

ARTICLE II. DESIGNATION OF DISTRICTS

SECTION 03. DISTRICTS: For the purpose of these regulations, the Town of Middlefield is hereby divided into the following districts:

03.01. Middlefield Zoning Districts

AG 2	Agricultural
MD	Residential
HD1	Residential
HD2	Residential
GC	Commercial (General)
RC	Commercial (Roadside)
HC	Commercial (Highway)
IN	Industrial (General)
IPD I	Industrial Park District I
IPD II	Industrial Park District II

Environmental Conservation Rural District (ECRD) 1 and 2 which are floating zone districts which will be mapped upon approval. It is the intent of the Commission that an ECRD 1 will be approved only in areas that are currently zoned AG-2. An ECRD 2 will be approved only in areas that are currently zoned MD.

HD1 Lake Beseck Residential
HD2 Rockfall Residential

03.02.

The location and boundaries of the above districts are shown on the map entitled "Zoning Map of the Town of Middlefield" dated June 1960, Approved September 16, 1961, as amended, which forms a part of these regulations.

03.03.

For the purpose of administering Special Flood Hazard Area Regulations, a shaded overlay containing the Special Flood Hazard Areas has been placed over the Zoning Map of the Town of Middlefield. In these overlay areas, uses which are permitted in the designated zoning districts are allowed subject to the granting of a building permit, site plan approval and/or special permit depending on which permit process, or processes, must be followed.

03.04. Notice of Public Hearing by Applicant

All applicants seeking approval of a change of zone for which a public hearing has been scheduled by the Commission (except those petitions initiated by the Planning and Zoning Commission) shall be required to post a minimum of one (1) sign notifying the public of the hearing relating to the application.

All sign(s) shall be the responsibility of the applicant and shall be posted on the property in question in accordance with the following:

- (1) Sign(s) shall be posted at least seven (7) days prior to the date of the public hearing (eight days if the seventh day is a holiday). Sign(s) shall be firmly secured to the ground to prevent vandalism. Parcels having frontage on more than one (1) street shall be required to provide one (1) sign on each street having frontage. The location of the sign(s) shall be shown on the site development plan and approved by the Planning and Zoning Commission.
- (2) Sign(s) shall be constructed of durable material (wood or metal), 36" X 36" in size. All signs shall be painted white and shall have black lettering having a minimum height of two (2) inches with a letter stroke of one quarter (1/4) inch.
- (3) The sign(s) shall advertise the date, time and place of the of the public hearing for the special exception.
- (4) The format for the sign shall be obtained at the Planning and Zoning Office.
- (5) The Zoning Enforcement Officer shall file a report with the Commission that the sign was observed in place seven (7) days prior to the Public Hearing and was constructed in accordance with the above requirements.
- (6) An applicant who fails to display the sign(s) shall be required to file a new application.
- (7) The sign(s) shall be taken down within one (1) week after the public hearing is closed.

03.05. Handicapped Ramps

Handicapped ramps constructed in accordance with current ADA requirements of the applicable Building Codes and Accessibility Regulations on non-residential buildings built prior to 1990 and all residential structures are exempt up to 50% from the front, side and rear setback requirements of the zoning district in which the structure is located. Proposed ramps which would encroach greater than 50% on the required yards shall file an application for Site Plan Review for review and approval by the Middlefield Planning and Zoning Commission. The Commission may place time or residency limitations in its approval to assure the removal of the structure if deemed appropriate.

SECTION 04. RESIDENCE DISTRICTS

04.01. Permitted Uses: The schedule below indicates: (x) a use permitted by right in a designated district; (s) a use permitted as a special permit in a designated district; (p) a use permitted by right subject to a site plan permit in a designated district; and, (-) a use not permitted in a designated district.

04.01.01. Residence District Permitted Uses

DISTRICT

<u>AG2</u>	<u>MD</u>	<u>HD1</u> <u>HD2</u>	
x	x	x	a. Single family dwelling
x	x	x	b. Agricultural or farm use (subject to Section 08.13.)
x	-	-	c. Forestry
x	s	s	d. Roadside stand for sale of farm products
p	p	p	e. Churches and religious institutions
p	p	p	f. Public and parochial schools, private and/or non-profit schools
s	s	s	g. Private non-profit club or lodge, philanthropic institution
s	s	s	h. Buildings and uses of a Public Service Company
p	p	p	i. Parks, playgrounds, fire departments, libraries, office buildings, police departments, ambulance headquarters or other municipal buildings and uses of the Town of Middlefield
-	-	s	j. Rooming house, tourist home, motel
s	s	s	k. Hospital, sanitarium or cemetery
s	s	s	l. Trailer or mobile home on single lots subject to all requirements for a single family dwelling, except in Special Flood Hazard Areas where such uses are prohibited.
s	s	s	m. Outdoor recreational facilities (subject to Section 08.07)
x	x	x	n. All related accessory uses when located in the same building as a residence which do not change the residential character of the property
-	-	-	o. Towers, antennae and other similar structures as a principal use
s	s	s	p. Excavation, removal, or deposition of earth products in excess of 500 cubic yards. See Section 09.01.

DISTRICT

			HD1	
<u>AG2</u>	<u>MD</u>	<u>HD2</u>		
x	x	x	q.	Excavation, removal, or deposition of earth products in excess of 50 cubic yards but less than 500 cubic yards. See Section 09.01.
-	-	-	r.	Mining of Bedrock
s	s	s	s.	Child Day Care Center, Group Day Care Home or Family Day Care Home.
s	s	s	t.	Elder housing
s	s	s	u.	Veterinary Clinics
p	p	p	v.	Home Occupation
s	s	s	w.	Accessory Apartments subject to Section 10.02.09
s	s	s	x.	Ambulance Facilities see Section 10.02.10.
s	-	-	y.	Storage and processing of Ammonium Nitrate, blasting agents and explosives (subject to Section 08.13)
s	s	s	z.	Kennels - Non-Commercial
s	-	-	aa.	Grooming Facilities
s	-	-	bb.	Commercial Kennels

04.01.03. Commercial Vehicles:

No commercial vehicles over 18,500 pounds gross vehicle weight may be parked or garaged in a residential zone. Up to two commercial vehicles not exceeding 18,500 pounds gross vehicle weight each and with a cargo area not exceeding 600 cubic feet may be parked or garaged in a residential zone. This provision does not apply to agricultural/farming uses or temporary emergency vehicles.

04.02 Open Space Requirements:

The following open space shall be required in the Residence Districts as noted below:

Due to varying topographic and soil conditions which may render uniform lot sites impracticable in larger subdivisions, the lot area requirements are expressed in terms of density, or maximum number of families per acre. This will permit the subdivision to be designed to fit the land, with individual lot sizes and shaped adjusted to actual site conditions. The minimum lot size will, therefore, permit flexibility of design as the site increases in area. In smaller subdivision, however, the lot size will be determined exclusively by the density requirement. The approval of the Planning and Zoning Commission must be secured prior to varying the lot sizes.

04.02.01. Residence Districts: Open Space Requirements

Zoning District	Min. Lot Size Acre	Bldg. Setback From Street Line	Other Line	Min. Width Bldg. Setback Lines	Max. Bldg. Ht.	Max % of Lot to be Covered by Buildings
AG-2	2 acres	60'	20'	200'	35'	15%
MD	1 acre	60'	20**	185'	35'	15%
HD1 Lake Beseck	½ acre	30'	10**	100'	35'	25%
HD2 Rockfall	½ acre	40'	15**	100'	35'	25%

*Lots on record of less than 100' frontage as of May 6, 1964, MD 15'; HD 10'

** For accessory buildings eighty (80) square feet or less others lines may be five (5) feet.

04.03. Environmental Conservation Rural District

04.03.01. Environmental Conservation Rural Districts

It is the intent of these regulations to provide reasonable flexibility in the division and subsequent development of land, when, in the judgment of the Commission, such flexibility shall insure the conservation or preservation of natural or man-made features and related open space areas which contribute to the health, safety and general welfare of the Town of Middlefield. It is the intent of these regulations to provide an alternative form of residential land development by permitting a reduction in the minimum lot size normally required in specified zones for residential purposes.

The Commission may establish an Environmental Conservation Rural District (ECRD) 1 or 2, subject to the following purpose and requirements:

04.03.02. Purpose

The purpose of establishing an Environmental Conservation Rural District (ECRD) 1 or 2 is to permit and encourage cluster subdivisions in the AG-2 and MD zones provided specific criteria are met:

- a. Preserve and permanently protect natural features of land including views, vistas, terrain, geological features, indigenous vegetation, inland wetlands and watercourses;
- b. Permanently preserve significant land areas for open space and recreational purposes;
- c. Achieve greater flexibility in the design and placement of detached, single-family, residential dwellings, and in the design of roadways serving them;
- d. Encourage a more efficient development of land than existing regulations would allow;
- e. Maintain the rural residential character of the Town of Middlefield.

04.03.03. Criteria

A cluster subdivision shall be permitted by the Commission provided the application meets at least one (1) of the following criteria:

1. The proposal preserves scenic or natural areas, areas of ecological or cultural significance or environmentally significant areas;
2. The proposal preserves suitable land for public park or recreational uses;
3. The proposal preserves suitable land for agricultural uses.

A cluster subdivision which preserves land as unsubdivided open space but does not meet the above criteria may be approved by the Commission provided that the proposal is deemed by the Commission to meet the intent of these Regulations as set forth in Section 04.03.02.

04.03.04. Establishment

All land development within an ECRD 1 or 2 shall comply with the requirements of Section 04.03.02. Where specific provisions and requirements of this section differ from other sections of the Zoning Regulations, the provisions and requirements of this Section and the design and conditions included in the development plan as approved shall take precedence. All other Zoning Regulations shall remain in full force and effect.

04.03.05. Permitted Uses

All uses permitted in the AG-2 and MD districts, including apartments, condominiums, townhouses and other multi-family housing as well as dwellings for elderly and/or physically handicapped persons.

04.03.06. Open Space

Open space shall be defined as a parcel or parcels of land or an area of water or a combination of land and water that is permanently dedicated to the preservation of scenic or natural areas or cultural resources, outdoor education or recreation, forestry or agricultural uses. Open space may contain structures and improvements necessary or desirable for agricultural, educational, open space recreational or cultural uses, provided such uses are deemed by the Commission to meet the intent of these Regulations. Open space required under these Regulations may contain community facilities such as septic systems, wells or storm water management systems, if the Commission determines that the proposed open space is appropriate and fulfills the intent of these Regulations.

04.03.06.01.

A minimum of 50% of the gross land in an ECRD 1 and 30% of the gross land area in an ECRD 2 shall be preserved as open space. Not more than 60% of such open space land shall consist of inland wetlands, as defined in Section 22a-28 to 22a-45 of the Connecticut General Statutes, or of slopes in excess of 30% as measured over 100 foot intervals.

The Commission may accept a lower percentage of open space or open space with a larger percentage of wetlands or slopes in excess of 30% as measured over 100 foot intervals provided the acceptance of such open space will preserve natural features and vegetation, ridge lines, areas of archeological significance, wildlife corridors, wetland areas, stream belts, aquifers or other areas of natural significance.

04.03.07. Permitted Accessory Uses

Accessory uses and parking facilities incidental to and associated with the operation of open space recreation and accessory structures incidental to the management of the residential community such as pavilions, community centers, administrative offices, temporary sales offices, restrooms, private clubhouses including restaurants with state liquor licenses, maintenance facilities and similar support buildings are permitted.

04.03.08. Area Requirements

The minimum acreage required for consideration as an ECRD 1 or 2 shall be not less than 10 contiguous acres under single control by virtue of ownership or execution of agreements to purchase said acreage (ECRD 1 or 2 proposals for elder housing shall consist of not less than 3 contiguous acres).

Non-contiguous land in excess of the minimum parcel size may be included in the

application with the approval of the Commission, at its sole discretion, provided the Commission determines that such land can be developed or dedicated in a suitable manner that reflects the intent and objectives set forth in these Regulations.

04.03.09. Residential Density, Height, Area and Bulk Requirements

04.03.09.01. Residential Density

The following criteria shall be employed in determining residential density:

In an ECRD 1 or 2, residential density shall be equivalent to the calculation of "net" residential density as determined by the formulas set forth in Section 04.03.09.02. below.

04.03.09.02. Net Residential Density

ECRD 1

Net residential density shall be calculated as follows:

- a. Gross land area;
 - i. less 50% inland wetland and watercourse areas (as defined by C.G.S. 22a-36 through 45 inclusive) and soils with very low or extremely low potential for the installation of subsurface sewage disposal systems (see Section 04.03.09.03.);
 - ii. less areas with slopes greater than 30% over 100 foot intervals;
 - iii. less 50% for flood prone areas not already included in (i) above;
- b. Equals the net land area;
- c. Divide the net land area in (b) by 87,120 square feet to determine the allowable number of units (net residential density) in the AG-2 zone.

For attached or detached multi-family developments of three units or more, the total number of allowable units may be based on a bedroom calculation of 1.65 bedrooms times the net land area for parcels in the AG-2 zone.

Elder housing shall not exceed two (2) times the maximum number of units or bedrooms permitted by these regulations.

The applicant may choose an alternate method of calculating density by preparing a preliminary subdivision plan consistent with the requirements of the AG-2 zone and the subdivision regulations. The resultant number of lots times 1.15 equals the maximum number of lots permitted.

ECRD 2

Net residential density shall be calculated as follows:

- a. Gross land area;
 - i. less 75% inland wetland and watercourse areas (as defined by C.G.S. 22a-36 through 45 inclusive) and soils with very low or extremely low potential for the installation of subsurface sewage disposal systems (see Section 04.03.09.03.);
 - ii. less areas with slopes greater than 30% over 100 foot intervals;
 - iii. less 50% for flood prone areas not already included in (i) above;
- b. Equals the net land area;
- c. Divide the net land area in (b) by 43,560 square feet to determine the allowable number of units in the MD zone.

For attached or detached multi-family developments of three units or more, the total number of allowable units may be based on a bedroom calculation of 3.25 bedrooms times the net land area for parcels in the MD zone.

Elder housing shall not exceed two (2) times the maximum number of units or bedrooms permitted by these regulations.

The applicant may choose an alternate method of calculating density by preparing a preliminary subdivision plan consistent with the requirements of the MD zone and the subdivision regulations. The resultant number of lots times 1.15 equals the maximum number of lots permitted.

04.03.09.03. Soil Classifications

	<u>Very Low Potential for On-Site Sewage Disposal Systems</u>
HpE*	Hollis-Charlton Extremely Stony Fine Sandy Loams, 15 to 40 Percent Slopes
HuD*	Holyoke-Cheshire Very Stony Silt Loams, 15 to 35 Percent Slopes
Lg	Leicester, Ridgebury and Whitman Extremely Stony Fine Sandy Loams
Ps	Podunk Fine Sandy Loams
Rb	Raypol Silt Loam
Wd	Walpole Sandy Loam
Wr	Wilbraham Silt Loam
Wt	Wilbraham Extremely Stony Silt Loam

*The ratings of these map units are based on the weighted average of their component parts.

Extremely Low Potential for On-Site Sewage Disposal Systems

Aa	Adrian Muck
BcA	Berlin Silt Loam, 0 to 5 Percent Slopes
Ce	Carlisle Muck
HrC	Hollis-Rock Outcrop Complex, 3 to 15 Percent Slopes
HSE	Hollis-Rock Outcrop Complex, 15 to 40 Percent Slopes
HyC	Holyoke-Rock Outcrop Complex, 3 to 15 Percent Slopes
HZE	Holyoke-Rock Outcrop Complex, 15 to 40 Percent Slopes
Rp	Rock Outcrop-Hollis Complex
Ru	Rumney Fine Sandy Loam
Rv	Rumney Variant Silt Loam
Sb	Saco Silt Loam
Sc	Scarboro Mucky Loamy Fine Sand
We	Westbrook Mucky Peat
Wh	Westbrook Mucky Peat, Low Salt

Soil Mapping Symbols are taken from the Soil Potential Ratings Septic Tank Absorption Fields for Single Family Residences, Middlesex County, Connecticut, Prepared by a Local Interdisciplinary Committee, the U.S. Department of Agriculture, Soil Conservation Service and the Connecticut Department of Health Services, 1986.

04.03.10. Residential Lots

Residential lots in an ECRD 1 or 2 shall be sited in areas best suited for residential development based on sound land management practices. Variations in siting characteristics (i.e. building separation, setbacks, building orientation, etc.) shall be encouraged to promote greater design flexibility.

The size and configuration of residential lots shall be determined as follows:

04.03.10.01. Lot Configuration

For each individual homesite within an ECRD 1 or 2, the proposed single-family residential building footprint, decks, walks, drives, garages, patios, tennis courts, swimming pools, and other accessory structures or impervious elements shall be located based on the consideration, respect and reasonable preservation of the following elements:

- a. Natural geological features such as rock outcroppings, bluffs, hillsides, ridge lines and other areas of unique topography;
- b. Indigenous vegetation such as mature specimen trees, shrubs and ground cover;
- c. Inland wetlands and watercourses, streams, rivers, ponds and lakes;

04.03.13. Lot Coverage

Total lot coverage for an ECRD 1 or 2 shall not exceed 10% of the area for the lots plus the open space. Lot coverage shall include the square footage of the building pad, accessory structures and garage footprints.

04.03.14. Building Height

Residential and accessory building height, as defined in Section 02.02.01.03. of the Middlefield Zoning Regulations, shall not exceed thirty (30) feet.

04.03.15. Design Standards

In addition to the goal of integration with and preservation of the existing environment, buildings and other physical improvements within an ECRD 1 or 2 shall be designed to enhance the aesthetic appearance of the community through an accepted vocabulary of architectural design and a consistency of scale. Designs shall contribute to the protection of property values, prevent future property deterioration, promote accepted community living standards, and provide for feasible management control.

04.03.16. Water Supply and Sewage Disposal

A lot may be served by an individual drinking water well and on-site septic system or by a community well and septic system or any combination thereof, in accordance with the regulations of the local health department and the State Department of Health. A community well shall be permitted in an ECRD 1 or 2 development in accordance with Section 8-25a of the Connecticut General Statutes.

A community sewage disposal system, as defined by Section 7-245 of the Connecticut General Statutes, shall be permitted in a proposed ECRD 1 or 2 development. If such a system is proposed, documentation to establish a community association shall include provisions necessary or appropriate to comply with Section 7-246f of the Connecticut General Statutes.

04.03.17. Drainage

Proper stormwater management and drainage methods shall be utilized to prevent adverse environmental effects or flooding to abutting or downstream properties, wetlands and watercourses. The planned drainage system shall cause no increase in the peak rate of run-off to any wetlands or watercourses outside the ECRD 1 or 2.

04.03.18. Erosion Control

Provisions shall be made for erosion and sedimentation control in accordance with Section 10.09. of the Middlefield Zoning Regulations.

04.03.19. Utilities

Whenever reasonably possible, all electric and telephone utilities shall be placed underground. Where overhead rather than underground electric, cable television or telephone lines are proposed, a detailed statement showing the reason for same shall be submitted for approval by the Commission. Transformer pads and vaults may be above ground but shall be shielded with natural landscaped screens or buffers.

04.03.20. Access

An ECRD 1 or 2 shall have a minimum of fifty (50) feet of direct frontage and access to an accepted, improved Town road or State highway that provides adequate circulation and access to other sections of the Town.

04.03.21. Circulation

Interior streets and driveways shall be designed to provide for adequate circulation within the development and to its facilities and open space. Walkways, courts, and paths shall provide pedestrian access to and between residential structures, supporting facilities, and community open space and shall be separated from vehicular traffic, whenever reasonably possible. Appropriate easements and cross-easements shall be provided.

04.03.22. Road Specifications

Public Roads

All proposed public roads to be accepted by the Town of Middlefield as part of an ECRD 1 or 2 shall be constructed in accordance with the provisions of the Town of Middlefield, Road Construction Standards and shall be designed in accordance with the following:

Minimum Width of Right-of-Way*	50'
Pavement Width	24'
Curbing	Required
Minimum Sight Distance	150'
Design Speed	25 mph
Minimum Center Line Radius of Curves	125'
Tangent Between Curves	100'

Maximum Grade	10%
Minimum Angle at Intersections (Degrees)	60
Vertical Alignment Within 100' of Intersection (%)	4
Minimum Offset to Adjacent Intersection	200'
<u>Turn-Around</u>	
Radius to Outside of Right-of-Way	55'
Radius to Outside of Pavement	45'

*The total right-of-way width may be in excess of the above minimum where required to accommodate unusual construction features such as deep cuts, fills or other appurtenant items as well as safety considerations.

Private Roads

Private roads shall be permitted provided the applicant shall demonstrate the method for maintenance of the private roadway. Documentation of such agreement shall be submitted to the Commission, prior to the filing of the project mylars, for approval of the form and content of such agreement by the Commission's Attorney. The agreement shall be filed in the Town Clerk's Office prior to the transfer of any homes or lots in the ECRD.

1. ECRD 1 or 2 With Ten (10) Homesites or Less Utilizing Private Road

In an ECRD 1 or 2 with ten (10) homesites or less which will utilize a proposed private road, such road shall be constructed in accordance with the following standards:

Minimum Right-of-Way Width	30'
Maximum Right-of-Way Width	40'
Minimum Pavement Width	18'
Minimum Slope of Roadway	1%
Maximum Slope of Roadway	14%
Sub-base	Minimum 8" Bank Run Gravel**
Base Course	Minimum 4" Processed Stone
Pavement Binder Course	Minimum 2" (Compacted Depth) Bituminous Concrete

**The minimum sub-base thickness in rock cuts shall be 12".

All private roads shall be constructed with a cross slope of 1/4" per foot, drained from the centerline of the road.

Bituminous concrete curbing shall be constructed where deemed appropriate by the Planning and Zoning Commission.

Roadway drainage shall be sufficient to carry run-off from the road surface and divert water beneath or around the road without causing sedimentation, erosion, or the impounding of water upstream.

2. ECRD 1 or 2 With Eleven (11) Homesites or More Utilizing Private Road

In an ECRD 1 or 2 with eleven (11) homesites or more which will utilize a proposed private road, such road shall be constructed in accordance with the provisions of the Town of Middlefield, Road Construction Standards and designed in accordance with the standards for public roads above except that the right-of-way shall be 40' wide and the pavement width may be reduced to 22 feet.

04.03.23. Open Space Protection

Proper covenants and restrictions shall be imposed upon open space areas intended for preservation and shall be conveyed by one (1) or more of the following methods:

- a. Deeded to the Town in fee simple - no building permits shall be issued for any lot in the subdivision until the land is accepted by Town Meeting.
- b. Deeded in less than fee simple to the Town.
- c. Held in single, partner or corporate ownership provided, however, that development rights are transferred to the Town or some other comparable method of preserving the open space is provided.
- d. Held in common ownership by the residents of the development, provided such ownership is mandatory for all residents and is stipulated in the deed to individual dwelling units.
- e. Deeded, in whole or in part, to a non-profit organization dedicated to the conservation of natural open space.
- f. Deeded to the State of Connecticut for open space purposes.

04.03.24. Lighting

All outdoor lighting shall be designed to prevent light from intruding directly into residential units and no exterior light shall be placed so as to shine directly outside of the ECRD area. Street lighting shall be designed to complement the overall design concept and shall be limited in intensity to that required for safety of vehicular and/or pedestrian circulation.

04.03.25. Signs

All sign designs shall conform to the existing sign regulations in Section 09.03. of the Middlefield Zoning Regulations and shall be submitted to the Commission for approval.

04.03.26. Management

Each ECRD shall be established with suitable legal organization and arrangements for ownership and management of common facilities, open space, utility systems and roads, including provisions for financing and maintenance. The management system shall be established in a timely manner, shall support the criteria for an ECRD and shall cover the elements hereinafter specified.

04.03.27. Method of Ownership

Dwelling units may be for sale or rent in individual or common interest ownership. A Community Association shall be established pursuant to the Common Interest Ownership Act (CIOA) for the ECRD and documentation as to the organization and incorporation of the Community Association shall be submitted to the Commission for review prior to the filing of the project mylars. All open space and supporting facilities shall be under specified ownership or easement with provision for maintenance, liability, financing, and the rights of access and use by residents of the ECRD, all of which shall be acceptable to the Commission, except that certain open spaces or facilities may be conveyed by fee simple or easement to the Town of Middlefield or a non-profit corporation if approved by the Commission (see Section 04.03.23.).

04.03.28. Supporting Services

Where there are common properties and services in the ECRD such as roads and driveways, water supply systems, sewage disposal systems, recreational facilities, and open spaces, proper provisions shall be made for the operation, maintenance, and financing thereof on a private basis and without responsibility or liability for Town participation, except as to back-up supervision as required by the Sewer Avoidance Act.

04.03.29. Procedure and Application

A request for the establishment of an ECRD 1 or 2 shall be by way of an application for a change in zone and approval of a conceptual development plan only after a public hearing has been held in accordance with the provisions of the Connecticut General Statutes. In approving an ECRD 1 or 2 and its development plan, the Planning and Zoning Commission shall find that applicable purposes and criteria of Sections 04.03.02. and 04.03.03. have been met.

The application process for the establishment of an ECRD 1 or 2 shall be as follows:

04.03.29.01. Informal/Preliminary Plan

A preliminary plan is encouraged and may be presented at a meeting of the Middlefield

Planning and Zoning Commission prior to the filing of an application for an ECRD 1 or 2 rezone and development plan.

The purpose of this meeting is to receive comments and suggestions from the Planning and Zoning Commission which will assist the applicant in the preparation of the ECRD 1 or 2 Development Plan. If an applicant chooses to present a preliminary plan, the applicant shall submit those items listed in Section 04.03.29.03. in a sketch form.

04.03.29.02. ECRD 1 or 2 Rezone and Development Plan Submission

Applications for a change of zone to an ECRD 1 or 2 and coordinating approval of an ECRD 1 or 2 Development Plan shall be submitted to the Middlefield Planning and Zoning Commission for review. The rezone petition shall require a narrative description of the reasons supporting the change of zone, an explanation as to how the new zone will be in keeping with development of the Town of Middlefield as well as a plan showing how a "conventional" subdivision would be laid out on the property. Such plan shall be reviewed by the Commission in order to determine whether the parcel is better suited for development as an ECRD 1 or 2 or a standard subdivision.

04.03.29.03. Concept Plan

At a minimum, the ECRD 1 or 2 Development plan shall include the following information in schematic form:

- a. All maps shall be at a minimum scale of 1" = 200'.
- b. The applicant shall provide a location map showing the location of the ECRD 1 or 2 in relation to the surrounding streets and thoroughfares, existing zoning of the surrounding areas, existing land use on the site and surrounding areas within 500'.
- c. The name and address of applicant, name and address of land owner(s), and written permission from the owner(s) entitling the applicant to make application and obtain approval in the applicant's name.
- d. Name of project, north arrow, date and scale.
- e. The name and address of applicant's landscape architect, land planner, surveyor, architect and engineer, if any;
- f. Boundary information based upon the best available data;
- g. A topographic survey, at a minimum, based upon the Town of Middlefield's topographic data (5-foot contour intervals);
- h. A high intensity soil survey including the flagging of all inland wetland and watercourses by a certified soil scientist;
- i. A master plan with topography which clearly identifies proposed land uses, the approximate location of residential lot lines and number of home sites, the location and type of proposed accessory and active recreational uses, open space,

- prominent natural environmental features such as large ledge outcroppings, lakes, ponds, streams or swamps, flood prone areas and the proposed location of roads, easements, buffers, public areas, and other major facilities.
- j. A table showing the acreage for each category of land use including residential areas, roads, open space, commercial and accessory uses, recreation, wetlands and watercourses, flood prone areas, slopes greater than 30%, and a table of net residential densities for residential land uses.
 - k. Vegetation map.
 - l. Areas having slopes greater than 30%.
 - m. An engineering report regarding the disposal of sewage effluent and stormwater drainage.
 - n. An indication of the legal instruments to be provided for the management of common areas and facilities.
 - o. A statement with general information regarding provisions for fire protection.
 - p. A proposed phasing plan for the project.
 - q. A traffic impact report.
 - r. A typical dwelling unit location plan including the siting of individual dwelling units in residential development areas. Note: This house location plan shall not include proposed lot lines for the individual units. If subdivision is necessary, house locations on this plan may differ from those on the final subdivision plan approved by the Commission. Proposed lot lines shall be provided and approved at the time of subdivision approval under separate application.
 - s. The applicant shall also present a narrative detailed description of the project. This narrative should include information on the project's impact and benefit to the Town of Middlefield, including a project description, preservation of Middlefield's rural character, and any other information deemed appropriate.

04.03.30. Design Concept Review

The applicant shall present the rezone and development plan to the Commission during the public hearing and address how the ECRD 1 or 2 complies with the purposes and design requirements set forth in Section 04.03.02. of these Regulations.

04.03.31. Referral

An application for a rezone and conceptual development plan approval in accordance with these ECRD regulations may be referred to various town departments and agencies such as the Sanitarian, Town Engineer, Park and Recreation Commission, Wetlands Commission, Fire Department, Conservation Commission and the land use regulatory agency(s) of an abutting municipality or any other department or agency deemed appropriate by the Commission.

Such municipal agencies and offices shall submit a written report to the Planning and

Zoning Commission within forty-five (45) days of the referral of the site plan. Said report shall be received by the Commission a minimum of five (5) days prior to the Commission's next regularly scheduled meeting or any public hearing scheduled on the application in question.

The failure of any such municipal agency or office to submit a written report to the Planning and Zoning Commission within forty-five (45) days of receipt of the referral shall not prohibit the Planning and Zoning Commission from reaching a decision on the matter before it.

04.03.32. Approval

If the Middlefield Planning and Zoning Commission finds that the rezone and development plan application meets the criteria of the Connecticut General Statutes and Section 04.03.03. of these Regulations, the Commission may approve the rezone and development plan. Approval shall be deemed an amendment to the zoning regulations and an amendment to the zoning map.

04.03.33. Revision of the ECRD Development Plan

Any major or substantial change to an approved ECRD 1 or 2 Development Plan which affects the intent and character of the development, land use pattern, the location of roads, or similar substantial changes, shall be reviewed by the Planning and Zoning Commission. The Commission may hold a public hearing if it deems that the changes proposed require public comment. There will be no further necessity to submit a new zone change petition. If the requested changes are deemed to have a substantial effect on adjacent property owners, residents of the ECRD 1 or 2 or the general public, or involve an increase in density, the Commission shall cause a public hearing to be held prior to official action on said requested change. A request for a revision to the ECRD 1 or 2 Development Plan shall be supported by a written statement demonstrating the reasons the revisions are necessary or desirable. Minor revisions to the ECRD 1 or 2 Development Plan which do not affect the intent or character of the development shall be permitted by the Commission as an amendment to the required site plan.

04.03.33.01.

Nothing in these regulations shall preclude adding any amount of new land area to an approved ECRD 1 or 2 provided that the new land is contiguous to and under the same ownership or control by a CIOA Association as that of the approved ECRD 1 or 2. This expansion may be for the benefit of other landowners, whose parcels are landlocked or are otherwise difficult to develop. Such expansion shall be subject to all provisions of this Section except that the new land area may be less than 10 acres in size. For purposes of this section the word contiguous shall mean land area abutting the

approved ECRD 1 or 2 or on the other side of a public or private road or right-of-way that abuts the ECRD 1 or 2.

04.03.34. ECRD Site Plan Approval

After approval of the ECRD 1 or 2 rezone and approval of the conceptual development plan, but before zoning permits may be issued, site plan, and if necessary, subdivision approval must be obtained.

04.03.34.01. Submission of Site Plan

An applicant who seeks approval of a site plan for an ECRD 1 or 2 shall submit the following:

A site plan, drawn to a scale of not less than 40 feet to the inch, showing development plan contents as listed in Section 10.02.02. of these Regulations.

04.03.34.02. Site Plan Amendments

Any major or substantial change to an approved ECRD 1 or 2 site plan must be reviewed and approved by the Planning and Zoning Commission before zoning permits may be issued or, if construction has commenced, before a certificate of zoning compliance may be issued.

04.03.35. Project Phasing

Nothing in these regulations shall preclude the applicant from phasing the development of an ECRD 1 or 2. Thus, the applicant may submit a site plan and/or a subdivision plan for one or more phases at a time, of an approved ECRD 1 or 2 Development Plan.* The Middlefield Planning and Zoning Commission may establish, as a condition of its site plan approval, time limits for any development or phase of development. Such time limits are to apply to the start and completion of construction.

The Planning and Zoning Commission shall determine whether each project phase can safely and adequately sustain its residential population before granting approval. Accessory uses and private recreational features shall be developed in coordination with the residential development.

All work shall be completed within five years of the approval of the site plan. The certificate of approval of such site plan shall state 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 of such site plan. The Planning and Zoning Commission may grant one or more extensions of such five-year period, 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.

*If the applicant chooses to develop an ECRD 1 or 2 in phases, a preliminary plan showing the development of the entire site shall be submitted to the Commission for review.

04.03.36. Site Plan Standards

An application for Site Plan Approval for an ECRD 1 or 2 development which has already received approval for a change of zone and concept development plan shall not be required to readdress traffic impact and other considerations outlined in Section 10.02.01. of these Regulations as those issues were previously addressed during the public hearing in the first portion of the approval process.

04.04. Cluster Subdivisions

04.04.01. Purpose

The purpose of this Section is to allow for the flexible development of parcels of land by permitting cluster subdivisions in the AG-2 zone provided specific criteria are met and approval of a site plan is granted by the Planning and Zoning Commission. It is the intent of these Regulations to preserve the Town's scenic beauty and rural character by allowing for more desirable lot arrangements and configurations.

04.04.02. Design Criteria

A cluster subdivision shall be permitted by the Commission provided the application meets a minimum of three (3) of the following criteria:

1. The proposal shall minimize the disturbance of the natural landscape and preserve natural features, including streams, rivers, ponds and other areas of unique topography;
2. The proposal shall preserve land as unsubdivided common open space;
3. The proposal shall preserve land for park and recreation needs;
4. The proposal shall preserve and protect agricultural areas, scenic and natural areas and areas that are environmentally sensitive.

04.04.03. Minimum Parcel Size

Cluster subdivisions shall be permitted on sites containing a minimum of five (5) contiguous acres.

04.04.04. Density

AG-2 Zone

The density formula for the AG-2 zone shall be as follows:

Gross area minus 50% of soils with very low potential and extremely low potential for the installation of on-site sewage disposal systems (see Section 04.03.09.03. of these Regulations) divided by 2 (Gross Area - 50% Unsuitable Soils - 2 = Total Number of Lots Permitted).

04.04.05. Lot Requirements

Minimum lot sizes as to depth, width and areas shall be as follows:

Minimum Lot Area	43,560 Square Feet*
Minimum Lot Width at Building Setback Line	175 Feet
Minimum Lot Depth	150 Feet

*Lot area shall be defined as that area of a lot measured along a horizontal plane bounded by the front, side and rear lot lines. In determining compliance with minimum lot area requirements, land subject to easements for drainage facilities may be included provided that no less than 90% of the minimum lot area requirement is left unencumbered on the lot, but no street, highway, easement for vehicular access or private right of way for vehicles or utility easement, wetland, swamp or watercourse may be included in the computation of lot area. Lot area as defined herein shall be contiguous.

Each lot shall contain a "minimum rectangle" of 100 feet by 130 feet which can be placed between a 10 foot setback from all property lines and a 50 foot setback from wetlands and watercourses. The "minimum rectangle" shall not include: (1) land subject to easements for drainage facilities, utilities and vehicular access; (2) land classified as wetland, swamp or watercourse; or (3) land with a slope in excess of 30% as measured over 100 foot intervals.

04.04.06. Schedule of Height and Yard Requirements

The minimum building height and setback requirements shall be the same as those required for the MD zone.

04.04.07. Open Space

Open Space shall be defined as a parcel or parcels of land or an area of water, or a

combination of land and water, designed and intended for the use or enjoyment of the residents of the subdivision and/or the general public. Common open spaces may contain complementary structures and improvements necessary or desirable for educational, recreational or cultural uses. Both active and passive recreation facilities for residents are encouraged and should be in locations easily accessible to the living units and where they do not impair the view and privacy of the living units. Informal children's play areas, formal parks, picnic areas, playgrounds, swimming pools, scenic open areas, community recreation facilities, agricultural or farming areas and ecologically and/or archaeologically sensitive areas are examples of the types of open space and recreational activities considered acceptable within parcels designated as Open Space.

04.04.08. Dedication of Open Space

A minimum of 30% of the gross area shall be dedicated for open space purposes for a cluster subdivision in the AG-2 zone. The Commission shall also determine whether the proposed open space is appropriate and meets the intent of these Regulations.

04.04.09. Preservation of Open Space

All Open Space, as shown on the final site development plan and recorded in the Office of the Town Clerk of Middlefield, must be conveyed by one (1) or more of the following methods:

- a. Deeded to Town in fee simple - no building permits shall be issued for any lot in the subdivision until the land is accepted by Town Meeting.
- b. Deeded in less than fee simple to the Town.
- c. Held in single, partner or corporate ownership provided, however, that development rights are transferred to the Town or some other comparable method of preserving the open space is provided.
- d. Held in common ownership by the residents of the development, provided such ownership is mandatory for all residents and is stipulated in the deed to individual dwelling units.
- e. Deeded in whole, or in part, to a non-profit organization dedicated to the conservation of natural open space.
- f. Deeded to the State of Connecticut for open space purposes.

04.04.10. Subdivision Regulation Requirements

All applicable Sections of the Middlefield Subdivision Regulations shall apply to parcels developed under this Section.

04.04.11. Additional Requirements

All applications for a Cluster Subdivision shall include the following additional information:

04.04.11.01. Cutting Plan

A cutting plan showing the existing tree species with their approximate height, diameter and age, as well as identifying all trees to be removed. The Commission may permit the applicant to indicate general boundaries and descriptions of tree stands which are to be left undisturbed.

04.04.11.02. Open Space Plan

It is the intent of the Commission to preserve open space parcels of significant size, land which is environmentally sensitive, such as streambelts or ridgetops, land which borders existing open space and areas containing significant natural features, unusual terrain, vegetation, wildlife or scenic vistas. The applicant shall submit a site analysis map showing significant features, environmentally sensitive areas or other important features. The applicant shall also submit an open space plan showing the area to be preserved for open space, proposed uses of open space, any proposed trails, roads, activity areas or structures to be located thereon and the proposed means of preservation. Any subsequent changes in the use of open space shall require the approval of the Commission.

04.04.11.03. House Location Plan

The applicant shall submit a house location plan which shall show the location of the proposed house, well and sewage disposal system. The plan shall also note that the house, well and sewage disposal system locations are positioned to account for lot to lot relationships so that minimum setback and separation distance requirements contained in local zoning and subdivision and State public health code regulations are maintained. The plans shall also indicate that in light of the above, the layout of lots are interrelated such that changes on one (1) lot could adversely affect the layout of surrounding lots. Therefore, any changes in the location of the house, well and sewage disposal systems deemed significant by the Town Sanitarian, Zoning Enforcement Officer, Town Planner, or Commission Chairman shall be referred back to the Planning and Zoning Commission for approval.

SECTION 05. COMMERCIAL DISTRICTS

05.01. Permitted Uses

Permitted uses in Commercial Districts are listed in the table below. All other uses are prohibited except as stated herein.

<u>DISTRICT</u>		
<u>PC</u>	<u>PO</u>	
s	s	a. Professional Offices, Studios, Office Buildings
s	s	b. Banks, Financial Institutions
	s	c. Restaurants, Personal Service Shops and Other Customary Accessory Uses to (a) and (b) Above
s		d. Restaurants, Personal Service Shops
s	s	e. Retail Businesses
s	s	f. Public Garages, Gasoline Service Stations
s	s	g. Radio, T.V. Sales and Service
s	s	h. Parks, Playgrounds, Fire Departments, Libraries, Office Buildings, Police Departments, Ambulance Headquarters or Other Municipal Buildings and Uses of the Town of Middlefield
s	s	i. Railroads, Gas, Electric and Telephone Utilities
s	s	j. Excavation, removal or deposition of earth products in excess of 500 cubic yards.
x	x	k. Excavation, removal, or deposition of earth products in excess of 50 cubic yards but less than 500 cubic yards. See Section 09.01.
s	s	l. Kennels, Commercial
s	s	m. Kennels, Non-Commercial
s	s	n. Bakeries, Confectioneries
s	s	o. Theaters, Bowling Allies, Places of Indoor Entertainment
s	s	p. Buildings and Uses of Public Service Companies
s	s	q. Hotels, Inns, Motels
s	s	r. Churches and Religious Institutions
s	s	s. Private, Non-Profit Clubs or Lodges
s	s	t. Outdoor Recreational Facilities (Subject to 08.07.)
s	s	u. Plumbing, Heating, Electrical, Builders Supply or Floor Covering
p(1)	p(1)	v. Existing Residential Uses and their Expansion
s	s	w. Newspaper Publishing or Printing Shops
s	s	x. Private, Non-Profit Clubs or Lodges
s	s	y. Outdoor Recreational Facilities (Subject to 08.07.)

DISTRICT

PC PO

s	s	z.	Plumbing, Heating, Electrical, Builders Supply or Floor Covering
p(1)	p(1)	aa.	Existing Residential Uses and their Expansion
s	s	bb.	Newspaper Publishing or Printing Shops
s	s	cc.	Automotive Sales Agency, Trailer or Camper Sales, Automotive Part Sales
s	s	dd.	Laundry or Dry Cleaning Establishments
s	s	ee.	Undertaking Establishments
s	s	ff.	Equipment Rental Shops
s	s	gg.	Nurseries or Garden Supply Shops
s	s	hh.	Limited Warehousing, Mini-Warehouses, Self Storage Units (No Outside Storage Permitted)
s	s	ii.	Automobile Sales in Conjunction with or Accessory to the Use of Property as a Public Garage and/or Gasoline Service Station
x	(-)	jj.	Vehicular and/or utility access to any residential district (except for the use or expansion of existing residences)
s	(-)	kk.	Banquet, Conference and Meeting Facilities
s	(-)	ll.	Grooming Facilities
p	(-)	mm.	Day Care Facilities

(1) The Commission may waive the applicable requirements for Site Plan Review.

05.01.01. Permitted Uses:

The schedule above indicates: (x) a use permitted by right; (s) a use permitted as a special permit; (p) a use permitted by right subject to a site plan review; and, (-) a use not permitted.

05.02. Schedule of Lot Sizes, Coverage and Yards

DISTRICT

PC PO

1 Acre	12 Acres	a.	Minimum Lot Size
185'	200'	b.	Minimum Frontage on Public Street
50'	100'	c.	Minimum Setback from Street
25'	100'	d.	Minimum Setback from All Other Property Lines
45'	n/a	e.	Maximum Building Height
25%	20%	f.	Maximum Building Coverage
60%	50%	g.	Maximum Combined Coverage of Buildings, Accessory Structures and Parking Areas

On-site parking shall be provided in accordance with Section 08.09. of these Regulations. Parking spaces shall be located to the side and rear of buildings and shall be landscaped. At a minimum, one (1) shade tree shall be provided for each fifteen (15) parking spaces. NOTE: In the PO district, parking shall not be permitted within fifty (50) feet of any property line.

05.02.01.

These areas, lot sizes and setbacks are considered minimums. The Commission may increase these minimums in order to address criteria outlined in Section 05.05.01. below.

05.02.02.

The maximum combined lot coverage shall include all buildings, accessory structures, paved areas, and any other impervious surfaces. The remaining percentage of the lot shall be left in its natural state unless buffered areas, formal or informal landscaped areas (excluding parking islands), lawn or gardens are to be provided.

05.02.03.

In addition to the requirements specified herewith, the applicant shall meet the standards for special permit specified in Section 10.02. of these Regulations.

05.03. Purpose

The purpose of these regulations is to provide a detailed review of all proposed commercial development. The primary goals are to ensure compatible development with adjacent areas, to protect the rights of property owners and to encourage sound planning principles.

05.04. Stipulations

During the review process, the Planning and Zoning Commission shall have the right to stipulate certain conditions to ensure harmony with the general purpose and intent of this section and which are deemed reasonably necessary by the Commission to protect or promote the rights of individuals, property values and the environment in the area as a whole, the public health, safety and welfare, sound planning and zoning principles, improved land use, efficient site planning and development, or better overall neighborhood compatibility. Such conditions may relate to the component parts of the site plan and layout, the location and relationship between uses and structures, pedestrian circulation, vehicular circulation and parking, open space and recreation

areas, landscaping, screening and buffering, signs, outside lighting, and intensity of development.

05.05. Criteria

An application for special permit shall be considered and evaluated by the Commission pursuant to these regulations and the following criteria:

05.05.01. Appropriateness of Location or Use

1. The size and intensity of the proposed development and its effect on the conformity to the Plan of Development, Zoning Regulations, Subdivision Regulations and any other applicable regulations or ordinances.
2. The existence of other land uses in the area and the effect thereon from the proposed development.
3. The capability of adjacent and feeder streets to accommodate the projected traffic volumes.
4. The obstruction of light or air; the emission of noise, smoke, odor, gas, dust, vibration, or waste material and the quality and quantities of said pollutants produced by the proposed development as more particularly described in Section 08.16. of the Zoning Regulations of the Town of Middlefield.
5. The physical characteristics of the land.
6. The nature, location and height of buildings, walls, stacks, fences, and landscaping on the site.
7. The location of any points of ingress and egress, and arrangement of off-street parking facilities.
8. The extent and demand for police and fire protection.
9. The availability and adequacy of public utilities such as, electricity, telephone, gas, water, sanitary sewers, and cable television. If any utilities are to be provided by another municipality, the Commission may require written evidence that such utilities will be made available.
10. Any other criteria in the interest of public health, safety and welfare, as prescribed by these Regulations.

05.05.02. Safety, Health and Environment

The Commission shall consider accessibility for emergency vehicles and equipment, provisions for solid waste pick up, soil conditions and characteristics and environmental sensitivities. The Planning and Zoning Commission may request reports on the application from various town departments such as the Board of Selectmen, Sanitarian, Town Engineer, Building Official, Park and Recreation Commission, Tax Assessor, Wetlands Commission, Economic Development Commission, the land use regulatory agency(s) of an abutting municipality or any

other agency deemed appropriate by the Commission. The Commission shall refer all applications to the Fire Chief and Fire Marshall.

05.06. Route 66 Design District

05.06.01. Purpose

The purpose of establishing the Route 66 Design District is to encourage the orderly development of the district for primarily retail and office uses while retaining the rural community identity which characterizes Middlefield provided certain criteria are met:

- a. Preserve and permanently protect natural features of land including views, vistas, terrain, geological features, indigenous vegetation, inland wetlands and watercourses;
- b. achieve a design of structures which is sensitive to the architectural character of Middlefield in terms of the use of materials, massing and location of structures, landscaping and signage;
- c. control access to Route 66 for efficient and safe traffic flow.

05.06.02 District Boundaries

The Route 66 Design District contains two sub-areas as shown on the Design District Boundary Map attached hereto and incorporated into the Zoning Map of the Town of Middlefield. The areas are designated as Route 66 Design District #1 and Route 66 Design District #2.

05.06.03 Uses Permitted by Special Permit

All uses within the Route 66 Design District #1 and #2 are subject to approval as a special permit in accordance with Section 10.02.B of these Regulations. These uses are listed below. All other uses are prohibited.

Design District #1 Permitted Uses By Special Permit

- Offices
- Banks, Financial Institutions
- Restaurants, including Fast Food Restaurants
- Take Out Restaurants
- Retail Businesses
- Personal Services
- Municipal Buildings and Uses

- Parks and other Dedicated Open Space
- Places of Indoor Entertainment
- Banquet, conference and Meeting Facilities
- Hotels, Inns, Motels
- (Private) Medical and Health Care Facilities including hospitals, professional offices, medical clinical services, continuing care facilities, convalescent facilities, and other facilities serving the medical needs of the non-elderly and elderly populations.

A mix of uses listed above may be provided on the same lot.

Uses Specifically Not Permitted

- Automotive Sales, Service and Repair

Design District #2

All uses permitted by Special Permit in Design District #1 shall be permitted by Special Permit in Design District #2. In addition, automotive sales, service and repair may be permitted by Special Permit in Design District #2.

05.06.04. Schedule of Lot Sizes, Coverage and Setbacks

	<u>District #1*</u>	<u>District #2</u>
Minimum Lot Size	3 acres	1 acre
Minimum Frontage on Public Road	185'	185'
Minimum Setback from Public Road	50'	30'
Minimum Setback from all Other Property Lines	25'	25'
Maximum Building Height	35'	35'
Maximum Building Coverage without sewers	25%	25%
Maximum Building Coverage with sewers	25%	30%
Maximum Lot Coverage without sewers	60%	60%
Maximum Lot Coverage with sewers	60%	75%

05.06.05 Parking

Parking shall be in accordance with the requirements of Section 08.09 of these Regulations; provided that in the Route 66 Design District 1 & 2 no parking shall be allowed in any Required Front or Rear Yard for parcels two acres or larger. Within District #1 parcels two acres** or larger no parking shall be allowed in any Required Side Yard. Parcels less than two acres** located in the Design Development District 1 & 2 are permitted to have parking within the Side and Rear Yards.

05.06.06 Site Access

Points of site access to Route 66 shall be limited to one per property or one every 500 feet of frontage whichever is the greater. When two adjacent properties under separate ownership share a single access, each property may receive a bonus to permit a 30% maximum building coverage and 75% lot coverage; but, in any event, the Commission may require provisions for shared access for any site. Where possible, the use of interior drives parallel to Route 66 to limit access points is encouraged.

Where topographic and other conditions permit, provisions shall be made for circulation driveway connections to adjoining lots of similar existing or potential use 1) when such driveway connection will facilitate fire protection services, as approved by the First Selectman and Town Fire Marshal, or their agents, and/or 2) when such driveway will enable the public to travel between two existing or potential sites, open to the public generally, without need to travel upon a public street.

* Developed lots of record as of the effective date of this amendment either non-conforming or approved under the Planned Commercial Regulations shall follow the Schedule of Lot Sizes, Coverage and Setbacks for Design District 2.

** Existing lots of record as of the effective date of this amendment August 1, 2008.

05.06.07 Landscaping

The portions of the site not included within the Lot Coverage shall be landscaped with grass, trees, shrubs and other appropriate plantings. To the greatest extent possible, landscaped areas shall contain indigenous vegetation either as a result of retaining existing vegetation or new plantings.

05.06.08 Design Guidelines

As discussed in 05.10.01 Purpose, a criterion to be addressed in the Route 66 Design District is a design of structures which is sensitive to the architectural character of Middlefield. Therefore, in addition to the standards of Section 10.02A and B, preferred structural elements include:

- The use of wood clapboard, brick and other natural materials for the exterior of structures
- The use of roof details such as dormers, roof pitches, etc.
- A scale of buildings which are comparable with other buildings on the site and encourage pedestrian movement among the buildings
- Avoid long, unarticulated structures

Preferred signage design:

- Signs should be proportioned to the scale of buildings and site
- Use natural materials (stone, brick or wood)
- Integrate landscaping with signage where appropriate

SECTION 06. INDUSTRIAL DISTRICT (GENERAL)

06.01. Site Plan Review

All the following use(s) shall be subject to approval by the Planning and Zoning Commission as a Site Plan Review (10.02.02.).

06.01.01.

Dwelling, one unit apartment occupied by the owner, manager, caretaker or janitor for purposes of securing the premises. The unit shall be located in an existing building at least five (5) years old before conversion; shall have a minimum size of 400 square feet and shall not exceed 15% of the area of the building(s) on the premises. Such use shall be accessory to an active industrial use. The Commission may waive the technical requirements of Section 10.02.02.

06.01.02.

Parks, playgrounds, fire departments, libraries, office buildings, police departments, ambulance headquarters or other municipal buildings and uses of the Town of Middlefield.

06.02. Special Permit

All the following use(s) shall be subject to approval by the Planning and Zoning Commission as a special permit (10.02.). The following uses and no other shall be permitted in industrial districts as noted below:

06.02.01.

Any industrial or manufacturing use permitted by law and which is not dangerous by reason of fire, or explosion, nor injurious or detrimental to the neighborhood by reason of dust, odor, fumes, wastes, noise, vibration or other noxious or objectionable feature.

06.02.02.

Buildings and uses of a Public Service Company.

06.02.03.

Excavation, removal or deposition of earth products, except the mining of bedrock all subject to Section 09.01.

06.03. Open Space Requirements:

06.03.01.

No industrial building shall be less than 25 feet away from any street or lot line.

06.03.02.

The maximum industrial building coverage shall not exceed 40% of the lot area.

06.04. General Requirements:

06.04.01.

No building in an industrial district shall be over 60 feet in height.

06.04.02.

Off Street Parking and loading spaces shall be provided as required in Article III., Section 08.09.

SECTION 07. INDUSTRIAL PARK DISTRICTS I AND II

07.01. Description and Purposes:

The Industrial Park Districts have been established in order to provide for the most rational and orderly development of land uses according to their function in the town. Further development of residences is prohibited from these districts in order to effectively utilize the supply of suitable, industrial land and to prevent residences from being established under mutually adverse conditions.

07.01.01.

The regulations for these districts are intended to encourage development compatible

with surrounding or abutting residential, institutional and public uses, and to insure suitable open spaces, landscaping, and parking areas. To these ends, development is limited to a relatively low density; external effects are minimized; and permitted uses are confined to those administrative, storage, distribution, and manufacturing activities that can be carried on in a stable and orderly manner, and to permit those facilities that are necessary to serve the needs of the districts.

07.02. Special Permit:

All industrial uses shall be subject to approval by the Planning and Zoning Commission as a Special Permit (10.02.).

07.03. Permitted Uses:

The following uses and no other shall be permitted in the Industrial Park Districts as enumerated below:

07.03.01.

Executive or Administrative Offices

07.03.02.

Research Laboratories

07.03.03.

The manufacture, processing or assembling of goods

07.03.04.

Warehousing and wholesale businesses

07.03.05.

	DISTRICT		
IN	IPD I	IPD II	
--	s	s	KENNELS, COMMERCIAL
--	s	s	KENNELS, NON-COMMERCIAL
s	s	s	GROOMING FACILITIES

07.03.06.

Any accessory or related uses customarily incidental to any permitted use or necessary to adequately serve the needs of the district shall be permitted in the Industrial Park Districts.

07.04. Open Space Requirements:

07.04.01. Industrial Park District I

- (1) Each lot shall have a minimum of two acres and shall have a minimum width of 200 feet at the building setback line on an approved town road and for each acre over the minimum lot size an additional 25 feet of width shall be required on an approved town road or town right-of-way.
- (2) Where public sewers are not available a ratio of seven square feet of land area to one square foot of floor area, excluding basement floor area but including the area occupied by accessory structures, parking areas, and outdoor uses, shall be maintained.
 - (a) A portion of or all abutting permanent municipal public open space land may, at the discretion of the Commission be considered to fulfill in part the open space land area required in the determination of the permitted floor area, to the extent that the Planning and Zoning Commission determines it to be:
 - (1) An equitable distribution among abutting industrial uses as determined by the Commission, and
 - (2) Consistent with the objectives of this ordinance and the interests of the community.
 - (b) A portion of or all of the area occupied by accessory buildings, parking areas, and outdoor uses may at the discretion of the Commission be considered to fulfill in part the open space land area required in the determination of the permitted floor area, to the extent that the Planning and Zoning Commission determines it to be consistent with the objectives of this ordinance and the interests of the community.
- (3) Where public sewers are available a ratio of four square feet of land area to one square foot of floor area, excluding basement floor area and parking area, but including the area occupied by accessory structures,

and outdoor uses, shall be maintained.

- (a) Parking areas and drives may cover no more than 30 percent of the net lot area.
 - (b) Natural or landscaped open space shall cover a minimum of 50 percent of the net lot area.
- (4) No primary building shall be less than 5,000 square feet in floor area.
 - (5) No building or structure shall extend within 70 feet of any street line. Buildings which do not exceed 30 feet in height shall not extend within 30 feet of any lot line. For buildings which exceed 30 feet in height, an additional 2 feet shall be added to the minimum setback distance from the closest street or lot line for each additional foot of building height in excess of 30 feet.

07.04.02. Industrial Park District II

- (1) Each lot shall have a minimum gross area of two acres and shall have a minimum width of 200 feet, or more, at the building setback line, with frontage on an approved town road.
 - (a) The gross area shall be determined by dividing the total parcel area, less road rights-of-way, by the total number of industrial lots.
 - (b) The minimum net area of a particular lot shall be 1.25 acres and for each additional acre over 2.00 acres net lot size, an additional 25 feet of width at the building setback line.
- (2) A ratio of four square feet of land area to one square foot of floor area, excluding basement floor area and parking area, but including the area occupied by accessory structures, and outdoor uses, shall be maintained.
 - (a) Parking areas and drives may cover no more than 30 percent of the net lot area.
 - (b) Natural or landscaped open space shall cover a minimum of 50 percent of the net lot area.
- (3) No primary building shall be less than 3,000 square feet in floor area.
- (4) No building or structure shall extend within 70 feet of any street line. Buildings which do not exceed 30 feet in height shall not extend within 30 feet of any lot line. For buildings which exceed 30 feet in height, an

additional 2 feet shall be added to the minimum setback distance from the closest street or lot line for each additional foot of building height in excess of 30 feet.

07.05. Performance Standards:

07.05.01. Dust, dirt, fly ash and smoke:

No dust, dirt, fly ash or smoke shall be emitted into the air as to endanger the public health and safety, to impair the safety, value and enjoyment of other property or to constitute a critical source of air pollution by itself or in conjunction with other existing sources of dust, dirt, fly ash or smoke.

07.05.02. Odors, Gases and Fumes:

No offensive odors or noxious toxic or corrosive fumes or gases shall be emitted into the air.

07.05.03. Noise:

With the exception of time signals and noise necessarily involved in the construction or demolition of buildings and other structures, no noise which is objectionable due to volume, intermittence, beat frequency or shrillness shall be transmitted outside the property where it originates.

07.05.04. Glare and Heat:

The use shall be arranged so that any glare or radiant heat produced is shielded so as not to be perceptible at or beyond any property line.

07.05.05. Vibration:

With the exception of vibration necessarily involved in the construction or demolition of buildings and other structures, no vibration shall be transmitted outside the property where it originates.

07.05.06. Sewage:

The disposal of sanitary wastes shall comply with standards and regulations established by the Sanitary Code of the State of Connecticut and by the Town of Middlefield. The discharge of substances into river and streams shall be subject to regulations of the Connecticut State Water Resources Commission, and to any other applicable regulation.

07.05.07. Fire and Explosion Hazards:

The use shall conform to the Fire Safety Code of the State of Connecticut, the regulations of the Town of Middlefield, and any other applicable regulation.

07.05.08. Ionizing Radiation and Radioactive Materials:

The use shall conform to the regulations of the Sanitary Code of the State of Connecticut with regard to sources of ionizing radiation and radioactive materials, and to any other applicable regulation.

07.05.09. Electromagnetic Interference:

The use shall conform to the regulations of the Federal Communications Commission with regard to electromagnetic radiation and interference, and to any other applicable regulation.

07.06.General Requirements:

07.06.01.

Only outdoor storage areas which are in accord with the objectives of the Industrial Park District and the Town of Middlefield and are shown on the approved Site Development Plan on file with the Town Clerk are permitted.

07.06.02.

Off street parking and loading spaces shall be provided as required in Article III.

07.06.03.

Provision shall be made in the development of any parcel, when deemed practical and necessary and in accordance with the objectives of the Middlefield Plan of Development and of the District, to allow for future access to abutting parcels.

07.06.04.

All utilities shall be placed underground.

07.06.05.

Appropriate screening shall be provided for parking areas, loading areas, accessory

buildings, storage areas, and other appropriate areas as required by Section 10.02.03.(4).

07.06.06.

All roads shall be constructed according to the Road and Drainage Specifications of the Planning and Zoning Commission Town of Middlefield adopted February 13, 1964, as amended.

07.06.07.

Accessory buildings shall not be permitted to substantially decrease the amount of open space area on the parcel.

Town of Middlefield Route 66 Design District Boundary

Source: Aerial Photograph, USGS/USFWS, 2004.
Base Map: Connecticut Department of Environmental
Protection Map and Geographic Information System.
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