

PLANNING AND ZONING COMMISSION
Town of Canaan (Falls Village) CT

1287

Proposed Zoning Regulation Changes 12/16/09

Red text is proposed changes.

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New section

5.14 Outdoor Wood Burning Furnaces.....page??

Page 6 section 2.2.

2.2. Permitted Principal Uses

	<u>Village Residential</u>	<u>Residential/ Agricultural</u>	<u>Mountain Residential</u>
<u>Other Uses</u>			
22. Temporary Wind Monitoring or Meteorological Structures	not Permitted	Zoning Permit	Zoning Permit
23. Energy producing Wind Devices	Not Permitted	Special Permit	Special Permit

Pages 5,7,8 Sections 2.2 / 2.3 / 2.4

Where it says a Building Permit is required, replace Building Permit with, Zoning Permit.

Page 14 section 2.6.D.5.d.

Change 'special exception to 'special permit'

Page 19 section 3.2.

3.2.B.6. Temporary Wind Monitoring structures require a Zoning Permit.

3.2.C.10. Energy producing Wind Devices

Page 24 section 3.3.

3.3.B.6. Temporary Wind Monitoring Structures require a Zoning Permit.

3.3.C.6. Energy producing Wind Devices

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Page 26/27 section 3.4.

New section 3.4.B.

3.4.B. Principal Uses allowed By Zoning Permit

3.4.B.1. Temporary Wind Monitoring Structures

Existing 3.4.B. becomes 3.4.C.

3.4.C.3. Energy producing Wind Devices

3.4.C. becomes 3.4.D.

3.4.D. becomes 3.4.E.

3.4.E. becomes 3.4.F.

3.4.F. becomes 3.4.G.

Page 42 section 5.2.

Section 5.2.D.3. A handicapped parking space shall comply with State Statue PA 04-237 as amended:
Sections 5.2.D.3. a. and 5.2.D.3. b. will be deleted.

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Pages 44/45 Section 5.4

5.4. Sign Standards

A. Signs in Residential Zones

1. The following signs are permitted in a Residential Zones:

a. "No trespassing" or other signs indicating the private nature of premises, up to two square feet in area, in a quantity not to exceed the minimum number necessary to alert intruders.

b. Non-illuminated temporary signs, up to six square feet in area, pertaining to sale or lease of the premises where displayed or where construction is under way provided that such sign(s) shall be removed when the premises are sold, rented or constructed.

c. Off premise directional signs for business, educational, and nonprofit uses on posts provided for by the town at major street intersections approved by the Board of Selectmen. A sign not larger than six inches in width and two feet in length is permitted per business or use. Such signs shall be placed on the Town posts on a space-available basis subject to approval of the Board of Selectmen.

d. Political signs associated with an official election or referendum provided that such signs are removed within seven (7) days after the election or referendum.

2. The following signs require a Zoning Permit in a Residential Zone:

a. One sign, up to (10) Ten square feet in area, displaying the name of the land or buildings on which the sign is located, the name of the owner or lessee thereof, and his profession of activity.

b. Seasonal signs – The operator of a lawful business that is regularly and intentionally conducted only during one single period of one hundred eighty five (185) or fewer days during any one calendar year may place up to three (3) seasonal signs on or off the lot on which the business is conducted, provided that:

i. no sign shall be greater than eight feet in height from ground level and

ii. no sign shall be displayed prior to 10 days before opening or displayed 10 days after closing.

B. Signs in Business, Industrial and Quarry Zones

The following signs and no others are permitted in Business and Industrial and Quarry Zones provided that no sign shall advertise or refer to any activity, use, structure or business that is not located or does not take place on the lot on which the sign is located (except as provided in Section 5.4.2.b. of these Regulations):

Section 5.4.B.2.a. i. Replace with, thirty two square feet, or

Section 5.4.B.2.b. Replace with, any detached sign shall require a Zoning permit.

Section 5.4.C.4. Replace with, The top of a freestanding sign shall not be higher than ten feet from ground level. No sign mounted on a building shall project higher than the roofs gutter line.

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Page 48 section 5.9.

5.9.C.4. Removal of various soils, sands, stone, and other assorted aggregates from an individual parcel so long as cumulatively less than two hundred fifty (250) cubic yards of such material is removed.

Page 52 new sub section to section 5.9.

G. See also Town Ordinance "An Ordinance concerning Sand and Gravel Operations".

If not regulated by Section 3.4 all mining and removal of sand and gravel from the Town of Canaan, also the mining and removal of small stone, loam, topsoil, dirt, clay and other small-sized materials commonly associated with what is known as a "sand and gravel operation" shall comply with the requirements of the Town of Canaan Ordinance "An Ordinance concerning Sand and Gravel Operations" as amended.

Page 54??

New section

5.14. Outdoor Wood Burning Furnace Standards

All applicable Connecticut statutes regarding such furnaces shall be met as amended. The applicant shall submit a signed statement affirming compliance with the state's requirements.

Page 54 section 5.13

5.13. Fence Standards

1. General fences, walls, and similar structures may be erected so that any such fence, wall or similar structure:

- a. shall not exceed a height.....
- b. shall not obstruct a
- c. shall have the finished side.....

2. Deer fencing may require commission approval based on Zoning Enforcement Officer's site visit and/or interpretation, so that any such deer fencing:

- a. shall not exceed 8 feet in height,
- b. shall be constructed of smooth galvanized wire or black plastic netting with minimum opening of 2 inches, and
- c. shall not obstruct a street sight line.

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Page 57 section 6.1.B.

7. Enlargements and Extensions

- a. A nonconforming structure devoted to a permitted use may be enlarged, provided that such alteration does not increase the number of dwelling units therein; and
- b. Where an existing building is in violation of front, side, or rear yard setbacks or buffer and the applicant has requested an expansion of the building, the commission may, by special permit, allow a reduction of the setback and/or buffer for such building expansion to the lesser of:
 - i. twenty percent of the required setback of buffer; or
 - ii. the setback of the existing building.

Page 64 section 7.2.

7.2.A.6. Applicants for a zoning certificate of compliance have the right to publish notice of such certificate.

B. Notification of Property Owners

7.2.B.1. For applications involving a public hearing, at least ten (10) days prior to the public hearing, the applicant shall send a notice of the public hearing to persons who own land adjoining, including property across a public access way, to the land that is subject of the hearing bounded northerly, southerly, easterly and westerly.

7.2.B.3. Notices to such property owners shall be sent via "Certificate of Mailing" form from the United States Postal Service.

7.2.B.5.a. a copy of the complete package of information sent to property owners,

7.2.B.5.b. a list of property owners to whom the notices were sent, and

7.2.B.5.c. a copy of the "Certificate of Mailing" forms sent to property owners.

7.2.B.6. When an application is filed to conduct or cause to be conducted any construction of a new building or other structure or expansion of the footprint of an existing building or other structure on a property, any portion of which is subject to a conservation restriction or preservation restriction, the applicant shall include with the application proof of written notice of such application, by "Certificate of Mailing" from the United States Postal Service, to the party holding such restriction or a letter from the holder of such restriction or the holder's authorized agent verifying that the application is in compliance with the terms of the restriction.

Page 66 section 7.2.

7.2.C.4.d. When an application for site plan approval involves an inland wetlands regulated activity, the Commission's decision shall not be issued until a decision has been issued by the inland wetlands agency and reviewed by the Commission. The Commission shall state in its decision the reasons for any terms and conditions that are not consistent with such decision of the inland wetlands agency.

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Page 69 section 7.2.

7.2.E.5. Before acting upon any amendment.....

7.2.E.5.c. the proposed change is in accordance with the Plan of Conservation and Development.

7.2.E.7. The Commission is responsible for notifying an adjoining municipality of any application where the subject property is located within 500 (five hundred) feet of the town boundary or which may have significant sewer, water, or traffic impacts on property in the adjoining municipality.

Page 70 section 7.2

7.2.F.6. Before the commission acts upon a Zone Change.....

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Page 71 section 7.2

7.2.G.3.b. Statement of Compliance – The applicant responsible for preparing the plan shall state on the plan that it is in conformance with:

- i. the provisions of these Regulations
 - ii. Connecticut Department of Environmental Protections' "Guidelines for Soil Erosion and Sediment Control"
- and
- iii. Connecticut Department of Environmental Protections' "Storm Water Quality Manual"

Page 74 section 7.3.

B. Special Permit

A Special Permit must comply with sections 7.3.A.1. thru 7.3.A.9. plus the submission of a site plan.

Page 75 section 7.3.

Change section 7.3.B. to 7.3.C.

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Page 82 DEFINITIONS

Zoning Permit – Permission for the commencement, establishment, construction, modification or alteration of any use, building or structure that was not in existence or did not occur prior to the effective date of the applicable provisions of these Regulations.

Special Permit – Permission for the commencement, establishment, construction, modification or alteration of any use, building or structure that was not in existence or did not occur prior to the effective date of the applicable provisions of these Regulations, plus the submission of a site plan.

Attached Sign – A sign that is connected to a building.

Detached Sign – A sign that is self-supported.

Tower face width – Is the width on any side of a tower at its widest point.

Deer fencing This fencing is for the sole purpose of deterring White-Tailed deer from agricultural or ornamental growing areas.

Change the definition of “Special Exception” to read as the definition of “Special Permit”.

Page 98 section 9.1.

9.1.F.2.b. Scale (1” = 40’ with bar scale) or at the discretion of the commission

Pages 99/100 section 9.2.

9.2.1. Cooperation with Siting Council

The Planning and Zoning Commission understands that the authority to regulate new towers for wireless telecommunication services rests with the Connecticut Siting Council and the Commission pledges to work with the Connecticut Siting Council to guide the siting of new towers for wireless telecommunications in the Town of Canaan.

Sections 9.2.2., 9.2.2.a., 9.2.2.b., and 9.2.2.c. will be deleted

Section 9.3. changes to 9.2.

Section 9.4. changes to 9.3.

Section 9.5. changes to 9.4.

Section 9.6. changes to 9.5.