

# 3000 RESIDENTIAL DISTRICTS

## 3400 PERMITTED ACCESSORY STRUCTURES

### 3440 Agriculture

<p>1. Minor Accessory Farm Structure – Garden house, tool house, small processing shed (cider press, maple syrup, etc), chicken coop, horse shelter, feed and water units, or other accessory structure customarily incident to a permitted principal use of the premises provided such structure(s) shall not exceed 200 square feet in total floor area, shall not be placed on a permanent foundation, and shall not be used as a residence.</p>	<p>No Zoning Permit Required</p>
<p>2. Accessory Farm Structure – A structure customarily incident to the operation of a farm.</p> <ul style="list-style-type: none"> <li>a. Such structure shall not be used for the processing of agricultural or horticultural commodities.</li> <li>b. Such structure shall not be used as a residence unless specifically authorized by the Commission by Special Permit</li> </ul>	<p>Zoning Permit (Staff)</p>
<p>3. Accessory Farm Processing Structure – A structure customarily incident to the operation of a farm specifically for the processing of agricultural or horticultural commodities harvested and/or raised on the Farm but excluding the slaughtering of livestock and poultry. Processing of such agricultural or horticultural commodities includes:</p> <ul style="list-style-type: none"> <li>a. Processing that turns nonanimal products into edible products, including, but not limited to, jams, syrup, jellies, and wash/pack stations for preparation of fruits and vegetables.</li> <li>b. Processing that uses animal products without slaughtering, including, but not limited to, fiber, honey, eggs, milking of animals for edible dairy products and nonedible products such as soap.</li> <li>c. Such structure may be used for the processing and/or slaughtering of agricultural or horticultural commodities harvested and/or raised on the Farm for personal consumption only and not located in the front yard.</li> </ul>	<p>Zoning Permit (Staff)</p>
<p>4. Major Accessory Farm Processing Structure – A structure customarily incident to the operation of a farm specifically for the slaughtering and/or processing of slaughtered products of livestock and poultry raised on the Farm.</p> <ul style="list-style-type: none"> <li>a. Such Structure shall not be located in a front yard.</li> <li>b. Such structure shall not be located within 40 feet of any side or rear lot line or within 50 feet of the front lot line or within 75 feet of the centerline of any street.</li> <li>c. Such Structure shall have sufficient screening such that no part of the processing/slaughtering process is seen from adjacent properties or public rights-of-way.</li> <li>d. Processing and slaughtering of animal products shall not be the principal use of the farm but shall be part of a balanced farming operation and subordinate to other farm enterprise(s).</li> <li>e. Agricultural Best Management Practices (BMP) shall be incorporated.</li> </ul>	<p>Site Plan Approval (Commission)</p>
<p>5. Major Farm Processing Structure - The proposed operation within the structure requires federal inspection by the United States Department of Agriculture, specifically for the slaughtering and/or processing of slaughtered products of livestock and poultry raised on the Farm, or does not otherwise comply with the requirements for an accessory farm structure listed above.</p>	<p>Special Permit (Commission)</p>
<p>6. Minor Farm Stand – <i>NO CHANGE</i></p>	<p><i>NO CHANGE</i></p>
<p>7. Major Farm Stand – <i>NO CHANGE</i></p>	<p><i>NO CHANGE</i></p>
<p>8. Farm Store – <i>NO CHANGE</i></p>	<p><i>NO CHANGE</i></p>

## 6300 EXTERIOR LIGHTING

### 6310 PURPOSE AND INTENT

This Section of the Regulations is intended to establish lighting standards in order avoid negative impacts of lighting and to help promote public safety and welfare.

### 6320 APPLICABILITY

The provisions of this Section shall apply to any development activity ~~required to obtain Special Permit approval,~~ including the installation of landscape lighting, security lighting, and other such exterior lighting. Temporary lighting used by the Police Department, Fire Department or Emergency Services and traditional seasonal lighting is exempt from the following standards.

### 6330 STANDARDS

1. Exterior lights and sign illumination shall be designed, installed, and directed in such a manner as to:
  - a. Be top downward (to illuminate the ground) and not upward or sideways (to illuminate buildings, vegetation, or the sky);
  - b. seek to reduce light pollution by using full cutoff fixtures that minimize glare and light trespass;
  - c. Employ soft, transitional light levels which are consistent from area to area;
  - d. Minimize contrast between light sources, lit areas, and dark surroundings;
  - e. Be confined within the target area; and
  - f. Any LED lighting installed shall not produce illumination rated above three thousand degrees Kelvin (3000K).
2. The Commission may, by Special Permit, allow lighting that does not comply with the requirements of Section 6330.1 in the following cases provided the Commission determines that such proposed lighting is consistent with the purpose of these Regulations:
  - a. Where an applicant can demonstrate, such as by means of a history of vandalism or other objective means, that an extraordinary need for security exists,
  - b. Where an applicant can show that conditions hazardous to the public, such as steep embankments or stairs, may exist in traveled ways or areas,
  - c. Where special lighting is indicated for historic buildings,
  - d. Where special consideration is given to maintain a uniformity with similar uses in the immediate vicinity,
  - e. Where ornamental up-lighting of sculpture, buildings or landscape features shall enhance the character of the area,
  - f. The lighting is for a temporary use approved under these Regulations, or
  - g. The Commission finds that the modification is necessary to provide for motorist and pedestrian safety, to address topographic constraints, or to protect adjacent residential zoned areas.

**Discouraged / Not Permitted**

Fixtures that produce glare and light trespass

Unshielded Floodlights or Poorly-shielded Floodlights

Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures

Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens

Unshielded Streetlight

Unshielded Security Light

Unshielded PAR Floodlights

Unshielded Bollard

shield too small ineffective

exposed polished reflector

shield ineffective

Drop-Lens Canopy Fixtures

**Encouraged / Permitted**

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night

flat lens

Full Cutoff Fixtures

Fully Shielded Walkway Bollards

Fully Shielded Wallpack & Wall Mount Fixtures

Fully Shielded Fixtures

Full Cutoff Streetlight

Fully Shielded Security Light

Fully Shielded 'Period' Style Fixtures bulb shielded in opaque top

Shielded / Properly-aimed PAR Floodlights

Flush mounted Canopy Fixtures

BC 0163

TEXT AMENDMENT – Effective 11/18/2022

## 6400 LANDSCAPING

### 6410 PURPOSE AND INTENT

This Section of the Regulations is intended to provide standards for the retention of natural vegetation and/or the installation of landscaping material as part of development activities in order to prevent soil erosion and sedimentation, encourage infiltration of rainfall, and enhance the overall appearance of the community.

### 6420 APPLICABILITY

The provisions of this Section shall apply to any development activity ~~required to obtain Special Permit approval~~ except that the Commission may exempt agricultural activities.

### 6430 STANDARDS

#### 6431 Perimeter Landscaping

1. Non-residential development (other than an agricultural use) shall have a landscaped area of adequate width, exclusive of driveways and sidewalks to and from the street, around the entire perimeter of the lot.

#### 6432 Buffer Requirements

Where a Special Permit use shall abut a residential use:

1. An adequate buffer shall be provided and existing natural screening within the buffer area shall remain undisturbed to the maximum extent possible or additional planting shall be provided.

#### 6433 Planting Requirements

1. No invasive species ([See CT Invasive Plant List](#)) shall be used for any landscaping purposes. Where applicable, invasive species shall be removed from the property. The use of native plants in developed and planned landscapes will help maintain healthy ecosystems by mitigating the effects of habitat loss and fragmentation of our natural areas and will protect and promote native vegetation appropriate to the particular soil, topography, and hydrology of a site.
2. Only native plantings shall be used within 100 feet of any wetland or watercourse and within 200 feet of major watercourse or waterbodies, with the exception of the area within 15 feet of the principal structure. Native plantings are encouraged throughout the property.
  - a. Native Plantings – A plant that is a part of the balance of nature that has developed over hundreds or thousands of years in a particular region or ecosystem. A plant is considered native if it was present in any New England state, New York, New Jersey, or Pennsylvania before arrival of European settlers. Every effort should be made to use ecotype plants native to Ecoregion 59 and surrounding regions.
  - b. Other Exceptions: This requirement does not apply to plants grown for food, lawns, green roofs, annual plants (those that complete their lifecycle in one growing season), or other applications that have a clear reason to use non-native plants.

## 7000 Special Provisions

### 7100 NONCONFORMING CONDITIONS

#### 7120 Non-Conforming Lots

1. In any district, a principal building and customary accessory buildings and structures may be erected on a lawful lot existing as of the effective date of adoption or amendment of these Regulations, or any applicable amendments hereto, provided that the yard dimensions and requirements other than those applying to lot area or lot **shape** shall conform to the requirements of the district in which such lot is located.
2. A non-conforming lot shall not be reduced in area, dimension or any other manner which would increase its non-conformity.
3. If a non-conforming lot is converted to a conforming lot, it shall thereafter conform to the requirements of the district in which it is located, and the non-conforming lot shall not thereafter be resumed.
4. If two or more adjoining lots of record, one or more of which are undeveloped and fail to meet the requirements of these regulations with regard to lot area and/or lot shape, were in the same ownership on October 1, 2023, or subsequent date, and if such lots taken together would form one or more lots, each more nearly meeting the requirements of these regulations with regard to lot area and lot shape, such lot or lots shall merge and shall no longer be considered legally existing as separate lots and must be combined and used in compliance with the present lot area and lot frontage requirements irrespective of subsequent changes in ownership; except that this provision shall not affect the interest of a mortgagee who holds a properly executed and recorded mortgage and shall not preclude a foreclosure of any individual lot. The foregoing merger provisions shall not apply to any lot approved pursuant to the Easton Subdivision Regulations and Zoning Regulations, as in force at the time of such approval, pursuant to Connecticut General Statutes Section 826a (b), and on file in the office of the Town Clerk.

## 8000 PROCEDURES

### 8300 SITE PLAN APPLICATION

#### 8370 Following Approval

1. Following approval of a Site Plan application and expiration of the appeal period, one (1) “mylar” of each approved plan shall, unless application is for an Accessory Farm Processing Structure or otherwise not required by the Commission, be submitted to the Zoning Enforcement Officer for signature by the Chairman:
  - a. Each such plan shall bear the seal and signature of the appropriate professional(s) which prepared the drawing.
  - b. Each such plan shall contain a signature block where the Chairman of the Commission can indicate the approval of the Commission and state the date on which the five-year period for completing all work in connection with such Site Plan, as set forth in Section 8380 below, expires.
  - c. At least one (1) sheet shall bear a copy of the decision letter of the Commission and any other Town regulatory agencies authorizing the activity.
2. Following signature by the Chairman, such plans shall be filed in the Town Clerk’s Office within ninety (90) days after the expiration of the appeal period or conclusion of any appeal and failure to file such plans in the required time frame will render the approval null and void.
3. Any plans to be filed in the Town Clerk’s Office shall be accompanied by an electronic file of the map in ACAD format that can be opened with ACAD 2022 or earlier.
4. Such plans shall be so filed before any Zoning Permits are issued for the activities shown on the approved plan.
5. All site improvements shall be carried out in strict compliance with the Site Plan approved by the Commission. Minor amendments to the approved Site Plan may be approved only in writing by the Zoning Enforcement Officer upon the written request of the applicant. All other amendments or modifications to the Site Plan shall require the approval of the Commission.
6. All conditions and improvements shown on the approved Site Plan shall continue in force as long as the use indicated on the approved Site Plan shall be in operation, regardless of any change in ownership of the property.