., except that the Commission may require reduced hours of operation where the development may affect a residential area.
- 3.4.4.2** No goods or merchandise shall be stored or displayed outside of a building except in conformance with an approved site plan or special permit.
- 3.4.4.3** All uses and accessory uses shall be conducted wholly within enclosed buildings, except for off street loading and those operations normally conducted outdoors, and excepting special periodic events; i.e., sidewalk sales, etc., and other uses specifically authorized by the Commission as part of the approval of a site plan or the granting of a special permit.
- 3.4.4.4** Premises used for a gasoline filling station shall observe the following requirements:
- a.** Premises shall be located at least 500 feet in a straight line from any other property used for a gasoline filling station;
 - b.** Premises shall be located at least 500 feet in a straight line from any property used for a church, school, playground, public park or library and
 - c.** Gasoline pumps or other filling appliances shall be located a minimum of forty (40) feet from any street or property line.
- 3.4.4.5** The sale of alcoholic liquor or beverages may be allowed only in conjunction with an approved special permit for a restaurant as a Connecticut Restaurant Permit only.
- 3.5** **BUSINESS ZONE (C2)**
- 3.5.1** **Permitted Uses**
The following uses shall be permitted:
- 3.5.1.1** Uses allowed in Section 3.4.1. Retail sale, rental and/or repair of items such as food, clothing, hardware, garden supplies, jewelry, electronics, appliances, books, sporting goods, nursery items, home improvement products and general merchandise;
- 3.5.1.2** Printing, photography and similar service; and
- 3.5.1.3** Accessory uses customarily incidental to a permitted use;
- 3.5.1.4** Utility Use, Subject to Section 8.25.64.
- 3.5.1.5** Business or professional offices, including financial institutions;

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3.5.1.6 Personal services, including barbershops, beauty shops, cleaning establishments, tailor shops and shoe repair shops; and

3.5.1.7 Limited seating restaurants.

3.5.2 Special Permits

The Commission may grant Special Permits for the following uses, subject to the applicable criteria of Section 8.2:

3.5.2.1 Restaurants subject to Section 8.16;

3.5.2.2 Commercial, educational or recreational services;

3.5.2.3 Gasoline filling stations, with or without Connecticut Motor Vehicle Department Repairers' Licenses, or motor vehicle repair facilities excluding body shops;

3.5.2.4 Retail sales of automobiles, including trucks, motorcycles and similar vehicles, marine craft, aircraft and accessories;

3.5.2.5 Health care facilities including hospitals, convalescent homes and nursing homes on a lot of five (5) acres or more;

3.5.2.6 Movie theaters, performing arts theaters, auditoriums and assembly halls (excluding drive-in theaters);

3.5.2.7 Hotels, motels or inns;

3.5.2.8 Retail sales of alcoholic beverages, subject to Section 8.3;

3.5.2.9 Residential uses, subject to Section 8.13;

3.5.2.10 Personal services not listed in Section 3.5.1.3; and

3.5.2.11 Churches, religious buildings and other non-profit organizations;

3.5.2.12 Accessory uses customarily incidental to the above Special Permit uses;

3.5.2.13 Automobile washing facilities;

3.5.2.14 Rear lots in commercial zones, subject to Section 8.23;

3.5.2.15 Utility Use, subject to Section 8.25.54;

3.5.2.16 Self-service storage facility subject to Section 8.17;

3.5.2.17 Residential uses when a single-family dwelling or apartment is occupied by a person, together with the person's family, who is the owner, manager, caretaker or janitor residing on the same lot occupied by the premises or business of a permitted business use.

3.5.3 Required Lot Areas, Yards, Coverage, Heights and Frontages.

For required lot areas, yards, coverage, heights and frontages refer to Section 5.

3.5.4 Special Business Regulations

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- 3.5.4.1** Premises used for the purposes described in Sections 3.5.2.3 and 3.5.2.4 shall observe the following requirements: ~~set forth in Section 3.4.4.4.~~
- Premises shall be located at least 500 feet in a straight line from any other property used for a gasoline filling station;
- Premises shall be located at least 500 feet in a straight line from any property used for a church, school, playground, public park or library; and
- Gasoline pumps or other filling appliances shall be located a minimum of forty (40) feet from any street or property line.
- 3.5.4.2** Merchandise shall not be displayed or stored within the required front yard setback unless the areas are specifically authorized by the Commission as a part of a site plan or special permit approval. Parking spaces and landscaping areas shall not be used for sales, storage, display of goods or advertising purposes of any kind, except for detached signs installed in conformance with these Regulations, and except for the storage of automobiles and similar vehicles accessory to vehicle sales in parking spaces.
- 3.5.4.3** All commercial activity shall be conducted wholly within enclosed buildings, except for off-street loading, periodic sidewalk sales and other operations normally conducted outdoors, and excepting other uses specifically authorized by the Commission as part of a site plan or special permit approval.
- 3.6** OFFICE PARK-OP RESERVED
- 3.6.1** Permitted Uses
- The following uses shall be permitted;
- 3.6.1.1** Business and professional offices;
- 3.6.1.2** Financial institutions;
- 3.6.1.3** Medical, dental and optical laboratories; and
- 3.6.1.4** Accessory uses customarily incidental to permitted uses.
- 3.6.2** Special Permits
- The Commission may grant Special Permits for the following uses, subject to the applicable criteria of Section 8.2;
- 3.6.2.1** Restaurants when located within a building containing a permitted use;
- 3.6.2.2** Commercial recreational facilities when located within a building containing a permitted use; and
- 3.6.2.3** Residential uses, subject to Section 8.13;
- 3.6.2.4** Limited Retail Sales.
- The commission may approve limited retail sales in the OP zone as outlined below:

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SECTION 3 USE DISTRICTS

1. The total area allocated for the retail sale of items shall be no greater than 2000 square feet;
2. The building shall have no window larger than 4' x 4' and the total area of glass/window on the building façade, facing the street or any parking areas shall be less than 15% of the total area. In general the building shall maintain a look similar to a residential or office building rather than a new retail establishment;
3. The retail sale shall be for a specific type of sale item or a grouping of items as opposed to the sale of general merchandise. Specialty items, made and or repaired on the premises such as apparel, costumes, drapery, art works, crafts, jewelry and similar items shall be preferred over products that are made in bulk quantity off-site to be re-sold;
4. Retail sale of items may be sold in conjunction with any office use as an accessory to the office use;
5. All retail sales shall be carried on entirely within the unit and there shall be no storage or display of any products or materials outside of the building.

3.6.3 Required Lot Areas, Yards, Coverage, Heights and Frontages

For required lot areas, yards, coverage, heights and frontages, refer to Section 5.

3.6.4 Special Office Park Regulations

3.6.4.1 Development in an Office Park Zone shall be of such character that it will produce an open park-type environment for business and professional offices thereby serving as a gradual transition between commercial and residential areas. Buildings shall be of a design and scale and shall utilize materials, which are consistent with surrounding residential-type structures.

3.6.4.2 Not less than 20% of the area of a lot or the area of land allocated to a particular building site shall be maintained as open space. A landscaped buffer strip shall be provided not less than twenty-five (25) feet wide along lot lines abutting Residential Zones. The balance of the required open space shall have a ground cover of lawn or other suitable materials and appropriate plantings of evergreen and shade trees and shrubs.

3.6.4.3 Not less than twenty-five (25) feet of the depth of the front yard, measured from the street property line, shall be in open space with a suitable ground cover, as described above, except that not more than one access driveway not over thirty (30) feet wide per 100 feet frontage is permitted to cross such open space.

3.6.4.4 No building shall be built nearer than fifty (50) feet to a Residential Zone boundary or fifteen (15) feet to another building in an integrated plan of development.

3.7 PLANNED DEVELOPMENT MULTIFAMILY PDM

3.7.1 Permitted Uses

The following uses shall be permitted:

3.7.1.1 Single family residential uses;

3.7.1.2 Accessory uses customarily incidental to permitted uses; and

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- e. That, should the units be sold at a future date, the elderly unit buildings first are offered for sale to the Town of Granby at a rate 50% below the market rate;
- f. That the appropriate documents necessary to implement these Regulations be prepared by the developer and approved by the Commission subject to a review of the Town Attorney. The documents shall include an agreement whereby the developer and/or owner shall submit an annual report to the Office of Community Development which shall include the names of the elderly tenants, the unit number occupied and the rental rate charged; and
- g. That the terms of this provision shall apply to the elderly units for a minimum of thirty (30) years from the date of approval.

3.8 INDUSTRIAL ZONE

3.8.1 Permitted Uses

The following uses are permitted:

- 3.8.1.1 The manufacturing, processing, packaging or assembling of components or goods;
- 3.8.1.2 Truck and freight terminals and warehouses, together with the right to service, maintain and repair motor vehicles incidental to the aforesaid use;
- 3.8.1.3 Plumbing, heating, electrical, industrial and general contracting establishments, which may include showrooms, storage and maintenance of heavy construction equipment;
- 3.8.1.4 Yards for storage of and sales of lumber and building materials;
- 3.8.1.5 Office buildings and financial institutions;
- 3.8.1.6 Printing or publishing establishments;
- 3.8.1.7 Limited seating Restaurant.
- 3.8.1.8.1 Accessory uses customarily incidental to the permitted uses, including garages, storage buildings and power plants and employees' recreational, commissary and clinical facilities.
- 3.8.1.9 Utility Use, subject to Section 8.2 5.64.

3.8.2 Special Permits

The Commission may grant Special Permits for the following uses subject to the applicable criteria of Section 8.2:

- 3.8.2.1 Residential uses when a single-family dwelling or apartment is occupied by a person, together with his family, who is the owner, manager, caretaker or janitor residing on the same lot occupied by the premises or plant of a permitted industrial use;
- 3.8.2.2 Manufacture of bricks, cement products, tile and terracotta;
- 3.8.2.3 Bulk storage of petroleum products;

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- 3.8.2.4** Warehousing and distribution of major and small appliances, furniture, television and audio equipment and related items, with limited retail and wholesale showroom merchandising of the same, and related services and office facilities;
- 3.8.2.5** Veterinary hospitals and boarding kennels for the treatment and boarding of animals, primarily dogs and cats, with all facilities housed inside a building with a limited outside fenced area for exercising and training with necessary office and service space;
- 3.8.2.6** Warehousing and distribution of clothing, with retail and/or wholesale merchandising of the same, and related services and office facilities;
- 3.8.2.7** Sale and storage of operable motor vehicles (operable being defined as qualifying for Connecticut motor vehicle registration);
- 3.8.2.8** Auto body, soldering or welding shops with a Connecticut repairer's license;
- 3.8.2.9** Excavation, processing and removal of earth products subject to Section 9;
- 3.8.2.10** Commercial, educational or recreational activities;
- 3.8.2.11** Self-Service storage facility subject to Section 8.17; and
- 3.8.2.12** Restaurants, subject to Section 8.16;
- 3.8.2.13** Automobile washing facilities;
- 3.8.2.14** Rear lots in commercial zones, subject to Section 8.23;
- 3.8.2.15** Utility Use, subject to Section 8.2~~5.5;4;~~
- 3.8.2.16** Fueling stations / Gasoline filling stations, with or without Connecticut Motor Vehicle Department Repairers' Licenses, or motor vehicle repair facilities.
- 3.8.2.17** Cannabis Establishments, provided that:
- 1) The center of the main entrance of the facility shall not be closer than 1,000 feet (measured in a straight line) from the nearest property line or any lot used as a religious institution; public library; daycare facility; community recreation building; playground; sports field; or a school;
 - 2) No building, structure or premises shall be used and no building or structure shall be erected or altered that is arranged, intended, or designed to be used for a cannabis establishment if any part of such building, structure or premises is within 2,000 feet (measured in a straight line) from the nearest property line or any lot used by another cannabis establishment.
 - 3) Hours of operation when an establishment is open to the public shall be limited to 8 AM to 10 PM Monday to Saturday, and 10 AM to 6 PM Sunday.
 - 4) No products shall be visible from outside the facility or depicted in signage;
 - 5) No products shall be consumed on the property;
 - 6) A security plan for the facility shall be provided that includes but is not limited to appropriate exterior lighting, alarms, and video recording systems to monitor entrances, the interior and exterior of the facility, so as to discourage crime, loitering, and other nuisances, and to protect both clients and employees of the facility;

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3.8.4.5 Lot area requirements may be reduced to the following minimums when lots are created which have frontage on newly constructed streets provided that in no case may a building be constructed with a front yard of less than fifty (50) feet along Routes 10 & 202 or within forty (40) feet of a residential zone:

- a. Lot area – 30,000 sq. ft.
- b. Lot frontage – 125 ft.
- c. Lot depth – 150 ft.
- d. Front yard – 30 ft.
- e. Side yard – 15 ft.
- f. Rear yard – 15 ft.

3.9 ECONOMIC DEVELOPMENT ED

3.9.0 Introduction

3.9.0 The Economic Development Zone (ED) is comprised of over 300 acres. At the time of the rewriting of this zone in July of 2000, there were only 2 owners of this entire land area, with Griffin Land Resources owning all but approximately 32 acres. The undeveloped nature of the property and the small number of owners provide the Town with a unique opportunity to guide the development of this area to assure that it is compatible with the Town's Plan of Conservation and Development.

The ED zone has several important attributes. It is strategically located geographically, with direct access to Route 10/202 and easy access to Route 189. The ED Zone can be serviced by public water and public sewer and is linked to major electrical and communication services.

The area that comprises the ED Zone has been set aside for non-residential development since zoning was first established in Granby in the 1950s. This is the primary and only significant area remaining within the Town with potential for the diversification of the Town's tax, employment and commercial service base. It is the desire of the Town of Granby to have this area developed in a manner, which accomplishes this diversification while preserving the Town's fundamental values and rural atmosphere as outlined within the Plan of Conservation and Development.

Understanding the attributes of the ED Zone, as outlined above, the Town has an opportunity to encourage development within this area in a manner that can be a model of quality and success. The development of the ED Zone can demonstrate that preservation and growth are not mutually exclusive and that diversification of the Town's tax, employment and commercial service base, while preserving the Town's fundamental values and rural atmosphere, can be achieved. A variety of Special Regulations have been adopted to regulate development within this ED Zone. These Regulations are found in Section 3.9.4.

3.9.1 Permitted Uses, subject to the Special ED Zone Criteria outlined herein.

The following uses are permitted:

3.9.1.1 Business or professional offices, including financial institutions and/or office parks;

3.9.1.2 Utility Use, subject to Section 8.25.6;

3.9.1.3 Agricultural uses;

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- 3.9.1.4** Governmental buildings and facilities including fire houses; and
- 3.9.1.5** Accessory uses customarily incidental to principal uses, including garages, storage buildings, and employees' recreational, commissary and clinical facilities, subject to Section 8.1.
- 3.9.2** **Special Permit Uses, subject to the Special ED Zone Criteria and to Section 8.2.**
- The Commission may grant Special Permits for the following uses, subject to the applicable criteria of Section 8.2:
- 3.9.2.1** Biological, medical, technological and other research and development centers;
- 3.9.2.2** Commercial recreational facilities, including health clubs, indoor and outdoor recreational complexes and all associated fields, courses, buildings and equipment;
- 3.9.2.3** Health care facilities including hospitals, convalescent homes, nursing homes and similar uses;
- 3.9.2.4** Assisted Living facilities for elderly persons and/or persons with special needs; Section 3.7.4 shall be used as a basic guideline in the development of such facilities;
- 3.9.2.5** Restaurants, subject to Section 8.16;
- 3.9.2.6** Private schools with or without dormitories and other associated structures, fields and uses;
- 3.9.2.7** Retail sale, rental and/or repair of items such as food, clothing, hardware, garden supplies, jewelry, electronics, appliances, books, sporting goods, nursery items, home improvement products and general merchandise;
- 3.9.2.8** Funeral homes and associated uses and structures;
- 3.9.2.9** Movie theaters, performing arts theaters, auditoriums and assembly halls;
- 3.9.2.10** Personal services, including barbershops, beauty shops, cleaning establishments, tailor shops and appliance and other general repair shops, excluding automobile repair;
- 3.9.2.11** Veterinary hospitals;
- 3.9.2.12** Churches and; religious buildings ~~and other non-profit organizations~~;
- 3.9.2.13** Manufacturing, storing, processing, fabricating, packaging or assembling activities wholly within a building or unified complex of buildings;
- 3.9.2.14** Plumbing, heating, electrical, industrial and general contracting establishments which may include showrooms, storage and maintenance of heavy construction equipment;
- 3.9.2.15** Retail sales or alcoholic beverages, subject to Section 8.3;
- 3.9.2.16** Hotels, motels or inns, including all necessary facilities to accommodate conventions or large meetings;
- 3.9.2.17** Adult Oriented Establishment, Subject to Section 8.24;

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3.9.2.18 Utility Use, subject to Section 8.25.5;

3.9.2.19 Active Adult Residential Development, subject to Section 8.27.

3.9.3 **Required Lot Areas, Coverage, Heights and Frontages.**

For required lot areas, yards, coverage, heights and frontages, refer to Section 5.

3.9.4 **SPECIAL REGULATIONS APPLICABLE TO THE ED ZONE.**

3.9.4.1 **CURB CUT LOCATIONS/TRAFFIC ANALYSIS**

The Route 10 corridor study recognizes the area of the ED Zone as a future development area. While Salmon Brook Street and Floydville Road can accommodate additional traffic volumes, the development of the area must be accomplished with careful attention to managing traffic flow and minimizing increasing traffic volumes. The addition of turn lanes, acceleration and decelerations lanes may be appropriate in the design of new developments, but the overall widening of Salmon Brook Street and/or Floydville Road above the 2 travel lanes is not. Care must be taken to diversify the land uses within the ED Zone to limit the impact of peak hour volumes. A complete traffic analysis by a competent traffic engineer will be required for all applications that have the potential to impact the existing road network.

The street frontage along Route 10 and 202 and Floydville Road, within the ED Zone, is extensive. In an effort to manage the traffic flow within this area, curb cuts shall be limited within the ED zone as follows:

- No more than three new curb cuts may be created along Route 10 and 202. These curb cuts shall be located in basic conformance with the locations shown on the ED zone curb cut map attached hereto;
- No more than four curb cuts may be created along Floydville Road. These curb cuts shall be located in basic conformance with the locations shown on the ED zone curb cut map attached hereto;
- All intersection leading into the ED zone shall be major intersections, which include the construction of a town road. These town roads shall be designed in accordance with the Town of Granby Road Standards and shall typically include a right of way, which extends to the rear of all properties, allowing for the future linkage of roads to Floydville Road and/or Route 10 and 202 as appropriate;
- Any proposed subdivision of property within the ED zone shall be designed in basic conformance with the ED zone curb cut map. All new lots created shall have their primary frontage along the new town roads.

The majority of the new development created within the ED zone shall be internal to the site and have the primary access not along the existing roads but along the new Town of Granby roads, which will extend throughout the area.

3.9.4.2 **FRONT YARD SETBACKS FROM FLOYDVILLE ROAD AND SALMON BROOK STREET**

The properties located within the ED Zone contain approximately 4,700 feet of frontage along Salmon Brook Street and 4,500 feet of frontage along Floydville Road. To preserve and promote the scenic quality of these roads, and to further the goals of

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The Granby Center Zone is designed to: promote the efficient use of a limited land area; respect and reinforce historic development patterns; provide flexibility to meet changing needs, technologies, economics and consumer preferences; promote efficient development patterns and a land use mix which encourages walking and bicycling and encouraging compatible architectural styles, building forms and building relationships within a New England Village.

The Granby Center Zone consists of four components all as outlined within the Granby Zoning Map:

Commercial Center;

Center Commons;

Center Edge, and

Granby Center Historic Overlay District.

Each of these zones has a separate set of permitted and special permit uses and design criteria. The Comprehensive Granby Center Zone Criteria shall be applied to all 4 components of the Center Zone.

3.12.1 Commercial Center Zone

The Commercial Center is the primary commercial area within the Town of Granby. It contains a variety of retail, service and office uses, numerous restaurants, gas stations, banks, the Post Office and more. The Commercial Center contains the Town Green and serves as the primary gathering place for Town residents. The Commercial Center contains very few residential units and its current design pattern discourages residential use. Future residential use is not anticipated within the area.

3.12.1.1 Commercial Center Zone Permitted Uses.

In the Commercial Center Zone, the following uses are permitted subject to the Commercial Center Zone Special Criteria, Section 4 and other applicable requirements.

- 3.12.1.1.1 Business or professional offices;
- 3.12.1.1.2 Restaurant, limited seating.

3.12.1.2

Commercial Center Zone Special Permit uses.

In the Commercial Center Zone the following uses may be permitted by Special Permit, subject to the Commercial Center Zone Special Criteria, Section 8.2 and other applicable requirements.

- 3.12.1.2.1 Retail sale, rental and/or repair of items such as food, clothing, hardware, garden supplies, jewelry, electronics, appliances, books, sporting goods, nursery items, home improvement products and general merchandise;
- 3.12.1.2.2 Printing, photography and similar service;
- 3.12.1.2.3 Banks and other financial institutions;

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- 3.12.1.2.4 Personal services, including barbershops, beauty shops, cleaning establishments;
- 3.12.1.2.5 Day Care centers, preschool and similar uses;
- 3.12.1.2.6 Museums/galleries/performing arts;
- 3.12.1.2.7 Mixed use building containing both residential and non-residential uses;
- 3.12.1.2.8 Movie theatres with a maximum of 80 seats;
- 3.12.1.2.9 Restaurants subject to Section 8.16;
- 3.12.1.2.10 Commercial educational, instructional or recreational services;
- 3.12.1.2.11 Fueling stations for motor vehicles, without Vehicle Repairers;
- Non-profit organizations;
- 3.12.1.2.12 Utility Use, Subject to Section 8.25.54;
- 3.12.1.2.13 Retail sales or alcoholic beverages, subject to Section 8.3;
- 3.12.1.2.14 Open air markets;
- 3.12.1.2.15 Multifamily use;

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3.12.1.3

Commercial Center Zone Special Criteria

The maximum area of the footprint of a single commercial building is 8,000 square feet. The Commission may permit an expansion of an existing building (existing on the date of approval of this regulation) that would increase the footprint above 8,000 square feet, where such expansion conforms to the general principles of the zone. Where an existing building is removed/demolished in whole or in part, the Commission may permit the reconstruction or new construction of a building that exceeds a footprint of 8,000 square feet, provided the construction is in basic conformity with the scale of the existing site and conforms to the general principles of the zone. As a general rule the Commission shall encourage the construction of multi-story buildings, with reduced footprints.

Parking requirements shall be as outlined within Section 7. The Commission may waive the specific requirements regarding the number and location of parking spaces to achieve the goals of the zone as stated herein. Individual developments are encouraged to share parking and access. Shared parking can be used to comply with the parking requirements.

The Commission may waive the minimum landscape area of Section 4.2.5 to achieve the goals of this zone as stated herein.

Adjacent property owners are encouraged to share curb cuts leading to the adjacent roadways. No new curb cuts will be permitted within this zone, except that any existing lot legally established prior to the date of adoption of this regulation shall have the right to access the adjacent roadway. Existing curb cuts may be relocated.

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Pedestrian access to the proposed building, from the nearest street, shall be incorporated within the site design. Pedestrian and vehicular access from adjacent sites shall be incorporated where feasible.

Required Lot Areas, Yards, Coverage, Heights and Frontages shall be as outlined for the C2 Zone in Section 5, except that the minimum front yard shall be 25 feet. This change is made in an effort to encourage parking at the rear and sides of the building and to aid in design interest and flexibility.

3.12.2 Center Commons

The Center Commons Zone is a diverse area of office buildings, public service use, retail use and housing. It contains the Granby Town Hall, Police Department, Senior/Youth Center, Board of Education Building, Library and the Granby Cemetery. The area contains significant commercial uses particularly along Route 189 and Route 20. The zone also contains the Town's 2 elderly housing developments, the Granby Memorial High School and Middle School. The Center Commons contains a small number of historic homes that are a part of the Granby Historic District. The Center Commons area is closely integrated with the Commercial Center. The area is appropriate for additional commercial development and home based business is encouraged within the zone. Mixed residential and commercial use can be expanded throughout the area. Residents and commercial users of the area should be afforded easy pedestrian access throughout the entire center area. New multifamily housing can be accommodated within the area.

3.12.2.1 Center Commons Zone Permitted Uses.

In the Center Commons Zone, the following uses are permitted subject to the Center Commons Zone Special Criteria, Section 4 and other applicable requirements.

- 3.12.2.1.1 Single-family dwellings;
- 3.12.2.1.2 Home occupations, subject to Section 8.8;
- 3.12.2.1.3 Multifamily use subject to section 3.7 on a property containing 5 or more acres;
- 3.12.2.1.4 Agriculture, subject to Section 8.15;
- 3.12.2.1.5 Governmental buildings and facilities including fire houses;
- 3.12.2.1.6 Accessory uses customarily incidental to permitted uses, subject to Section 8.1;
- 3.12.2.1.7 Utility Use, subject to Section 8.25.64.
- 3.12.2.1.8 Attached accessory apartment, subject to Section 8.5.1
- 3.12.2.1.9 Family Child Care Home or Group Child Care Home, located in a residence and licensed by the Office of Early Childhood.

3.12.2.2 Center Commons Zone Special Permit Uses.

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In the Center Commons Zone the following uses may be permitted by Special Permit, subject to the Center Commons Zone Special Criteria, Section 8.2 and other applicable requirements:

- [3.12.2.2.1](#) Retail sale, rental and/or repair of items such as food, clothing, hardware, garden supplies, jewelry, electronics, appliances, books, sporting goods, nursery items, home improvement products and general merchandise;
- [3.12.2.2.2](#) Printing, photography and similar service;
- [3.12.2.2.3](#) Business or professional offices, including banks and other financial institutions;
- [3.12.2.2.4](#) Personal services, including barbershops, beauty shops, cleaning establishments;
- [3.12.2.2.5](#) Day Care centers, preschool and similar uses;
- [3.12.2.2.6](#) Museums, art studios, galleries and performing arts facilities;
- [3.12.2.2.7](#) Bed and breakfast establishments;
- [3.12.2.2.8](#) Restaurants, limited seating;
- [3.12.2.2.9](#) Restaurants subject to Section 8.16;
- [3.12.2.2.10](#) Commercial educational, instructional or recreational services;
- ~~Non-profit organizations;~~
- [3.12.2.2.11](#) Retail sales or alcoholic beverages, subject to Section 8.3;
- [3.12.2.2.12](#) Open air markets;
- [3.12.2.13](#) Churches, religious buildings, Places of worship and cemeteries and other ~~non-profit~~ similar organizations;
- [3.12.2.2.14](#) Neighborhood Retirement Housing, Assisted Living and Congregate Care Elderly housing developments;
- [3.12.2.2.15](#) Mixed use buildings containing both residential and nonresidential uses;
- [3.12.2.2.16](#) Detached Accessory Apartment subject to Section 8.5.2, under Special Permit uses;
- [3.12.2.2.17](#) Accessory uses customarily incidental to the above uses.

[3.12.2.3](#)

Center Commons Zone Special Criteria

Within the Center Commons Zone the design, scale, size and use of individual developments shall be designed in a manner that is reasonably consistent and compatible with existing uses.

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The site design for any proposed new development and for the re-use of any existing building must blend with the traditional area site design as appropriate for the specific location. This would typically include lawn between the structure and the street and parking to the side or rear of the building within the Historic District.

The maximum area of the footprint of a single commercial building is 8,000 square feet.

The building front yard shall be a minimum of 50 feet, except that the Commission may permit a front yard of less than 50 feet, but not less than 30 feet, where other area buildings have front yards of less than 50 feet. In determining the front yard the Commission shall consider the front yard setback of existing buildings located within 400 feet of the proposed new building.

Special Permit uses shall only be allowed on a lot containing a minimum of 40,000 square feet, except where an existing home will be used for both residential and commercial purposes.

Required Lot Areas, Yards, Coverage, Heights and Frontages shall be as outlined for the R30 Zone in Section 5, except as follows; the minimum front yard may be 30 feet as outlined above; the maximum height is 45 feet; the maximum stories is 3; and the maximum coverage is 30%.

3.12.3 Center Edge

The Center Edge is the least developed area of the Granby Center District. It serves primarily residential, public service, recreational and open space uses. It contains multifamily developments, the Historic Society, the Granby Center Fire House, the Visiting Nurses Association and the South Congregation Church. This area contains most of the Granby Center Historic District, a large and beautiful area that is listed on the National Register of Historic Places.

3.12.3.1 Center Edge Zone Permitted Uses.

In the Center Edge Zone, the following uses are permitted subject to the Center Edge Zone Special Criteria, Section 4 and other applicable requirements.

- 3.12.3.1.1 Single-family dwellings;
- 3.12.3.1.2 Home occupations, subject to Section 8.8;
- 3.12.3.1.3 Agriculture, subject to Section 8.15;
- 3.12.3.1.4 Governmental buildings and facilities including fire houses; and
- 3.12.3.1.5 Detached attached accessory apartment, subject to Section 8.5.2
- 3.12.3.1.6 Family Child Care Home or Group Child Care Home, located in a residence and licensed by the Office of Early Childhood.

3.12.3.2 Center Edge Zone Special Permit uses.

In the Center Edge Zone the following uses may be permitted by Special Permit, subject to the Center Edge Zone Special Criteria, Section 8.2 and other applicable requirements:

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- [3.12.3.2.1](#) Professional offices; business offices; medical offices;
- [3.12.3.2.2](#) Financial services; business services;
- [3.12.3.2.3](#) Churches, religious buildings, Places of worship and cemeteries and other ~~non-profits~~[similar](#) organizations;
- [3.12.3.2.4](#) Day Care centers, preschool and similar uses;
- [3.12.3.2.5](#) Antique sales subject to Section 8.9;
- [3.12.3.2.6](#) Bed-and-breakfast facilities or inns subject to Section 8.10;
- [3.12.3.2.7](#) Multifamily use subject to section 3.7 on a lot of at least 8 acres;
- [3.12.3.2.8](#) Mixed use buildings containing both residential and nonresidential uses;
- [3.12.3.2.9](#) Neighborhood Retirement Housing, Assisted Living and Congregate Care Elderly housing developments;
- [3.12.3.2.10](#) Detached accessory Apartment subject to Section 8.5.2, under Special Permit uses.

[3.12.3.3](#) Center Edge Zone Special Criteria

All new construction within this zone shall be designed in a residential style, designed to blend and enhance the historic nature of the area, if the construction is within the Granby Center Historic Overlay District or adjacent to any structure listed on the National Register of Historic Places. Use of carefully chosen architectural details, such as cornices, brackets, shutters, columns and awnings is encouraged within such areas. The exterior colors of building materials shall mirror or be compatible with the colors of nearby buildings listed on the National Register of Historic Places. Building color schemes shall be a specific part of any approval.

The site design for any proposed new development or for the re-use of an existing building must blend with the traditional area site design as appropriate for the specific location. This would typically include lawn between the structure and the street and parking to the side or rear of the building within the Historic District.

The maximum area of the footprint of a building that is used for non-residential purposes is 4,000 square feet.

The building frontage (front yard) shall be guided by the average frontage of existing buildings located within the immediate vicinity of any proposed new building or addition.

The building front yard shall be a minimum of 50 feet, except that the Commission may permit a front yard of less than 50 feet, but not less than 30 feet, where other area buildings have front yards of less than 50 feet. In determining the front yard the Commission shall consider the front yard setback of existing buildings located within 600 feet of the proposed new building.

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Required Lot Areas, Yards, Coverage, Heights and Frontages shall be as outlined for the R30 Zone in Section 5, except that the minimum front yard shall be 30 feet. This change is made in an effort to encourage parking at the rear and sides of the building and to aid in design interest and flexibility.

3.12.4 Granby Center Historic Overlay District

The Granby Center Historic Overlay District is a specific area outlined within the Granby Zoning Map and located within the comprehensive Granby Center Zone. The overlay district generally follows the boundaries of the Granby Center Historic District, a large and beautiful area that is listed on the National Register of Historic Places.

The Granby Center Historic Overlay District is not a separate zone, but an area which overlays upon the other Center Zones. Within the Granby Center Historic Overlay District additional requirements and regulations will be applied as specifically outlined with the Center Zones.

3.12.5 Comprehensive Granby Center Zone Criteria

The following requirements and guidelines shall apply to all Center Zones:

1. [3.12.5.1](#) The primary and most appropriate use of existing homes within the Granby Center Historic Overlay District portion of the Center Edge zone is residential use;
2. [3.12.5.2](#) The Planning and Zoning Commission shall notify the Salmon Brook Historical Society, within 10 days of the receipt of any application that includes a property, or any portion of a property located within the Granby Center Historic Overlay District;
3. [3.12.5.3](#) Due to the historic nature of the buildings and the desire to maintain the traditional quality of the existing landscape, any proposed re-use or renovation of buildings located within the Granby Center Historic Overlay District shall be accomplished in a manner which preserves the historic integrity of the building's exterior façades and preserves the traditional design of the grounds, particularly the front area facing the street;
4. [3.12.5.4](#) The conversion of low density housing to multifamily housing is generally encouraged, except within the Granby Center Historic Overlay District;
5. [3.12.5.5](#) Design criteria for multifamily developments shall generally follow the criteria of the PDM Zone, Section 3.7.4, except that a maximum number of 15 units per acre may be permitted. Structures that are visible from Salmon Brook Street shall be designed to blend with the historic designs typically found within the Granby Center Historic Overlay District. Multi-story structures are preferred over single story structures;
6. [3.12.5.6](#) When considering Special Permit applications, the Commission shall encourage the establishment of commercial uses that do not currently exist within the Town Center area. The zone's permitted uses will be preferable to the establishment of uses that are allowed only by Special Permit where such special permit uses replicate existing center businesses. The Commission, the public and new applicants should recognize the limited area of the Town Center and the need to diversify the commercial uses. The success of the center as a local commercial service center is largely dependent on the availability of a wide range of commercial retail items, services and offices. An abundance of offices

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(permitted uses) will enhance the overall business environment as the office workers are likely to frequent the other center businesses during the morning, lunch and dinner times;

7. [3.12.5.7](#) Multi-storied buildings are preferred over single story buildings. Single use one story structures shall be discouraged except in unique situations where the property cannot support a multi-story structure and multiple uses;
8. [3.12.5.8](#) Where mixed use buildings are proposed that will contain both residential and nonresidential uses, the number of residential units may not exceed 15 per acre. Living units shall typically be located above the first floor and shall be serviced by elevators and fire prevention sprinkler systems. One parking space per unit shall be required. Overall the density of the site will be guided by the site development requirements outlined herein;
9. [3.12.5.9](#) Applications for new commercial construction shall include an analysis of the anticipated vehicular traffic that will be generated by the proposed use. Of specific concern are the peak hour traffic and the related turning movements of vehicles during the peak hours. The Commission shall strive to establish a mix of commercial uses, which differ in their peak hours of traffic generation;
10. [3.12.5.10](#) Parking requirements shall be as outlined within Section 7. The Commission may waive the specific requirements regarding the location of parking spaces to achieve the goals of the zone as stated above. Vehicular access and parking shall be designed to permit passage between adjacent properties. Shared parking is strongly encouraged;
11. [3.12.5.11](#) Curb cuts shall be closely scrutinized by the Commission. The existing traffic flow within the area is often delayed and poorly placed curb cuts and/or increased numbers of curb cuts will exacerbate the problem. Therefore the Commission shall require the sharing of curb cuts between property owners and may prohibit a proposal for non-residential use of property where the curb cut separation is found to be unsatisfactory. A minimum distance of 150 feet between curb cuts is preferred;
12. [3.12.5.12](#) A system of sidewalks, designed for the convenience of pedestrian traffic, shall be incorporated in all proposed development applications. Sidewalks shall be designed and constructed to serve pedestrian movement within each proposed site and with consideration of linkages to adjacent sites. Proposed site plans shall also include provisions for pedestrian and non-motorized amenities, such as benches (stand alone or permanent fixture), garbage receptacles, and bicycle racks. All site designs shall include sidewalks, which lead from the existing street to the proposed or re-used structure. The application shall include a pedestrian access plan that links the proposed site to other properties within the Center;
13. [3.12.5.13](#) Extensive use of street trees and curbside landscaping should characterize the developments;
14. [3.12.5.14](#) Businesses developments shall consider incorporating outdoor plaza areas containing benches, trash receptacles, landscaping, instructional signage, and partial shelter (such as a gazebo or awning). Outdoor plazas may also be characterized by substantial defining central amenities, such as a fountain, a clock tower or public art. Outdoor plaza areas should be centrally located, insofar as possible. Restaurant uses having outdoor cafes are encouraged;

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15. [3.12.5.15](#) No goods, merchandise, equipment or machinery shall be stored or displayed outside of a building unless the areas are specifically authorized by the Commission as a part of a site plan or special permit approval. Parking spaces and landscaping areas shall not be used for the sales, storage, and display of goods or for advertising purposes of any kind, except for detached signs installed in conformance with these Regulations;
16. [3.12.5.16](#) All commercial activity shall be conducted wholly within enclosed buildings, except for off-street loading, periodic sidewalk sales and other operations normally conducted outdoors, and excepting other uses specifically authorized by the Commission as part of a site plan or special permit approval;
17. [3.12.5.17](#) Ground mounted mechanical equipment may be located along a rear façade, but should be screened from view. Screening shall be designed with materials that mimic or complement those used in the primary structure;
18. [3.12.5.18](#) Roof mounted mechanical equipment shall be screened from public view;
19. [3.12.5.19](#) Utilities shall normally be located underground;
20. [3.12.5.20](#) Site lighting shall be designed as the absolute minimum necessary to achieve the desired purpose. All exterior light poles and lighting fixture must of a type and style that mirrors the existing poles and fixtures located along Bank Street. These are often identified as traditional style and can be found in figure 2 outlined below. The height of pole, to the top of the fixture shall be between 9-14 feet;
21. [3.12.5.21](#) Noise is a community concern and should be considered in the site design and measures taken to reduce its impact, in the design of all developments. Care should be taken to buffer areas of potential noise by shielding such areas through the strategic placement of plantings, buildings, earth berms or through a combination of these and other appropriate techniques;
22. [3.12.5.22](#) All freestanding and directory signs shall be of wood (simulated wood or wood composite) construction and suspended from either one or 2 poles as outlined in figure 3 below. Signs shall be externally illuminated with the light typically emitted onto the face of the sign from a fixture or fixtures located above the sign face. Narrow signs and uniquely shaped signs may be illuminated by ground mounted lighting fixtures, where approved by the Commission. The lighting intensity shall be the minimum necessary to illuminate the sign face;

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4.0 PURPOSE

To protect the character, property values and historic and rural nature of the community, and to further the objectives of Section 1.0 of these Regulations, in all Zones except the R4A, R2A, R50, and R30, a site plan shall be approved by the Commission prior to the issuance of a building permit for any new construction or addition or for any change in the footprint of any existing building. No site plan shall be changed in any manner without the approval of the Commission. Site plans shall be required for all special permit requests, which involve any changes in existing sites including sites within the R4A, R2A, R50 and R30 zones.

4.1 SITE DEVELOPMENT PLAN CRITERIA

The applicant must submit the following material as applicable for approval of a site development plan:

4.1.1 Application

One (1) copy of a completed application form available from the Commission.

4.1.2 Legal Description

One (1) copy of a legal description of the property on which the development will take place.

4.1.3 Site Plan

Nine (9) copies of a site plan drawn at a scale no smaller than 1 (one) inch = 100 feet in accordance with Class A-2 standards as defined by the existing Code of Practice for Standards of Accuracy of Surveys and Maps adopted by the Connecticut Association of Land Surveyors. The site plan shall show, as applicable, the following:

4.1.3.1 Existing and proposed topography shown in two (2) foot contour intervals;

4.1.3.2 Existing and proposed roads, streets, driveways and loading and parking areas;

4.1.3.3 Existing and proposed walkways and sidewalks;

4.1.3.4 Existing and proposed drainage facilities, watercourses and wetlands;

4.1.3.5 Existing and proposed utilities;

4.1.3.6 Adequate provisions for potable water supply and sewage disposal;

4.1.3.7 Existing and proposed methods of ingress and egress;

4.1.3.8 Proposed methods of refuse storage and disposal;

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- 4.1.3.9** Existing and proposed fire hydrants, fire ponds and/or fire alarm boxes;
- 4.1.3.10** Existing and proposed structures;
- 4.1.3.11** Existing and proposed buffer strips, earth berms and landscaping;
- 4.1.3.12** Existing and proposed signs;
- 4.1.3.13** Exterior illumination showing location, light and type of fixtures;
- 4.1.3.14** Outside storage and identity of items to be stored outside;
- 4.1.3.15** Recreational facilities, acres and open space;
- 4.1.3.16** A data block which gives needed zoning information including where applicable: percentage of lot coverage, acreage of the parcel, number and mix of units, required parking and number of spaces provided and zoning designation;
- 4.1.3.17** A key map drawn at a scale of at least one (1) inch = 400 feet showing the locations of buildings and facilities on abutting land, driveway entrances on both sides of the street or streets within 500 feet of the site and zone boundaries within 500 feet of the site;
- 4.1.3.18** Existing and proposed easements.
- 4.1.4** **Abutters List**

One list of abutters within 200 feet of the site including their current mailing addresses.
- 4.1.5** **Architectural Elevations**

Nine (9) copies of the general architectural elevations of the proposed buildings, prepared by a registered architect or engineer, drawn to scale and including type and color of building materials, exterior facade and facing, fenestration and any special architectural features. The location, height, size, dimensions, design, colors, lettering, lighting, intensity and appearance of all signs shall also be shown. The Commission may waive this requirement for any application for the construction of a building of less than 5,000 square feet.

4.2 SITE DEVELOPMENT PLAN SPECIAL REGULATIONS

4.2.1 Mylar Filing and Construction Deadlines

An approved site plan (mylar copy) shall be signed by the Commission and filed in the office of the Town Clerk within ninety (90) days of the Commission's approval. The signed plan shall serve as the "Certificate of Approval". All work in connection with such site plan shall be completed within five years after the approval of the plan. Noted on the mylar shall be the date on which such five-year period expires. Failure to complete all work within such five-year period shall result in the automatic expiration of the approval, except that the Commission may grant one or more extensions of the time to complete all or part of the work, provided the total extension or extensions shall not exceed ten years from the date such site plan is approved. "Work" for purposes of this section means all physical improvements required by the approved plan.

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4.2.2 Contiguous Parcels

For the purpose of integrated development, any number of contiguous parcels may be consolidated for the purpose of development and the consolidated parcel shall be construed to be one (1) lot when computing building coverage, yard requirements and permitted uses, provided:

4.2.2.1 The owners of each lot shall give to the owners of the consolidated parcel by deed, easement, or agreement filed in the Office of the Town Clerk, the right of entrance, exit, passage, parking and loading;

4.2.2.2 The consolidated parcel is developed with an integrated plan of buildings, parking, loading and unloading, and open space;

4.2.2.3 The Commission may require or limit use of access driveways to one or more parcels, whether or not under separate ownership, in order to assure safe traffic movement onto the street and to avoid congestion.

4.2.3 Sidewalk Requirements

The developer shall provide concrete sidewalks, four (4) feet wide along the linear front footage of all roads abutting the site, in accordance with Commission policy on file in the Office of Community Development.

4.2.4 Drainage Requirements and Stormwater Management

All developments shall be designed in such a way that the peak rate of runoff (in cubic feet per second) leaving the site in its developed state (post-development) shall be less than or equal to the peak rate of runoff leaving the site prior to development (pre-development). The Commission may, at the request of the developer, allow an increase in the peak rate of runoff leaving the site and the developer may agree to contribute to a Granby Downstream Fund established to correct flooding problems or potential flooding problems which may arise at a future date, in accordance with Commission policy on file in the Office of Community Development. The developer shall provide the Commission with a downstream hydrologic/hydraulic analysis with all requests for peak runoff increases.

Proposed drainage systems shall be designed in accordance with current engineering practice and shall include best management practices (BMPs) to manage the quantity of stormwater and treat the quality of stormwater. Proposed drainage systems shall address the following goals:

- A. Preserve the pre-development site hydrology to the greatest extent possible;
- B. Preserve and protect streams, channels, wetlands, water bodies, watercourses and other natural features that protect water quality and provide water quality and quantity benefits;
- C. Reduce the peak rate of runoff from developed land to minimize increases in flooding;
- D. Manage stormwater runoff in a manner that maintains or improves the physical and biological characteristics of existing drainage systems, both on-site and off-site, and prevents increases in downstream flooding, streambank erosion and water pollution;

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- E. Emphasize non-structural approaches to controlling runoff and water quality, where appropriate;
- F. Prevent pollution of drinking water sources, both above ground and below ground (aquifers) by minimizing the discharge of soluble pollutants;
- G. Prevent pollutants from entering receiving waters and wetlands that exceed the systems ability to assimilate or treat the pollutants;
- H. Reduce the average total suspended solids (TSS) loadings in the post development runoff by at least 80 per cent (80%);
- I. Remove oils, greases and vehicle fluids from the post development runoff, prior to the runoff leaving the site;
- J. Incorporate stormwater management practices that mitigate potential increases in the temperature of runoff.

The analysis and design of drainage systems and stormwater management systems shall utilize the following publications, at a minimum:

- State of Connecticut Department of Transportation (CONNDOT) Drainage Manual;
- U. S. Soil Conservation Service TR-55 Manual;
- U. S. Soil Conservation Service TR-20 Manual;
- Connecticut Guidelines for Erosion and Sediment Control (2002);
- Connecticut Stormwater Quality Manual (2004).

4.2.4.1

Stormwater Management Requirements

The following stormwater management requirements shall be addressed:

- All proposed developments shall include an analysis of the upstream tributary drainage area and shall include a downstream impact analysis based on the post-development conditions;
- Proposed developments shall attenuate the post-development peak runoff rate to no more than the pre-development peak runoff rate, unless otherwise modified by the Commission;
- All drainage/conveyance systems, whether structural or non-structural, shall be analyzed, designed and constructed to accommodate existing upstream off-site runoff and developed on-site runoff (post-development);
- Proposed developments shall include provisions for the treatment of surface runoff in order to minimize the discharge of pollutants into existing conveyance systems, watercourses, water bodies and wetlands;
- All proposed developments shall include measures to control soil erosion and sedimentation during construction and post-development;
- Maintenance of all proposed drainage systems/facilities not dedicated to the Town shall be the sole responsibility of the property owner or property

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association. Maintenance and operation plans/schedules shall be part of any approved site plan.

4.2.4.2 Stormwater Quantity

All stormwater conveyance systems, storm sewer systems, surface drainage systems, detention systems, swales, channels, etc. shall be appropriate for the site and shall be designed in accordance with current engineering practice. Design storm frequencies used in the drainage analysis shall be appropriate for the site and shall be in accordance with the requirements of the Town and the CONNDOT Drainage Manual.

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4.2.4.2.1 Peak Runoff Attenuation

Peak runoff attenuation can be accomplished by limiting impervious coverage, increasing travel times, utilizing pervious pavements, introducing groundwater recharge, constructing stormwater detention facilities or other approved methods. Increases in peak runoff must be attenuated for the 2-year, 10-year, 25-year and 100-year storm unless otherwise modified by the Commission. Detention systems not dedicated to the Town will require an operation and maintenance schedule which addresses: items of routine maintenance; frequency of maintenance; the party responsible for maintenance; and an emergency operation plan.

4.2.4.3 Stormwater Quality

All site developments shall include provisions for the treatment of stormwater runoff in order to minimize the transport of pollutants downstream or into the groundwater. These treatment requirements are an important part of the Town's strategy to comply with the National Pollutant Discharge Elimination System (NPDES) Permit Phase II Requirements for Post-Construction Runoff Control.

4.2.4.3.1 Stormwater Treatment Procedures

In general, the procedures for meeting the objectives of post-construction runoff control are:

a. Site Design Best Management Practices (BMPs);

Site design BMPs are techniques and facilities that can be used within the proposed development to reduce the quantity of runoff and treat runoff in order to reduce the level of pollutants. Site design techniques include minimizing impervious areas and retaining native vegetation. Site design facilities include roof downspout infiltration systems, drywells and the utilization of pervious pavement where appropriate. If practical, runoff storage and treatment measures shall be spread throughout the site rather than being placed at a single stormwater collection point (end-of-pipe structure);

b. Pretreatment Facilities

Pretreatment of runoff is required prior to discharging to the site's primary stormwater treatment facility or to any infiltration facility. The purpose of pretreatment is to remove large particles and debris from runoff in order to prevent clogging and minimize maintenance of any downstream treatment facility. Appropriate pretreatment facilities include deep sump catch basins, sediment traps, grass swales, vegetative buffers, gravel/riprap flow spreaders, underground detention systems, oil water separators and proprietary settling devices. Further downstream treatment utilizing primary treatment facilities is required after pretreatment;

c. Primary Treatment Facilities

Primary treatment of stormwater runoff is required at all points where stormwater discharges from the site into an existing stormwater conveyance system, watercourse, water body or wetland. Primary treatment facilities should be capable of capturing and treating the design water quality volume (WQV) or the design water quality flow (WQF) in accordance with the design procedures contained in the Connecticut Stormwater Quality Manual. Examples of primary

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treatment facilities include infiltration trenches, infiltration basins, rain gardens, bio-filtration swales, surface or underground filtration systems, bio-retention systems and proprietary filtration devices.

4.2.5 Landscape Treatment

The following shall apply to all developments where a Site Plan approval is required:

- a. Where any commercial, industrial or multi-family use abuts a residential zone, a twenty-five (25) feet wide landscaped buffer strip shall be provided, on the lot used for such commercial, industrial or multifamily-use, extending the length of the property boundary, seeded and properly planted with trees and shrubs to insure a proper break between the two uses. The Commission may waive this requirement where the abutting residential zone does not contain a residential use;
- b. The site shall contain a minimum landscaped area in the aggregate 20% of the total Site;
- c. The site shall contain a landscaped area adjacent to the street which is not less than twenty (20) feet wide and extending along the entire linear front footage. This landscaped area shall be free of parking areas and planted with deciduous and coniferous trees located in clusters at a minimum rate of 1 tree per 25 feet of frontage. In addition to the trees, the frontage should include a variety of additional vegetation clusters utilizing local species of vegetation such as azalea, rhododendron and mountain laurel. The Commission may waive this requirement where existing slopes are present or where the developer demonstrates an excellence in building placement and landscape design;
- d. Where any commercial, industrial or multi-family use abuts a residential zone, a twenty-five (25) feet wide landscaped buffer strip shall be provided extending the length of the zone boundary, seeded and properly planted with trees and shrubs to insure a proper break between the two uses. The Commission may waive this requirement where the abutting residential zone does not contain a residential use;
- e. The Commission may require additional landscaping measures under unusual conditions or for noise abatement to prevent the depreciation of adjoining properties which may include fencing, walls, earth berms, mature plantings or a combination of measures;
- f. The Commission may reduce the landscape requirements by not more than 25% for excellence in building or open space design. The Commission shall consider, among other features, the site characteristics, compatibility of proposed structures with surrounding architectural types, quality of building materials and the size and quality of landscape materials;
- g. The Commission shall consider, and may require, a Visual Streetscape Buffer when reviewing applications for Site Plan or Special Permit. The depth of the Streetscape Buffer will vary based on the factors outlined herein, up to a maximum depth of 500 feet. The buffer area shall be preserved in a natural state, between the street line and new interior development, except as necessary to allow access and achieve proper sight line for vehicles exiting and/or entering the development. The street or driveway that will provide access and egress to the developable portion of the property, by crossing the

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streetscape buffer, shall be landscaped to visually ease the transition from the existing road to the proposed development;

h. The streetscape buffer shall be permanently preserved through the creation of a conservation or similar easement and/or by deeding the fee or easement to an approved entity. In determining the applicability of a Streetscape Buffer the Commission shall consider the following:

- The setback of existing developments with the general area of the proposal;
- The condition of the streetscape within the area of the proposal;
- The potential to expand the streetscape buffer upon application of future developments;
- The impact that a streetscape buffer will have on the general aesthetics of the area;
- The depth of the property and the effect that such a requirement will have on the overall development potential of the site;
- The feasibility of developing the rear portion of the site;
- Factors that limit the developable areas of the site such as soils, wetlands and slopes;
- The extent of vegetative cover and the landform within the area of the streetscape buffer, before and after development.

4.2.6 Natural Features

Due regard shall be given to the preservation and potential enhancement of natural features, trees, streetscapes, scenic points, rock formations, and other assets of a community nature. All watercourses should remain in as natural a state as possible, and all land filing shall be subject to the landfill regulations of the Town. The developer shall preserve, as far as possible, hardwood and evergreen trees that are not required to be removed by the building construction or public improvements.

4.2.7 Bonding Requirements

4.2.7.1 The Commission may require that a bond be posted by the applicant, in an amount and form acceptable to the Commission, in order to assure the completion of all work required by site the plan for the following: roads, parking areas, drainage systems, sanitary sewers, water lines and other public utilities, recreational facilities, landscaping and planting, improvements or conditions by the Commission or other Town departments.

4.2.7.2 A surety company bond in the amount approved by the Commission must be filed with the Town of Granby prior to the issuance of any building permit, except that, in lieu of a bond, there can be deposited with the Town cash or letter of credit in an amount sufficient to guarantee the completion of the work required on the plan.

4.2.7.3 In the case of water mains, electric lines or other utilities to be installed by a public utility corporation or municipal department, a statement from such corporation or

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department that the work will be done within a reasonable time and at no expense to the Town will be accepted in lieu of a bond or cash deposit.

- 4.2.7.4** A decision on any application; for a release or reduction of any security for completion of improvements, utilities and recreation facilities shall be made by the Commission, upon the recommendation of the Town Engineer.
- 4.2.7.5** An application for release and or reduction of security shall be made by letter from the developer to the Commission and shall indicate the value of the improvements, public utilities or recreation facilities remaining to be completed after the date of such application. A reduction in security shall not be less than in increments of 25% of the projected costs of the improvements.
- 4.2.7.6** A reduction of any security for completion will be allowed only if, after the Town Engineer's inspection, the remaining security is adequate to cover the estimated cost of completion. A release of any security for completion shall not be made until the Town Engineer certifies completion of the public utilities, improvements and recreation facilities that have been made in accordance with the requirements of the site plan approved by the Commission.
- 4.2.8 On Site Sewage Disposal**
- 4.2.8.1** Where individual sanitary sewage disposal systems are proposed, the site plan shall be accompanied by a sanitary report, developed in accordance with the guidelines set forth by the Farmington Valley Health District. The report shall demonstrate the feasibility of the proposed individual systems; the report should deal with the area as a whole, discussing the following points:
- a. General nature and development of the surrounding area;
 - b. Topography and natural drainage patterns;
 - c. Sub-surface conditions as shown by sub-surface investigation, including soil absorption characteristics, ground water level conditions, ledge rock and general nature of soil;
 - d. General description of the type of development contemplated;
 - e. Detailed description of proposed sanitary sewage disposal facilities indicated sizes for various ground conditions, materials to be used, and the general layout pattern to be used, etc.;
 - f. Special precautions that may be necessary to provide proper functioning of the proposed disposal systems;
 - g. Map of the general area with locations of all tests shown on proposed layout;
 - h. Flood heights of any nearby streams, brooks or rivers.
- The report shall contain test results and an engineering evaluation of test results based on an extensive subsurface investigation.
- 4.2.8.2** Since the principal purpose of the sanitary report is to demonstrate the feasibility of the ground for subsurface disposal of septic tank wastes, emphasis must be placed on the analysis and interpretations of test results and other observations by the engineer.

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4.2.8.3 The report shall contain a statement by the engineer that, in his professional opinion, the area is suitable for the installation of individual sanitary sewage disposal systems of the general type and size described in his report. Any reservations or special conditions considered necessary by the engineer shall be repeated in this portion of his report.

4.2.8.4 If any additional information is requested, or if any additional tests are required, a supplemental report shall be submitted. The Commission may modify or waive the requirements of this Section for the construction of a structure of less than 10,000 square feet, or for any commercial or industrial building where the amount of water use is limited to lavatories and bath facilities.

4.2.9 Design Review

4.2.9.1 Evaluation by the Commission of the appearance of a project shall be based on the quality of its architectural design and on its relationship to its surroundings. All developments shall take into account the following guidelines:

- a. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development;
- b. Materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings;
- c. Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways;
- d. Materials shall be of durable quality;
- e. Building components such as windows, doors, eaves, and parapets shall have good proportions and relationships to one another;
- f. Colors shall be harmonious and shall use only compatible accents;
- g. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building or they shall be so located as not to be visible from any public ways;
- h. Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design;
- i. Refuse and waste-removal areas, service yards, storage yards and exterior work areas shall be screened from view from public ways using materials as stated in criteria for equipment screening;
- j. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent monotonous appearance.

4.2.10 Stipulations

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The Commission, in approving a Site Development Plan, may stipulate such restrictions as appear to the Commission to be reasonable to assure compliance with the intent of these Regulations and to protect or promote the rights of individuals, property values and the environment in the area as a whole, the public health, safety or welfare, sound planning and zoning principles, improved land use, site planning and land development or better overall neighborhood compatibility. Such restrictions may concern, without limitation, the components of the site plan and the layout, distribution and relationship between uses and structures, vehicular and pedestrian circulation, parking, open space, landscaping, screening, signs and lighting. All conditions shall be satisfied, if possible, prior to the issuance of a building permit but must be complied with completely at the time of issuance of a certificate of occupancy.

4.2.11 Waiver of Requirements

When site plan approval is required as part of a Special Permit application in an R4A, R2A, R50 or R30 zone, the Commission may modify or waive the requirements of Sections 4.1.3, 4.1.5, 4.2.1, 4.2.3 and 4.2.5.

4.2.12 Preliminary Plans

Any applicant may prepare a set of preliminary plans for an initial meeting with the Commission. The purpose of the meeting shall be to provide an informal opportunity for the applicant to avail himself/herself of the advice and assistance of the appropriate Town officials before preparation of the final plans and before a formal application for Site Development approval is made.

4.2.13 Minor Changes

When minor changes to approved site development plans are requested which do not require additional parking spaces, do not impact on necessary landscaping, do not change the visual appearance of the development or which may be required by field conditions, approval may be granted by the Community Development Director, Building Official and Town Engineer. All approved plans shall be filed with the office of Community Development and reported to the Commission at the next meeting. If approved, one paper copy of the approved plan must be filed by the applicant.

4.2.14 Simplified Site Plan

When a fully engineered site plan is cost prohibitive relative to the cost of a proposed minor change for which an A -2 survey is not necessary to determine inland wetland or zoning compliance or when site plan approval is required as part of a Special Permit application in an R4A, R2A, R50 or R30 Zone; and proposed changes do not involve significant grading, storm drainage, floodplain, underground utilities, or other attributes requiring professional design, location, and/or documentation on a site plan; the Building Official, Director of Community Development, Town Engineer, Fire Marshal, or other applicable staff members may mutually agree to allow a simplified site plan that is limited in scope to the vicinity of the proposed change.

Simplified site plans shall be drawn to scale and demonstrate compliance with all relevant regulations to the satisfaction of relevant town staff, but do not need to be professionally drawn and sealed. Upon subsequent, more significant changes to a site, the simplified site plan shall be incorporated into a fully compliant site plan of the entire site.

SECTION 5 AREA, YARD AND HEIGHT REQUIREMENTS

5.0 PURPOSE

To further the objective of Section 1.1, except as provided for existing lots here within, no building shall hereafter be erected, enlarged, altered or rebuilt, or premises used except in conformity with these Regulations, and as prescribed in the schedule, which is part of this section and is labeled "Schedule of Areas, Yards and Height Requirements."

5.1 SCHEDULE OF AREA, YARD, AND HEIGHT REQUIREMENTS

ZONE	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT DEPTH
R4A	4 ACRES	100 Ft.	250 Ft.
R2A	2 ACRES	200 Ft.	250 Ft.
R50	50,000 sq. ft	200 Ft	200 Ft.
R30	30,000 sq. ft	150 Ft	150 Ft.
PDM	5 ACRES	175 Ft.	250 Ft.
C4	1-ACRE	200-Ft.	150-Ft.
C2	20,000 sq. ft	100 Ft.	150 Ft.
QP	1-ACRE	175-Ft.	175-Ft.
I	45,000 sq. ft (1)	50 Ft. (1)	200 Ft. (1)
ED	10 ACRES (2)	450 Ft. (2)	450 Ft. (2)
T1	30,000 sq. ft.	150 Ft.	200 Ft.
Commercial Ctr.	20,000 sq. ft	100 Ft.	150 Ft.
Ctr. Commons	30,000(9)	150 Ft.	150 Ft.
Ctr. Edge	30,000 sq. ft.	150 Ft.	150 Ft
ZONE	MAXIMUM STORIES	MAXIMUM HEIGHT/FEET	MAXIMUM% LOT COVERAGE
R4A	2 1/2	30 Ft.	15%
R2A	2 1/2	30 Ft.	15%
R50	2 1/2	30 Ft.	20%
R30	2 1/2	30 Ft.	25%
PDM	2	35 Ft.	30%
C4	2	30-Ft.	30%
C2	3	45 Ft.	40%
QP	3	50-Ft.	30%
I	2	40 Ft.	40%
ED	3	60 Ft.	40%
T1	2 1/2	30 Ft.	20% (6)
Commercial Ctr.	3	45 Ft.	30%
Ctr. Commons	3	45 Ft.	30% (8)
Ctr. Edge	2 1/2	30 Ft.	25% (9)

SECTION 5 AREA, YARD AND HEIGHT REQUIREMENTS

Note*: In the R4A zone no structure may be constructed within 100 feet of the Case Street front street line, or if no street line has been established, within 125 feet of the pavement centerline. A minimum 50 foot front yard shall apply to all other existing and proposed streets.

ZONE	MINIMUM FRONT YARD	MINIMUM REAR YARD	MINIMUM SIDE YARD
R4A	100/50* Ft.	50 Ft.	25 Ft.
R2A	50 Ft.	50 Ft.	25 Ft.
R50	50 Ft.	50 Ft.	25 Ft.
R30	50 Ft.	30 Ft.	20 Ft.
PDM	50 Ft.	40 Ft.	35 Ft.
C1	50 Ft. (3)	20 Ft. (3)	10 Ft. (3)
C2	50 Ft. (3)	20 Ft. (3)	10 Ft. (3)
QP	50 Ft.	20 Ft.	15 Ft.
I	50 Ft. (4)	20 Ft. (4) (3)	20 Ft. (4) (3)
ED	50 Ft. (5)	20 Ft. (5) (3)	20 Ft. (5) (3)
T1	50 Ft. (7)	30 Ft.	20 Ft.
Commercial Ctr.	25 Ft.	20 Ft.	10 Ft.
Ctr. Commons	50 Ft. (8)	30 Ft.	20 Ft.
Ctr. Edge	50 Ft. (9)	30 Ft.	20 Ft.

- (1) See Section 3.8.4.6
- (2) See Section 3.9.4.2
- (3) See Section 4.2.5
- (4) See Section 3.8.4.5
- (5) See Section 3.9.4.2
- (6) See Section 3.10.3.5
- (7) See Section 3.10.3.9
- (8) See Center Common Zone Special Criteria 3.12.2
- (9) See Center Edge Special Criteria 3.12.3

5.2 ADDITIONAL LOT LAYOUT/DESIGN REQUIREMENTS

5.2.1 Front Yards on Corner Lots

On corner lots, the front yard requirement shall be enforced on both street fronts.

5.2.2 Minimum Lot Frontage/Rear Yards

On a corner lot the minimum lot frontage shall be required along all streets, and a side yard line shall be required opposite all street lines.

5.2.3 Height Exceptions

5.2.3.1 The provisions of these Regulations limiting the maximum height of buildings shall not apply to the height of a church spire; tower or belfry; flagpole; water tank; chimney; elevator bulkhead; antenna; or similar use, all of which have a maximum height of 60 feet. The Commission may permit increases in the height of the above items to a maximum of 90 feet following the application and approval of a Special Permit and subject to the conditions of Section 8.2.

5.2.3.2 The maximum height of any residential building, as provided in Section 5.1, may be increased from 30 to 40 feet, and the number of stories may be increased to three (3), provided that the minimum building setbacks (front, side, rear yards) are

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8.9 RETAIL SALE OF ANTIQUES WITHIN THE R4A, R2A, R50 AND R30 ZONES

The retail sale of antiques in conjunction with a primary residential use may be allowed by the Commission subject to the following requirements in addition to the requirements of Section 8.2:

8.9.1 The retail sale of antiques shall:

- a) Be carried on entirely within the dwelling unit or within a completely enclosed permitted accessory building on the same lot as the dwelling unit;
- b) Be carried on by the inhabitants of such dwelling unit and shall involve the employment on the premises of any member of the immediate family residing in such dwelling unit plus one (1) person, full or part-time, not residing in such dwelling unit;
- c) Be clearly incidental and secondary to the use of such dwelling unit and lot for residential purposes;
- d) Not change the residential character of such dwelling unit and lot;
- e) Not allow the storage or display of any products or materials on the premises outside of the dwelling unit or the permitted accessory building in which it is located;
- f) Not create a health or safety hazard.

8.9.2 No residential structure located on a cul-de-sac, dead end street, or unimproved street shall be approved for the sale of antiques.

8.10 BED-AND-BREAKFAST OR INN USED IN CONJUNCTION WITH A RESIDENCE

A bed-and-breakfast or inn when used in conjunction with a primary residential use may be allowed by the Commission subject to the following requirements in addition to the requirements of Section 8.2:

8.10.1 A bed-and-breakfast or inn use shall:

- a) Not contain more than twelve (12) guest rooms;
- b) Provide no meals other than breakfast and no meal shall be provided to the general public if not a guest of the bed-and-breakfast or inn;
- c) House a guest for a period not in excess of thirty (30) continuous days;
- d) Not change the residential character of the dwelling;
- e) Not be located within fifty (50) feet of an existing neighboring structure;
- f) Not be located on a cul-de-sac or dead end street containing greater than four (4) residential structures;
- g) Contain one additional parking space for each guest room.

8.10.2 The owner of the property shall reside on the property throughout the duration of its use as a bed-and-breakfast or inn.

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8.11.1.11 The permanent preservation of open space shall be accomplished by deeding the property, preservation easements, conservation easements, public access easements or a combination of easements to the Town of Granby or to an approved non-profit organization, or in a manner consistent with Section 8.20.9.2 of the Zoning Regulations. In all cases where the preserved open space is not deeded to the Town of Granby the specific wording of conservation, preservation or public access easements shall be required with the application to ensure the permanent preservation, usage and/or access to the open space. The easements shall remove any development rights from the open space, shall provide for the maintenance of trails or recreational areas, shall prohibit or outline the conditions under which the removal of vegetation will be allowed, shall address the keeping of animals, shall address residential accessory uses, shall permit the operation of agricultural activities, shall prohibit or outline the conditions under which the grading of land or removal of earth products will be allowed, shall provide for or prohibit public access, etc., as may be appropriate for the specific location and purpose of the open space.

8.12 TRANSITIONAL OFFICE USE AND/OR CONVERSION

The purpose of this Section is to permit, under certain conditions, the new construction of an office building or the conversion of an existing structure to an office facility when such construction or conversion will act as a transition of uses between residential uses and zones or areas of high traffic. A transitional office use and/or conversion shall be subject to the following requirements in addition to the requirements of Section 8.2:

8.12.1 All applicants shall file a site plan in conformance with Section 4 of these Regulations;

8.12.2 All proposals shall conform to the area requirements of the zone in which they are located;

8.12.3 All proposals are subject to the requirements of Section 7 Off-Street Parking.

8.12.4 Transitional offices shall only be located where residential zones abut zones of a higher intensity or along state routes where traffic conditions and the development of surrounding properties discourage residential usage;

8.12.5 A transitional office shall be designed so as to be compatible with neighboring structures.

8.13 RESIDENTIAL USES IN NON-RESIDENTIAL ZONES

Where residential uses are permitted in non-residential zones as a Special Permit, they shall be subject to the following requirements in addition to the requirements of Section 8.2.

8.13.1 There shall be no new construction of residential facilities in non-residential zones except as provided herein.

8.13.2 An existing residential structure or use may be extended or enlarged and the number of units expanded to not more than a total of three (3), except that in no case may the number of units be increased in any zone other than the ~~C1~~, C2 and ~~OP~~. No unit may be added without a Special Permit and three (3) family structures shall meet the density requirements and general intent of Section 3.7.

8.13.3 Accessory uses may be permitted subject to Section 8.1.

8.13.4 Where a residential structure exists in a non-residential zone, no additional usage of the property may occur unless the lot area contains at least 20,000 square feet of land area for each unit in addition to the minimum lot area required in the particular zone.

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8.13.5.1 The Commission may permit a mixed development combining multi-family units and commercial activity, provided a minimum of 60% of the building area is dedicated to commercial use and the minimum number of residential units is twenty (20). No building permits shall be issued for the residential units if separate, until 80% of the commercial facilities are complete. The project design shall conform to the requirements of Section 3.7 and shall conform to the requirements of the particular zone in which it is located. This section shall be applied to the ~~C1~~, C2 and ~~OP~~ zones only.

8.14 REAR LOTS

8.14.0 Rear lot applications shall be considered as special situations, each requiring individual justification by the applicant. The burden of proof shall be on the applicant to demonstrate how special circumstances make a specific rear lot development proposal consistent with Section 8.2 and how it will avoid adverse effects on surrounding properties.

8.14.1 The design of the rear lot will be in basic harmony with the surrounding uses and will be in general character with the surrounding neighborhood. Where rear lots are proposed within existing developments, the proposed house shall be screened from other surrounding dwelling units, by topography, natural vegetation, new plantings, excessive distance or a combination of such factors. If land grading or additional vegetation is called for on the rear lot, it shall be planned so that it adds to, rather than subtracts from, any existing screening.

8.14.2 The rear lot shall have an adequate and safe access way at least twenty (20) feet in width running from an accepted street. If the access way is in the form of an easement across a front lot (existing or proposed), then the frontage of the front lot shall be measured exclusive of the easement width.

8.14.3 A rear lot shall have a minimum area of 5 acres. The front, side and rear yards shall be at least twice the minimum requirement of Section 5.1. Access ways shall not be used in the area computation.

8.14.4 If rear lots are proposed in subdivisions, the incidence of rear lots shall not exceed the greater of one (1) lot or 20% of the number of lots for which subdivision approval is sought. The Commission may waive this requirement when such waiver will result in a reduction in the length of subdivision roads.

8.14.5 All rear lots must comply with the contiguous developable area requirements of Section 3.2.7 of the Subdivision Regulations.

8.14.6 Section 3.2.6 of the Subdivision Regulations concerning Lot Square, shall not apply to rear lots.

8.14.7 The design of the rear lot shall be such that a rectangle of 200 feet by 400 feet can be accommodated within the perimeter of the rear lot.

8.14.8 All rear lot applications shall include maps and plans prepared in accordance with Section 2.1 of the Subdivision Regulations as necessary to demonstrate that the proposed lot(s) conform to the above regulations and all applicable Subdivision and Zoning Regulations and the State of Connecticut Public Health Code.

8.15 AGRICULTURE

These Regulations have been developed to promote, protect, retain and encourage Granby's rural character. This rural character has its roots in the tradition of New England Agriculture: the small farm, the fruit orchard, and the dairy. Granby's overall plan for development requires that this agricultural presence be continued through the use of

SECTION 8 SPECIAL REGULATIONS

- 8.15.15.3** This Regulation shall not prohibit the repair, maintenance or replacement of fence legally existing prior to the adoption of this Regulation.
- 8.15.16** Temporary roadside stands for the sale of farm products shall be permitted on the property of those responsible for the raising of said products, unless specifically prohibited by the Granby Police Department for reasons of public safety. Such stands shall not be less than ten (10) feet from the traveled way and not less than fifty (50) feet from any street intersection. Temporary roadside stands shall be exempt from the minimum front yard requirement. All roadside stands shall be removed during the months of January and February.
- 8.15.17.0 Statement of Purpose**
- The purpose of the regulation is to promote agritourism activities and uses in Granby, while maintaining the rural character, preserving farms and farmland, and protecting the health, safety, and welfare of the citizens. Agritourism uniquely combines aspects of tourism and agriculture industries and provides opportunities for farms to diversify their incomes with activities and events related to agricultural operations. Equally, agritourism promotes sustainability to both new and existing farms and provides to the community financial, educational, and social benefits.
- 8.15.17 Farm Stores, Limited Farm Stores and Agritourism are subject to the following conditions:**
- 8.15.17.1** May only be conducted on an active farm site.
- 8.15.17.2** The farming operation must have derived at least \$15,000 in gross sales or incurred at least \$15,000 in expenses related to such farming operation during the previous calendar year.
- 8.15.17.3** Activities shall be limited to the areas as shown on an approved site plan, including outdoor and indoor areas of the farm property. If any tents or temporary structures are proposed, these must be shown on the site plan. If new construction is proposed, the scale and design shall be compatible with the residential/agricultural area.
- 8.15.17.4** Parking areas shall be designed to accommodate the projected number of visitors. All parking areas must be shown on an approved site plan. There shall be no on-street parking.
- 8.15.17.5** Additional outdoor lighting may be permitted provided evidence is submitted demonstrating such lighting will not result in glare or excessive light trespass on nearby properties. Lights must be full-cut-off, dark sky compliant.
- 8.15.17.6 The following are permitted by right:**
- 8.15.17.6.1** Limited Farm Store subject to the following:
- **8.15.17.6.1.1** The store may be open between the hours of 8:00 AM and 8:00 PM;
 - **8.15.17.6.1.2** The store shall be confined to an area within a barn or similar structure. If new construction is proposed, a site plan application is required under Zoning Regulations Section 4 for Commission approval. The Commission may modify or waive the requirements of Sections 4.1.3, 4.1.5, 4.2.3 and 4.2.5;
 - **8.15.17.6.1.3** There shall be no seating provided for the public;
 - **8.15.17.6.1.4** The sale of alcoholic beverages and cannabis, including cannabis products, is prohibited;
 - **8.15.17.6.1.5** Activities or events other than those allowed per Section 8.15.17.6.2, 8.15.17.6.3, 8.15.17.6.4, and 8.15.17.6.5 are prohibited;

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- [8.15.17.6.1.6](#) A limited farm store that does not meet the above criteria shall be considered a farm store.

8.15.17.6.2 Farm-based recreational activities;

8.15.17.6.3 Educational demonstrations;

8.15.17.6.4 Farm Tours.

8.15.17.6.5 Agricultural Events:

- [8.15.17.6.5.1](#) Up to five agricultural events are permitted per calendar year, subject to submission of an application to the Community Development Director for review and approval;
- [8.15.17.6.5.2](#) A tent or temporary structure may be permitted in conjunction with an agricultural event. Such tent or temporary structure is limited to 5 building permits per calendar year. No such tent or temporary structure may remain on the property for more than four consecutive days.
- [8.15.17.6.5.3](#) Music or live entertainment may be permitted in conjunction with an agricultural event subject to the following:
 1. [8.15.17.6.5.3.1](#) The music shall begin no earlier than 10 AM and shall end no later 7 PM. The music shall be played at a level such that those in the event area as shown on an approved site plan are able to hold a conversation without raising their voices;
 2. [8.15.17.6.5.3.2](#) When reviewing and issuing approval for an agricultural event with music or live entertainment, the Community Development Director may set conditions on entertainment to mitigate potential negative impacts on surrounding properties. Conditions may include, but are not limited to, frequency, time of day, use of amplified equipment, proposed structures or tents to be used. If there is a disagreement between town staff and the applicant, the applicant shall be referred to the Commission for a decision. If the Commission determines Special Permit approval is required, the applicant shall comply with the criteria in Section 8.15.17.7.2.
- [8.15.17.6.5.4](#) If the agricultural event does not comply with the above criteria, Special Permit approval shall be required per Section 8.15.17.7.2.

8.15.17.6.6 A layout plan, narrative including the type of products to be sold, activities to be conducted including type and number, hours of operation, duration of any tents to be used on site, and any other information as required by the Community Development Director must be submitted so compliance with Sections 8.15.17.1 through 8.15.17.5 and 8.15.17.6 may be determined. Required information shall be submitted at least seven days before the planned event. The applicant shall comply with the approval issued by the Community Development Director. If there are any changes in the nature of the operation or what was approved, the applicant shall submit new information for review and approval by the Community Development Director;

If the Community Development Director determines a proposal exceeds what is permitted by right, the application shall be referred to the Commission. If the Commission determines a Special Permit is required, the applicant shall comply with the criteria in Section 8.15.17.7.

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8.15.17.7 The Commission may grant a Special Permit for the following, subject to Section 8.2 and the following criteria;

8.15.17.7.1 Farm Store subject to the following:

- **8.15.17.7.1.2** A Farm Store may sell agricultural products, including but not limited to, fruits, vegetables, plants, and similar items, processed foods such as preserves, pickled foods, honey, maple syrup, baked goods, animal products and similar products, and related merchandise. The majority of agricultural products sold in the Farm Store are to be grown or produced on the property where the farm is located but may be supplemented with products that are grown or produced in Granby or other farms. Agricultural products shall not include cannabis and cannabis products. The Farm Store may provide seating for the public and tables where food and beverages may be consumed. The Farm Store may also sell alcoholic beverages that are produced on-site from products that are grown or produced on-site or on nearby farms. The farm store may also sell alcoholic beverages in accordance with the Connecticut craft café permit per Connecticut General Statutes Section 30-22d. If a farm store sells alcoholic beverages it may be considered a farm brewery, farm distillery, or farm winery and is subject to the following: The farm brewery, distillery or winery shall use an average crop not less than twenty-five per cent of a combination of grapes, fruits, hops, barley, cereal grains, honey, flowers or other fermentables grown or malted within the state of Connecticut in the manufacture of their product;
- **8.15.17.7.1.3** The farm store shall be confined to an area within an existing barn or similar structure or, if new construction is proposed, the scale and design shall be compatible with the residential/agricultural area;
- **8.15.17.7.1.4** Entertainment may be permitted in conjunction with a farm store provided the entertainment is clearly secondary to the farm store. Unless further limited by the Commission, live or recorded music and any other entertainment may not start prior to 10:00 AM and shall cease no later than 9:00 PM. If outdoor entertainment is provided, which is entertainment that is not located in a permanent structure, the entertainment shall be at a level where persons not located in the outdoor entertainment area can hold a conversation without raising their voices. The outdoor entertainment area must be clearly shown on a site plan. The Commission may set conditions on entertainment to mitigate potential negative impacts on surrounding properties. Conditions may include, but are not limited to, frequency, time of day, use of amplified equipment, outdoor lighting, proposed structures or tents to be used, duration of entertainment. Unless entertainment is specifically permitted within the Special Permit, it shall be prohibited;
- **8.15.17.7.1.5** Events are subject to Section 8.15.17.7.2.

8.15.17.7.2 Non-Agricultural Events, including but not limited to banquets, weddings, fundraisers, and other activities that are not directly related to the farming operation, are permitted by Special Permit. Such events are an accessory use on an active farm and are subject to the following:

- **8.15.17.7.2.1** Outdoor events, including those in temporary structures, shall under no circumstance exceed six per calendar year. When evaluating a request for outdoor events, the Commission may further limit the number of events if it is determined such events are likely to have a negative impact on nearby properties;
- **8.15.17.7.2.2** There shall be no limit on the number of indoor events unless it is determined the event is likely to have a negative impact on nearby properties, in which case the Commission may place a limit on the number of indoor events allowed;

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- **8.15.17.7.2.3** Events may take place between 9:00 AM and 10:00 PM. The Commission may further limit the hours if such events are likely to have a negative impact on nearby properties;
- **8.15.17.7.2.4** Live or recorded music or other entertainment may be permitted. Unless further limited by the Commission, live or recorded music and any other entertainment may not start prior to 10:00 AM and shall cease no later than 9:00 PM. The entertainment shall be at a level where persons located at the property line can hold a conversation without raising their voices. The Commission may set conditions on entertainment to mitigate potential negative impacts on surrounding properties. Conditions may include, but are not limited to, frequency, time of day, use of amplified equipment, outdoor lighting, proposed structures or tents to be used. Unless entertainment is specifically permitted within the Special Permit, it shall be prohibited.

8.15.17.7.3 When considering the Special Permit, the Commission may limit the size and scope of agritourism activities in relation to the size of the farm based on acreage and production. The Commission may also limit the size of the farm store, lighting, number of indoor and outdoor events allowed, number of events allowed per week, provision of entertainment, the hours of events, and may require periodic review for approvals granted for non-agricultural events and entertainment to mitigate negative impacts on nearby properties.

8.16 RESTAURANTS

8.16.0 Restaurants vary widely by size, nature, character, site layout, traffic impact and more. The Institute of Transportation Engineers publication, Trip Generation, 5th Edition, uses 78 pages to address the differing traffic implications for its classification of 4 types of restaurants. A restaurant's peak operating period will vary based on the primary meals served, be it breakfast, lunch, dinner, or brunch. The potential impact on an area cannot be fully understood without understanding the type of restaurant proposed. Recognizing this, the Commission has determined that restaurants may only be established within the Town of Granby following the issuance of a Special Permit by the Commission, subject to the following review criteria and requirements:

- 8.16.1** Outdoor walk-up windows and drive-through windows shall be permitted only upon the submission of evidence satisfactory to the Commission that the proposed walk-up or drive-through window will not cause or contribute to hazards to vehicles or pedestrians or otherwise adversely impact the surrounding area. Drive-through windows shall require Special Permit approval and must comply with Section 8.2 and the following;
- 8.16.1.1** A drive-through may be permitted if it is located within the Business (C2) or Industrial (I) Zones;
- 8.16.1.2** The drive-through serving window shall not be located within 250 feet of any residential (R30, R50, R2A, R4A, PDM) zone or any property with a residential use. The distance shall be measured in a straight line from the nearest part of the serving window to the residential zone or to the nearest property line with a residential use, whichever is closest;
- 8.16.1.3** Each drive-through shall have a minimum vehicle queuing area of 100 feet in length. The queuing area is measured from the point where food orders are placed;
- 8.16.1.4** There shall be only one serving window served by one queuing lane;
- 8.16.1.5** The drive-through window and its associated queuing area shall not interfere with the safe use of required parking spaces, vehicular or pedestrian circulation, or any access driveway to or from a public street. Provisions must be made for pedestrians to park and safely reach

SECTION 8 SPECIAL REGULATIONS

- 8.22.1** An application for Home Instruction shall identify any and all areas of the property where the instruction will be undertaken. Such areas to include areas within the home as well as any outbuildings or outside areas.
- 8.22.2** An application for Home Instruction shall outline the proposed days and the hours of the day when the Home Instruction will occur.
- 8.22.3** An application for Home Instruction shall outline the location of abutting residential structures within 500 feet.
- 8.22.4** An application for Home Instruction shall outline vehicular access and egress, identify the areas where students will be dropped off and picked up, address the anticipated parking requirements and outline the design of ant proposed parking area.
- 8.22.5** All Home Instruction shall be operated by the inhabitants of the residence where the use is proposed and may only involve the employment of members of the immediate family residing on the premises, plus one (1) person, full or part-time, not residing in such dwelling unit.
- 8.22.6** All Home Instruction shall be clearly incidental and secondary to the use of the property for residential purposes.
- 8.22.7** No Home Instruction shall be permitted if it is found that it will change the residential character of the property.
- 8.22.8** No Home Instruction shall be permitted if it is found that it will result in a significant increase in traffic to the area.
- 8.22.9** No Home Instruction shall be permitted if it is found that it will result in objectionable noise, odor, vibrations, or unsightly conditions, or that it will create a health or safety hazard.
- 8.22.10** The owner of the property shall reside on the property throughout the duration of its use for Home Instruction.
- 8.22.11** Only signs, which conform, to the CUSTOMARY HOME OCCUPATION signs standards as outlined within Section 8.6 will be permitted.
- 8.22.12** In approving the Home Instruction the Commission may attach conditions as provided in Sections 4 and 8.2 and shall consider a condition which provides for the maximum number of students that may be on the premises at any one time.
- 8.23 REAR LOTS IN COMMERCIAL ZONES**
- 8.23.1** Special Permit Applications for Rear Lots in Commercial Zones shall be considered for properties located within the; ~~C1~~, C2, ~~QP~~, I, and ED zones, subject to the requirements of Section 8.2. A commercial rear lot is any lot, which does not meet the minimum requirement for frontage under Section 5 of these Regulations as required for the zone in which the property is located. Each application for a commercial rear lot shall demonstrate how specific circumstances make the commercial rear lot development proposal consistent with the regulations herein while avoiding adverse effects on the Town.
- 8.23.1.1** The commercial rear lot shall have an adequate and safe access way with a minimum right of way width of 30 feet measured along the total length between the Street line and the rear boundary line of the front lot(s). If the access way is in the form of an easement across a front