

THE ZONING COMMISSION
Town of New Fairfield
New, Fairfield, CT 06812
SPECIAL MEETING MINUTES

DATE: Wednesday, November 15, 2023

TIME: 7:30 pm

Via Zoom

Call to Order

John Moran called the meeting to order at 7:32 pm.

Present

John Moran, Kevin VanVlack, Mark Lamanna, Jane Landers, Joan Archer (absent), Tomas Kavaliauskas (alternate), and Town Official Zoning Enforcement Officer Evan White (absent).

Business Items

Discussion to examine and discuss the necessary updates and revisions of New Fairfield's current Zoning Regulations in effect with Brian Miller.

Brian Miller stated that with Storm Water Management having sensitivity to small lot owners and protecting the water quality of the lake resource (see enclosure Memorandum 3) is needed. He brought up the 10% threshold for the 44 and 88 districts. He has looked at other towns with lakefront properties and the 10% seems typical across the board. He has worked with Ridgefield and shared a formula with the theory that the bigger the property the less you have to worry about runoff and the impact it has on the neighbor. Kevin VanVlack stated that the intent was to protect the lake and that the topography of each lot varies. Brian Miller stated that the Zoning Regulations should address topography and the grade of the lots. Kevin VanVlack stated that the reducing the threshold in smaller lots is not what is needed. The smaller lots are the size of the lots that are around the lake. Kevin VanVlack stated that the cost of putting in storm water management was a concern. He stated that the purpose was to ease the burden while still protecting the lake quality. Brian Miller stated that the standard percentage in other communities is typically higher than 10%. Brian Miller will speak with Evan White regarding the current Storm Water Management issues and this will be discussed in future meetings.

Brian Miller talked about the non-conforming lots and the issue of a lake overlay district. He stated that after going over the ZBA minutes for the last 5 years there have been 218 variance applications. He stated that this a very high number. He stated that non-conforming lots were big number of the variance applications. He stated that the variance, by state law, is supposed to be based on the hardship based on the properties of the land and that it is a real stretch. He suggested creating a lake front zone that could have smaller lot requirements, a more realistic setback, and coverage requirements that could be done on a sliding scale from the current regulations that would allow some flexibility. He stated that another option is to set up another zone that encompasses those lots and include other requirements such as: more stringent run off requirements, require that any new driveways be permeable, and tailor the whole waterfront lot.

Brian Miller questioned if someone is putting in a patio would a permit be needed. John Moran stated that if it is a stone patio then a permit would be needed to ensure the patio is not put in

over the septic system. Kevin VanVlack stated that the zoning needs to be straight forward and easy. Brian Miller stated that the GIS survey can be used to figure out how wide a lot is to reduce the burden. A conversation was held on past variances and ways to potentially reduce variances in the future. Brian Miller questioned the satisfaction on variances. John Moran questioned granting a set back for one property but not for others regardless of the size. Brian Miller stated that larger lots have less of a need for setback variances due to the increased amount of property so addressing smaller lots regulations can decrease the need for a property owner to go in front of ZBA. Brian Miller will discuss this with Evan White, go through the minutes of the ZBA to get a better idea of what is being approved, talk to the chairman and co-chairman of the ZBA to get their perspective on regulations that need to be changed, and will look at the percentage of the variances that are in the lakefront area. Kevin VanVlack stated that the regulations should bring conformity rather than exacerbate the current situation.

Brian Miller stated that for short term rentals there is a current short regulation that he is unsure of how the commission wants to proceed. A discussion was held on the length of a rental, where the owner lives, and the enforcement of regulations. Jane Landers stated that she is not clear why it is in the best interest of the town to have short term rentals in the Town of New Fairfield. She stated that the biggest issue is enforcement and that is not what the Zoning Regulations are for and that she is against short term rentals but not against long term rentals. Brian Miller stated that the commission will have to decide and put in parameters. Kevin VanVlack clarified that currently the regulation is a week and that the “weekenders” were the issue in the past and by eliminating the 2–3-day rentals seemed to help. This will need to be addressed with Evan White to see if this is still an issue and if it needs to be addressed. Tomas Kavaliauskas asked if anyone checked with Sherman about how bringing in the state police for the weekend enforcement. Brian Miller stated he will check into how Sherman is handling enforcement.

Brian Miller stated that he had sent out 4 memorandums. He will resend those to Dana Ulibarri (recording secretary) and she will forward them to the Zoning Commission board members and he will cc her on future communications.

Next meeting December 13, 2023 at 7:30 pm via Zoom pending the availability of a moderator.

Adjournment

Kevin VanVlack made a motion to adjourn the meeting at 8:36 pm. Jane Landers seconded the motion. **All in favor.**

Enclosure

Memorandum 1
Memorandum 2
Memorandum 3
Memorandum 4

108 Colonial Hill Drive
Wallingford, CT 06492
203-314-7151
bmiller@millerplanninggroup.com



The Miller Planning Group
Land Use Solutions

Zoning Update – Memorandum 1

Introduction and Issues

October 12, 2023

I am pleased to start the process of updating the New Fairfield zoning regulations. My recent discussion with Mr. White was extremely helpful in refining the issues to be addressed. These issues are summarized below.

I have attached a copy of the contractual work plan. The following is based upon this work plan. These issues are the initial listing. It is likely that the Commission will identify other issues during the process.

I would suggest that the Commission schedule monthly work sessions to discuss these issues. We can use this meeting to prioritize each issue, and I will prepare potential draft zoning regulations and/or discussions as to approach for each issue. We will attempt to address at least two issues each month, except for those more complicated issues, like affordable housing.

1. Candlewood Lake Overlay t Zoning
 - Should there be special zoning established within the lake drainage basins?
2. Stormwater Management
 - Needs to be more specific for existing properties and mitigation for increased impervious surfaces.
3. Floodplain Zoning
4. Aquifer Protection
5. Excavation
 - Needs definitions and more specific standards.
6. Affordable Housing
 - Changing needs, attitudes, and State Regulations
7. Elderly Housing
 - Although sometimes attached to Affordable Housing, it is a separate issue and needs to be addressed in a different way from Affordable Housing.

8. Short Term Housing

- Prominent in New Fairfield. As it becomes more prevalent, the Commission may wish to review and/or amend the current regulations.

9. Site Plan Standards

10. Signs

- Identify current and potential issues with the existing sign regulations.
- Regulation of colors?
- Compatibility with architectural character?
- How to address logos?

10. Parking

- Unused paved parking areas do not benefit promoting beneficial development and have adverse environmental impacts. Parking regulations need to include different peak periods and changing uses.

11. Non-conforming lots

- Should there be different setback and coverage requirements ?

12. Definitions

- Definitions are important components of regulations. Many of the issues to be addressed would require additional or revised definitions.

My function is to produce sound, legally defensible and realistic regulations to implement the policies of the Zoning Commission. I look forward to our discussion on October 17.



Work Program for Update Town of New Fairfield Zoning Regulations

1 Audit of Existing Zoning Regulations

The information derived above will be the basis of our review of the regulations. This will include an initial review by the consultant, and discussions with staff.

- 1.1 Staff provide a copy of regulations with markups of deficiencies and problems which they have identified.
- 1.2 Consultant meets with staff for clarification and consultation as required.

2 Analysis of Special Needs; Stormwater Management, Site Plan Standards, Flood Plain Regulations and Aquifer Protection

Consultant will analyze the current regulations concerning these concerns as to effectiveness, clarity, consistency with State Statutes and consistency with other regional zoning regulations. This will include consultation with Staff research into other zoning regulations as to “best practices” and discussions with Zoning Commission.

- 2.1 Workshop with Zoning Commission and staff to discuss initial findings.

3 Create a Candlewood Lake Overlay Zone

Consultant will draft a Candlewood Overlay Zone, with consultation with Staff.

4 Provide Drafts of Amendments Conserving Other Issues

The consultant will produce draft amendments concerning the other issues identified in Steps 1 and 2.

5 Production of Draft Amendments to the Zoning Commission.

- 5.1 Based upon the input, the consultant shall prepare a draft of the proposed changes in the regulations for review by Staff.
- 5.2. After review, these proposed changes will be presented to the Zoning Commission for discussion at a work session.

6 Finalization of the Draft Regulations

- 6.1 The draft regulations will be prepared and presented to the Staff and the Commission based upon the discussions and decisions made within the context of 5.2.
- 6.2 Present draft of final regulations to the Commission for a public hearing for discussion. We will make final changes based upon that discussion and prepare a final draft for consideration at the public hearing.
- 6.3 Present final draft to Planning Commission for their review. Amend draft based upon input from Planning Commission if directed by the Zoning Commission.

7 Public Hearing

The Consultant shall present the draft zoning regulations at a public hearing. The Commission shall consider the input received at the public hearing, and if any changes are required, the Consultant shall present to the Commission the completed regulations.

8 Amendments After Public Hearing

The Consultant will make any changes to the Final Draft resulting from the public hearing as directed by the Zoning Commission

9 Public Input

The Consultant will work with the Town to provide public awareness of the zoning revision process as follows:

- 9.1. Prepare memoranda/reports to the Commission as required, available for posting on the Town website. We should suggest that the Town includes a place where public comments could be made by the public concerning the overall process.
- 9.2. The consultant shall create a document explaining the process to the public for inclusion on the website.
- 9.3 The consultant shall create a document explaining the proposed amendments to the public of the final draft to be posted on the website and distributed as needed by the Town.
- 9.4. Present Final Draft to the Zoning Commission at public hearing.

108 Colonial Hill Drive
Wallingford, CT 06492
203-314-7151
bmiller@millerplanninggroup.com



The Miller Planning Group
Land Use Solutions

Zoning Update – Memorandum 2 Introduction and Issues - Additions

November 10, 2023

The Commission identified several additional zoning components which the would like to address during this update. The have been added to the original list beginning at #

1. Candlewood Lake Overlay t Zoning
 - Should there be special zoning established within the lake drainage basins?
2. Stormwater Management
 - Needs to be more specific for existing properties and mitigation for increased impervious surfaces.
3. Floodplain Zoning
4. Aquifer Protection
5. Excavation
 - Needs definitions and more specific standards.
6. Affordable Housing
 - Changing needs, attitudes, and State Regulations
7. Elderly Housing
 - Although sometimes attached to Affordable Housing, it is a separate issue and needs to be addressed in a different way from Affordable Housing.
8. Short Term Housing
 - Prominent in New Fairfield. As it becomes more prevalent, the Commission may wish to review and/or amend the current regulations.
9. Site Plan Standards
10. Signs
 - Identify current and potential issues with the existing sign regulations.
 - Regulation of colors?
 - Compatibility with architectural character?
 - How to address logos?

10. Parking

- Unused paved parking areas do not benefit promoting beneficial development and have adverse environmental impacts. Parking regulations need to include different peak periods and changing uses.

11. Non-conforming lots

- Should there be different setback and coverage requirements ?

12. Definitions

- Definitions are important components of regulations. Many of the issues to be addressed would require additional or revised definitions.

11. Solar Panels

- Ground placement of solar panes
- Access to sunlight

12. Consistency

- Between different sections of the regulations
- With State Statutes

108 Colonial Hill Drive
Wallingford, CT 06492
203-314-7151
bmiller@millerplanninggroup.com



The Miller Planning Group
Land Use Solutions

Zoning Update – Memorandum 3 Stormwater Management

Section 6.7 requires that stormwater management plan be submitted where more than 10% of the lot area consists of impervious surface for existing or proposed residential development, and for all non-residential development. This has some associated issues.

1. There is no differentiation between size of lots. A four-acre lot does not have the same challenges for stormwater management as a half-acre lot.
2. The lakes are significant natural resources with dense residential development within their watershed. The environmental impact of stormwater runoff into the lakes is particularly sensitive. However, there has been public resistance to differentiating the requirements for the lake communities.
3. The regulations do not include a definitive source that would be the standard stormwater management plans.
4. Footnote (3) of Table 3.0.2.A, page 23 implies that Section 6.7 only applies to situations where a greater impervious surface is required, which is inconsistent with Table 3.0.2.A.
5. The impervious surface threshold is based upon zoning district, instead of actual lot size. The size of the lot is a better determinant of the need for stormwater management.

I have included the regulations of the Town of Ridgefield. The situation there is similar to that of New Fairfield as most of the town is within a two-yard minimum lot size, with most of the other land zoned for a one-acre minimum.

The Ridgefield regulations include the following components which may be appropriate here.

- The thresholds which require a stormwater management plan are based upon lot size, not zoning district. It is also a sliding scale with a lower threshold for smaller lots. This is displayed by the Table included within the Ridgefield regulations.
- The regulations also reference specific widely accepted standards for the Stormwater Management Plan.
- Although there are some small lake communities in Ridgefield, New Fairfield surface water resources are larger and more prominent in the community.

The Town of Brookfield sets a threshold of 20,000 square feet of disturbance before requiring a Stormwater Management Plan.

7. BASIC STANDARDS

7.1. Landscaping¹

A. PURPOSE

These landscaping standards are established for the purpose of protecting property values by preserving existing vegetation and planting new materials; providing privacy from visual intrusion, light, dirt, and noise; preventing the erosion of soil; providing water recharge areas; improving the quality of the environment and the attractiveness of Ridgefield, and improving the quality of life for residents and visitors.

B. APPLICABILITY

These landscaping standards shall apply to any development in Ridgefield which requires Site Plan Approval or Special Permit Approval.

C. LANDSCAPE ARCHITECT REQUIRED

Unless waived by the Planning Director due to the minimal impact of a proposed activity, a landscape architect licensed in Connecticut shall prepare the plans illustrating compliance with the requirements of this Section.

D. PARKING AREA LANDSCAPED AREA REQUIREMENT


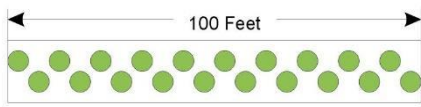
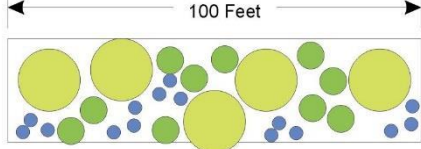
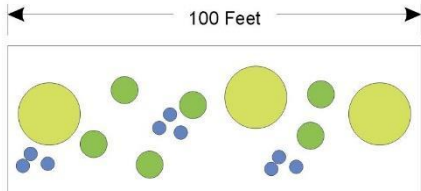
When a landscaping plan for parking areas is required under these regulations, the plan shall be designed to suit the site-specific conditions, and shall be substantially in conformance with the following desired minimum standards:

1. Unless site-specific conditions such as lot size and shape, travel-ways, sidewalks, or other conditions prevent strict adherence to this standard, parking areas shall be planted with trees a minimum of four (4) inches in caliper measured six (6) inches above ground level, one tree per ten (10) parking spaces within the parking lot.
2. Such trees must be staked with two (2) three-inch diameter stakes and protected by curbing against damage by vehicles.
3. A minimum planting area, equivalent to one hundred fifty (150) square feet per tree shall be provided.
4. Unless site-specific conditions such as lot size and shape, travel-ways, sidewalks, or other conditions prevent strict adherence to this standard, required parking areas shall have a landscaped island at each end or each row of vehicle spaces and an intermediate island for every fifteen (15) or fewer vehicle spaces.
5. Such planting islands shall be not less than nine (9) feet wide in the direction parallel to the row and not less than eighteen (18) feet long in the direction perpendicular to the row.
6. Each such island shall have a suitable curb of stone or poured-in-place concrete, and shall be planted with grass or ground cover, or have pedestrian pavers where approved by the Commission or Staff.

¹ 2014-089-A Amended effective 11/21/14

E. LANDSCAPED BUFFER REQUIREMENT

1. Nonresidential buildings and uses, including vehicular areas, shall provide a landscape buffer along the property line abutting land used for residential purposes or located in a residential zone.
2. Multi-family residential uses, including vehicular areas, shall provide a landscape buffer along each property line.
3. The depth of the landscape buffer and the density of plant materials shall be determined by the Commission based on the nature of surrounding uses, extent of existing vegetation, site characteristics, topography, soils, and other features, using the following diagrams as a guide.

Landscape Buffer Concepts	# of Plants / 100' of buffer
<p>Simple Screen (10' deep)</p> 	<p>10 Evergreen Trees 6+ feet in height</p>
<p>Basic Buffer (15' deep)</p> 	<p>20 Evergreen Trees 6+ feet in height</p>
<p>Enhanced Buffer (25' deep)</p> 	<p>5 Canopy Trees 3+ inches in caliper</p> <p>10 Understory Trees 1.5+ inches in caliper</p> <p>15 Shrubs 4+ feet in height</p>
<p>Wide Buffer (45' deep)</p> 	<p>3 Canopy Trees 3+ inches in caliper</p> <p>6 Understory Trees 1.5+ inches in caliper</p> <p>9 Shrubs 4+ feet in height</p>

F. EXISTING VEGETATION

1. Existing plant materials may be used to meet all or part of the landscape regulations.
2. Significant trees, as defined in these Regulations, shall be preserved to the extent feasible and any significant tree which is proposed for removal shall be clearly designated on the site plan. Unless clearly designated for removal, significant trees shall be considered to be designated for preservation.
3. Unless otherwise authorized by the Commission, any significant tree designated for preservation shall:
 - a. have no construction operations carried on within the drip-line of the significant tree;
 - b. have no material stored within the drip-line of the significant tree;
 - c. if at risk of damage from construction, be protected by a four-foot high fence offset at least ten (10) feet from the tree's trunk(s) except that, if the Commission so designates, the fence shall be installed at the drip-line of the tree;
4. All tree protection measures and devices shall:
 - a. be installed in advance when any construction activity will occur within forty (40) feet of the affected tree(s); and
 - b. remain in place and be maintained in good repair during the construction period.
5. Damage to any significant tree shall be repaired by a Connecticut licensed arborist.
6. Any significant tree marked for preservation which is removed or damaged beyond satisfactory repair shall be replaced with sufficient trees of the same or similar species as approved by the Commission or its agent so that the combined caliper measurements of the replacement trees shall equal or exceed the caliper measurement of the significant tree which was removed or damaged.

G. OTHER LANDSCAPING PROVISIONS

1. **Screening of security fences** - When the proposed site plan includes the installation of security fences necessary for the operation and maintenance of permissible uses, the Planning and Zoning Commission, or its authorized agent, may require that such fences be adequately screened from public view.
2. **Additional screening, landscaping, buffering** - The Commission shall retain the right to require additional screening, landscaping or buffering as deemed necessary.
3. **Native species** -
 - a. Planting materials used for landscaping and screening shall be appropriate for Connecticut; native species are preferred.
 - b. The use of any plant designated by the Connecticut Department of Environmental Protection as an invasive species is prohibited.

7.2. Signage

A. PURPOSE

This Section is intended to promote the public safety and welfare by providing standards to control the location, area, number, illumination and overall design of signs in order to prevent undue distraction of motorists and pedestrians, to ensure compatibility of signs with permitted land uses, to provide reasonable standards by which uses within the various zones may relate their function to the public, and to aid in preserving and enhancing the aesthetic and historical values of the community.

B. PERMIT REQUIRED

A zoning permit for a sign shall be obtained from the Commission or its duly authorized officer prior to the erection or installation of any sign except for:

- a. The alteration, reconstruction or replacement of any sign meeting the requirements of this Section, provided the sign area is not increased.
- b. The normal maintenance of any sign meeting the provisions herein.
- c. A sign listed in Subsection 7.2.C of these Regulations or elsewhere in Section 7.2 as not requiring a Zoning Permit.

C. SIGNS PERMITTED IN ANY DISTRICT

The following types of signs are permitted in any zone without a Zoning Permit provided that any such sign shall comply with other provisions of Section 7.2:

Type of Sign	Maximum Number	Maximum Size / Area
1. Traffic control signs required or approved by the Traffic Authority of the Town of Ridgefield or by the State of Connecticut.	n/a	n/a
2. The insignia of any nation, or any governmental or religious organization.	n/a	n/a
3. Historic structure plaques issued by the Ridgefield Historical Society.	One (1) sign per structure	n/a
4. Temporary political signs	n/a	n/a
5. Real estate signs advertising the sale or rental of the premises, provided that the maximum height of said sign does not exceed five (5) feet.	One (1) sign per street frontage	Four (4) square feet on each of two sides
6. Real estate directional signs for open houses between the hours of 12 p.m. and 4 p.m. on Saturdays and Sundays, on the premises or on off-site private property with permission of the owner.	One (1) sign per open house	Four (4) square feet on each of two sides

<p>7. Temporary signs of the building contractors or professionals on the premises where the work is being performed, provided that:</p> <ul style="list-style-type: none"> a. no such sign exceeds ten (10) feet in height, and b. such sign is removed promptly upon completion of the work. 	<p>One (1) sign per premises</p>	<p>Not more than six (6) square feet per any one side</p>
<p>8. Temporary street signs within subdivisions prior to road acceptance.</p>	<p>One (1) sign per intersection</p>	<p>n/a</p>
<p>9. Necessary directional signs within the premises of a permitted use, providing that no such sign shall exceed five (5) feet in height.</p>		<p>Not more than three (3) square feet per any one side</p>
<p>10. Community Sign Boards in sizes and locations approved by the Commission (may be located within the setback area and/or on Town property).</p>	<p>As approved by the Commission</p>	<p>As approved by the Commission</p>
<p>11. Temporary signs for special non-profit community events in the Town of Ridgefield (such as those held for charity, fund-raising, the arts, education, seasonal fairs, and other similar events sponsored by non-profit organizations) may be posted on designated Community Sign Boards provided that::</p> <ul style="list-style-type: none"> a. no sign shall be posted more than two (2) weeks before the special event; b. the sign(s) shall be removed within 48 hours of cessation of the event; c. no sign shall be posted outside of the sign area of the Community Sign Board; and d. no tag sale signs are permitted except for those held as non-profit events by non-profit organizations. 	<p>One (1) sign per organization per Community Sign Board</p>	<p>Two (2.0) feet high and two (2.0) feet wide</p>
<p>12. Digital/Electronic Signs (Special Permit required)²</p>	<p>Determined by Commission</p>	<p>Determined by Commission</p>

² A-23-2 Amended effective 07/14/2023

D. SIGNS PERMITTED IN RESIDENTIAL DISTRICTS

1. The following types of signs are permitted for residential uses in a residential zone provided that any such sign shall comply with other provisions of Section 7.2:

Type of Sign	Maximum Number	Maximum Size / Area
a. A sign bearing the name and/or permitted home occupation of the resident (no permit required)	One (1) for each permitted use or dwelling	Two (2) square feet in total area

2. The following types of signs are permitted for non-residential uses in residential zones (such as religious institutions, libraries, museums, art centers, historical societies, schools, municipal uses, non-profit agencies) provided that any such sign shall comply with other provisions of Section 7.2:

Type of Sign	Maximum Number	Maximum Size / Area
a. One or more wall signs provided that the total area of all wall signs does not exceed twenty (20) square feet (Zoning Permit required)	One (1) sign per street frontage	Twenty (20) square feet in total area
b. One or more wall signs (Special Permit required) ³	One (1) sign per street frontage	Twenty-five (25) Square feet
c. A freestanding sign erected or placed perpendicular or parallel to the public street or highway to which the building or structure fronts or abuts provided that the sign does not exceed five (5) feet in height (Zoning Permit required) ³	One (1) free-standing sign per street frontage	Twenty (20) square feet in total area per side
d. Temporary signs for special events with the following restrictions (no permit required): i. no sign shall be posted more than two (2) weeks before the special event; ii. the sign(s) shall be posted only on the premises where the event is taking place, behind the front property line and not in any street right-of-way; iii. no sign exceeds six (6) feet in height iv. the temporary sign(s) shall be removed within 48 hours of cessation of the activity or use to be conducted thereon; and v. the special event is limited to an activity scheduled for specific dates and not for continuous activities or on-going programs.	Not more than two (2) signs shall be posted at any one time	The area of any one side of the sign shall not exceed six (6) square feet

E. SIGNS PERMITTED IN NON-RESIDENTIAL DISTRICTS

³ 2007-056 Amended effective 6/29/07

³ 2018-047 Amended effective 11/09/2018

The following types of signs are permitted in a non-residential zone provided that any such sign shall comply with other provisions of Section 7.2:

Type of Sign	Maximum Number	Maximum Size / Area
1. One (1) wall sign displaying the name of the owner or occupant of the premises and/or the activity conducted thereon (Zoning Permit required)	One sign per tenant except as may be allowed by Subsection 7.2.E.3 or Subsection 7.2.E.4	One (1) square foot per lineal foot of facade of the tenant space but not more than twenty-five (25) square feet or not more one (1) square foot per 1,000 square feet of gross floor area, whichever is greater
2. One projecting sign (in lieu of a wall sign) displaying the name of the owner or occupant of the premises and/or the activity conducted thereon (Zoning Permit) provided that there is at least fourteen (14) feet of clearance under the sign for vehicular traffic and at least eight (8) feet of clearance under the sign otherwise (Zoning Permit required)	One sign per tenant except as may be allowed by Subsection 7.2.E.3 or Subsection 7.2.E.4	One (1) square foot per lineal foot of facade of the tenant space but not more than twenty-five (25) square feet per sign
3. One (1) additional wall sign or projecting sign displaying the name of the owner or occupant of the premises (Special Permit required)	One additional sign for a maximum of two (2) signs total	For both signs, maximum of one-and-a-half (1.5) square feet per lineal foot of main facade of the tenant space but not more than twenty-five (25) square feet per sign
4. An entrance identification sign for a rear entrance into a building or tenant space from a parking area (Zoning Permit required)	One sign	Four (4) square feet in area
5. Sign(s) identifying store hours and non-advertising notices (no permit required)	n/a	Two (2) square feet in total area per tenant space
6. For a residence in a non-residential zone, a sign bearing the name and/or permitted home occupation of the resident (no permit required).	One (1) for each permitted use or dwelling	Two (2) square feet in total area

Type of Sign	Maximum Number	Maximum Size / Area
7. Permanent window sign(s) on store windows for a permitted conforming use provided that a "permanent window sign" permit has been obtained (Zoning Permit required)	Two (2) window surfaces	Fifteen (15) percent of the window surface to which applied
8. A freestanding sign erected or placed on the premises provided that the maximum height of such sign does not exceed ten (10) feet (Zoning Permit required) ⁴	One (1) freestanding sign per premises	Twenty-four (24) square feet in total area for all sign faces
9. A temporary sign announcing special events directly related to the activity or use conducted within the premises provided that no more than four (4) permits per tenant for such special events signs shall be issued in any one calendar year (Zoning Permit required)	One (1) sign per business or occupant for up to two (2) weeks but no more than one (1) sign per property at any one time	Twelve (12) square feet in total area
10. Temporary window sign for a permitted conforming use (no permit required), provided that: a. Such sign shall not be displayed for more than forty –five (45) days. ⁴		Fifty (50) percent or twenty (20) square feet, of the window surface, whichever is less
11. Digital/Electronic Signs (Special Permit required) ⁵	Determined by Commission	Determined by Commission

⁴ 2007-056 Amended effective 6/29/07

⁴ 2018-046 Amended effective 11/09/2018

⁵ A-23-2: Amended adopted 07/05/2023 effective 07/14/2023

F. SIGN LOCATION AND CONSTRUCTION

1. No sign, other than official street or highway signs, shall be erected or maintained within street or highway rights-of-way.
2. No sign shall project over any private property line without the express written permission of the affected property owner
3. No sign shall be placed so as to:
 - a. interfere in any way with the vision of pedestrian or vehicular traffic, traffic signals or signs, or
 - b. endanger traffic on a street or public way by obscuring a clear view of, or by confusion with, official street signs, highway signs, or signals.
4. No sign shall be affixed to the roof of any building; nor shall any sign affixed to any wall of any building project above the top of said wall.
5. All signs shall be designed, constructed, erected and maintained in accordance with the standards specified in the state building code.
6. No sign shall consist of, contain, or appear to contain rotating, vibrating or moving materials such as paper, cloth or metal, whether attached to a fixed sign or used independently thereof.
7. No sign shall be constructed, illuminated, or function in a way so as to appear to rotate, vibrate, move, or otherwise be animated.

G. SIGN ILLUMINATION

1. The illumination of permitted signs shall be non-animated and non-flashing, unless specifically approved by the Commission via Special Permit.
2. No sign shall be externally illuminated by other than white incandescent or white fluorescent lights, unless specifically approved by the Commission. The color temperature of lights should be 3000 kelvin or less whenever possible; no light shall exceed 4000 kelvin unless specifically approved by the Commission.
3. Any internally illuminated sign shall consist of a dark or opaque background with lighter-colored lettering unless specifically approved by the Commission. Digital or electronic signage, or any other self-luminous sign, when approved by Special Permit, shall be designed and/or controlled with luminosity limit of 150 nits during nighttime/dark conditions, and 5,000 nits during daytime/sunlight conditions. Automatic control of luminance based on ambient lighting conditions, with the range defined above, is encouraged.⁶
4. Light sources shall be so located to preclude light trespass into the street or any adjoining property.
5. Spotlights or floodlights for signs shall be shielded so that:
 - a. the source of light shall not be visible from any point off the premises on which the sign, building or structure being illuminated is erected, and
 - b. only one (1) sign is directly illuminated thereby.

⁶ A-23-2: Amended effective 07/14/2023

H. SIGN DESIGN AND REVIEW PROCEDURE

1. All signs shall be designed so as to be harmonious and compatible with the architectural character of the building(s) or premises to which they refer and with due consideration to the protection and enhancement of Ridgefield historic character and tradition.
2. A sign application shall be referred to the Architectural Advisory Committee (AAC) for review when the wall sign, projecting sign, free-standing sign, or other permanent sign:
 - a. is located in the CBD District,
 - b. is located in the B-1 District,
 - c. is located in another non-residential district and has a sign area exceeding ten (10) square feet, or
 - d. is located in a residential district and has a sign area exceeding ten (10) square feet.
3. For such signs, the Architectural Advisory Committee shall act within fifteen (15) days of the date of submission of a complete application or the sign design shall be considered approved as submitted and a permit shall be granted by the Zoning Enforcement Officer provided that the sign complies with other provisions of Section 7.2.
4. A request from the AAC for resubmission of the application based on the AAC recommendations shall not be considered failure to act.

7.3. *Parking*

A. **PURPOSE**

These parking regulations are adopted for the purpose of providing for adequate parking facilities to serve existing and proposed uses.

B. **NUMBER OF PARKING SPACES**

Unless modified as provided in this Section, off-street parking spaces shall be established and maintained for every use of land, buildings or structures based upon the following schedule of minimum requirements:

Residential Uses

1.	One-family and two-family structures	Two (2) parking spaces for each dwelling
2.	Building or group of buildings containing three (3) or more dwellings	One (1) space per efficiency unit or one-bedroom unit ⁷ ; two (2) spaces for each other type of unit
3.	Home occupation, service or profession	One (1) space for the home occupation, service or profession plus one (1) space per non-resident employee in addition to the parking spaces for the dwelling unit
4.	Visitor parking at a multi-family development	As determined by the Commission

Retail / Service Uses

5.	Retail stores, banks, service establishment	4.25 spaces per 1,000 square feet of gross floor area on the first floor plus 3.4 spaces per 1,000 square feet of gross floor area on each upper floor
6.	Restaurants, taverns, bars, nightclubs, dance halls	15.0 spaces per 1,000 square feet of gross floor area
7.	Motels, hotels, inns and similar places for transient living	One (1) space for each guest room plus one (1) space for each employee
8.	Auto or other motor vehicle sales	5.0 spaces for each repair or service bay plus additional spaces for display, employees, visitors, and other purposes as determined by the Commission
9.	Gasoline filling station, motor vehicle repair or service station	1.5 spaces per gas pump, plus 5.0 spaces for each repair or service bay, plus additional spaces for retail sales, employees, visitors, and other purposes as determined by the Commission

⁷ A-21-6 amended effective 11/05/2021 to reduce 1.5 spaces to 1 space per PA 21-29

Office Uses

10.	General business offices	3.4 spaces per 1,000 square feet of gross floor area
11.	Corporate and research and development offices	2.8 spaces per 1,000 square feet of gross floor area
12.	Medical or dental offices	4.9 spaces per 1,000 square feet of gross floor area
13.	Real estate office	4.25 spaces per 1,000 square feet of gross floor area

Places of Assembly

14.	Theater, auditorium, places of worship	One (1) space for each four (4) seats based on maximum capacity, to be provided within five hundred (500) feet of the building; or if in a residence district, on the same lot with the building
15.	Funeral, mortuary establishments	One (1) space for each four (4) seats based on maximum capacity to be provided within premises and/or within three hundred (300) feet of the establishment
16.	Clubs, fraternal organizations	One (1) space for each three (3) members, based on maximum membership
17.	Stadiums, athletic fields	One (1) space for each four (4) seats based on maximum capacity, to be provided within one thousand (1,000) feet of the building or field
18.	Bowling alleys	Four (4) spaces for each lane
19.	Golf driving range	One (1) space for each driving tee

Other Uses

20.	Unlisted uses	Off-street parking requirements for uses not specifically listed above shall be determined in each case by the Commission or its authorized staff.
-----	---------------	--

In the case of multiple or mixed uses on the same property, the parking spaces required shall be the sum of the requirements for each of the various uses and/or structures computed separately, unless modified according to Sec. 7.3.C.

C. MODIFICATION OF NUMBER OF PARKING SPACES

1. Parking in CBD Zone. ^{8, 9}

Due to the high level of pedestrian activity and the multi-purpose nature of trips in the CBD zone, the following parking requirements shall apply:

- a. for a change of use within an existing building in the CBD zone, there shall be no additional off-street parking required with the exception of the proposed residential use portions of the development. Residential uses must meet the requirements in regulation 7.3.B with no allowable reduction in parking.
- b. for the expansion or new construction of a building (including appurtenant structures) in the CBD zone, the number of required parking spaces shall be reduced to sixty percent (60%) for all portions of the development except the residential use portions. Residential uses must meet the requirements in regulation 7.3.B with no allowable reduction in parking.

2. Parking for Non-coincidental Uses on Separate Lots.

In a business zone, the Commission may, by Special Permit, permit off-street parking spaces on a separate, adjoining lot for a predominantly evening use to be used as part of the off-street parking spaces count required for a predominantly day-time use provided that mutual and reciprocal parking easements are filed in the office of the town clerk.

3. Permanent Shared Use Reduction

In a business zone other than the CBD Zone, the Commission may, by Special Permit, permit a reduction of the provision of up to 25% of the parking spaces required for the uses on one or more sites due to shared use of parking facilities when:

- a. the parking facilities provided on the site(s) are interconnected with adjacent parking facilities to create a functional parking arrangement,
- b. appropriate access and parking easements are executed between the adjacent properties, and
- c. the Commission is satisfied that the parking needs of the joint users on the sites occur at different hours of the day or that adequate parking will be available for the current and potential future uses.

4. Temporary Installation Deferral

In a business zone other than the CBD Zone, the Commission may, by Special Permit, defer the immediate installation of up to 25% of the required parking spaces where sufficient evidence has been presented, in the judgment of the Commission, to show that:

- a. the reduced parking facilities will adequately serve the proposed use,
- b. there is adequate space reserved on the site, as shown upon the Site Development Plan, to install the full parking requirements,
- c. the owner accepts, in writing, a requirement that the owner will file the Site Development Plan in the office of the town clerk, stipulating that the owner, or the successor and assigns of the owner, will install as many of the deferred parking spaces as the Commission deems necessary within six (6) months of the Commission's request, when, in the opinion of the Commission, such installation is needed.

5. Commission May Specify Reduction

In the case of multiple or mixed uses and/or structures on the same property, the Commission may, by Special Permit, authorize a reduction of up to 25% of the total parking spaces

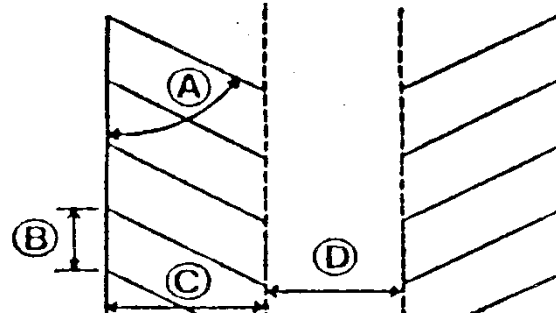
⁸ 2010-105-A: Amended effective 12/24/10

⁹ A-22-6 Adopted 02/07/2023. Amended effective 02/17/2023

required for the combined, separate uses and/or structures.

D. DESIGN OF PARKING AREAS

1. Except as provided below, parking spaces and aisle shall be installed and maintained so that a rectangular area at least nine (9) feet wide and eighteen (18) feet long, exclusive of access or maneuvering space, is provided for each parking space as follows:



A	Parking angle	30°	45°	60°	90°
B	Curb length	18.00	12.73	10.39'	9.00'
C	Stall depth	16.79	19.09	20.09'	18.00'
D	Vehicular aisle width – two-way circulation	24.00'	24.00'	24.00'	24.00'
D	Vehicular aisle width – one-way circulation	12.00'	13.00'	18.00'	24.00'

2. Unless modified by the Commission, parking spaces and access drives shall have at least six (6) inches of process stone and at least two-and-a-half (2.5) inches of bituminous concrete as surface treatment.
3. When and where required by the Commission, curbing within parking areas shall be made of granite or cast in-place concrete.
4. For all new construction of a commercial building or multiunit residential building with 5 or more designated parking spaces for cars or light duty trucks, there must be included electric vehicle charging stations capable of supporting Level 2 and/or direct current fast charging in at least 10% of such parking spaces. The Commission may, at its discretion, and considering factors such as location, and proposed alterations, require less (as per PA 22-5, no less than 10% when 30 or more spaces are created) or no more than a 20% maximum of extra EV parking spaces capable of Level 2 and/or direct current fast charging.¹⁰

¹⁰ A-23-1 Adopted 08/01/2023 Effective 08/11/2023

E. PARKING SPACES FOR HANDICAPPED PERSONS

1. Handicapped parking shall be provided in accordance with Section 1106.0 of the State Building Code as amended, or other applicable standard.

For informational purposes only:

Total Number of Parking Spaces in Lot	Minimum Number of HC Spaces	Minimum Number of Van-Accessible Spaces (included in total HC spaces)
Up to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	1
301 to 400	8	1
401 to 500	9	2
501 to 1,000	2 percent of total number of spaces	
1,001 plus	20 spaces plus 1 space for every 100 spaces over 1,000 spaces	12.5 percent of total number of HC spaces

Such parking spaces shall be located:

- as close as possible to the nearest accessible ramp and building entrance on an accessible route;
- so that physically handicapped persons shall not be compelled to wheel or walk behind parked cars to reach the nearest accessible ramp and building entrance.

A handicapped parking space shall be:

- no less than eight (8) feet wide with a crosshatched, painted access aisle no less than eight (8) feet wide if it is a van-accessible handicapped parking space, or
- no less than ten (10) feet wide with an adjacent crosshatched, painted access aisle no less than five (5) feet wide if a handicapped parking space.

All handicapped accessible parking spaces shall be clearly designated with signs situated approximately 5 feet above grade and, wherever possible, with pavement markings. Signs shall display the internation-

al symbol of access and shall bear the words "Handicapped Parking Permit Required" and "Violators Will Be Fined." Accessible spaces for vans shall also bear the words "Van-Accessible."

F. FEE IN LIEU OF PARKING

1. Pursuant to CGS 8-2c, application may be made to the Commission to allow a fee to be paid in lieu of providing the parking spaces required by this Section.
2. The Commission may, by granting of a Special Permit, allow a fee to be paid in lieu of providing all or portion of the parking spaces required for a use or structure providing:
 - a. The use or structure is located within a CBD or a B-1 Zoning District;
 - b. The number of off-street parking spaces required by this Section will not be physically accommodated on the parcel within which the use or structure is proposed; and
 - c. at least sixty (60) percent of the parking spaces required by this Section will be available within three hundred (300) feet of the use or structure.
3. Prior to closing the public hearing on the Special Permit application, the Commission shall have:
 - a. received a written statement from the applicant identifying:
 - i. the use or uses to be contained within the premises or building;
 - ii. the area of building or premises devoted to each use;
 - iii. the number of parking spaces required by this Section,
 - iv. the number of spaces that will be provided on the site and,
 - v. the deficit between the required and proposed parking spaces.
 - b. made a determination, with staff assistance, of the parking deficit by using the parking standards of this Section;
 - c. notified the applicant of the parking deficit; and
 - d. been notified by the applicant whether he or she agrees to enter into an agreement on the basis of the determination of the parking deficit.
4. No application for approval of a fee in lieu of parking shall be approved by the Commission unless:
 - a. the applicant has agreed to enter into an agreement on the basis of the determination of the parking deficit; and
 - b. the proposal shall receive a two-thirds (2/3) majority vote of the Commission.
5. No Zoning Permit shall be issued for such use or structure with the parking deficit until the final agreement, detailing the number of parking spaces in deficit and the amount of fees due the "fees-in-lieu of parking" fund, shall have been:
 - a. executed by the applicant and the Commission; and
 - b. filed with the Town Clerk
6. Fees in lieu of parking shall:
 - a. be eight thousand six hundred dollars (\$8,600.00) per parking space; and
 - b. be paid in full by the applicant prior to the issuance of a zoning permit.

7.4. Loading and Unloading

A. PURPOSE

These regulations are adopted for the purpose of providing for adequate off-street loading and unloading facilities to serve existing and proposed uses.

B. NUMBER OF LOADING SPACES

1. Adequate off-street loading and unloading spaces shall be established and maintained for every use of land, buildings or structures.
2. The location and number of off-street loading and unloading spaces shall be clearly shown on plans submitted for approval.
3. Parking space, as required by Section 7.3 (Parking Regulations) shall not be considered for loading or unloading space.
4. The Commission may require the provision of additional off-street loading spaces where it finds that such spaces are clearly warranted or that, in the absence of such additional spaces, the traffic circulation and overall site operations would be significantly hindered.

C. DESIGN OF LOADING AREAS

1. A loading space shall have:
 - a. a minimum width of ten (10) feet,
 - b. a minimum length of forty (40) feet excluding its access from a public road or street, and
 - c. a minimum clear height of fourteen (14) feet.
2. Driveways, parking, and loading areas shall have adequate all-weather surfacing capable of allowing free and safe movement of all vehicles customarily using the facility.
3. The location of off-street loading and unloading spaces shall be subject to the approval of the Commission.

7.5. Excavation, Filling, and Grading

A. PURPOSE

This Section is intended to regulate the excavation or removal of earth materials, and the filling and grading of land within Ridgefield to protect the public health and safety, to encourage the orderly development of the town, and to provide for the restoration of property following any excavating, filling or grading so as to minimize any unnecessary accelerated erosion and sedimentation.

B. APPLICABILITY

Within the Town of Ridgefield, there shall be no excavation or removal of topsoil, humus, loam, gravel, clay, stone or other earth materials, nor filling or grading of land by any means except as herein provided.

C. OTHER APPROVALS MAY BE REQUIRED

Any approval or exemption under this Section does not relieve any person from having to obtain any other approvals which may be required, such as for:

1. a regulated activity in a wetland or watercourse area,
2. an activity within a floodplain area, or
3. an activity regulated by a local, state or federal agency.

D. PERMITTED ACTIVITIES (SEE TABLE, NEXT PAGE)¹¹¹²

An activity listed in the table in this Subsection may be conducted provided that any required permit is obtained prior to commencement of the activity and further provided:

1. appropriate erosion and sedimentation control measures are utilized at all times until the site is fully stabilized,
2. all activities are conducted in full compliance with the provisions of Subsection 7.5.F, and
3. activity #1 shall be subject to the following additional standards:
 - a. No such activity shall be conducted for a period of longer than three (3) months.
 - b. Such excavation, filling and grading activities are limited to one (1) activity per property per calendar year.
4. all activities are conducted in full compliance with Subsection 7.14 (Drainage Requirements and Stormwater Management), including the submission of drawings for design of drainage and stormwater management systems.

	No Additional Permit Required	Zoning Permit (ZEO)	Special Permit (PZC)
1. Excavation, filling and/or grading in connection with: <ol style="list-style-type: none"> a. normal maintenance of property, b. normal repair of property, c. customary landscaping, or d. minor improvements to property. 	0- 49 cubic yards	50 – 499 cubic yards	500+ cubic yards
2. Excavation, filling and/or	0 - 499 cubic	500 - 1,999	2,000+ cubic

¹¹ 2013-091-A: Amendment to allow ZEO to approve limited size screener on development site.

¹² 2016-007-A: Amendment to alter permit requirements for excavation, filling and/or grading.

	grading associated with the dredging of an existing pond provided that the inland wetland board or its agent has issued a permit.	yards	cubic yards	yards
3.	Excavation, filling and/or grading in connection with and clearly essential to: <ol style="list-style-type: none"> a. construction or alteration of a building, and/or b. the installation of utilities or amenities (such as septic systems, utility service lines, swimming pools, or walls or fencing). 	n/a	0 - 1,999 cubic yards provided that a zoning permit, a building permit, or a septic permit has been issued for such construction and the proposed excavation or filling is specified in such permit	2,000+ cubic yards
4.	Excavation, filling and/or grading associated with specific plans for a subdivision or a special permit approved by the Commission provided that all necessary approvals and permits having been obtained, applicable bonds have been posted, and an erosion and sedimentation control plan was approved	n/a	0 - 1,999 cubic yards	2,000+ cubic yards
5.	Operation of earth material processing, screening or crushing equipment.	n/a	n/a	As permitted by the Commission
6.	Any other excavation, filling and/or grading.	n/a	n/a	As permitted by the Commission
		No Additional Permit Required	Zoning Permit (ZEO)	Special Permit (PZC)
7.	Operation of a portable earth-material screener, provided that the screener is a one-piece assembly that requires no disassembly, has a maximum capacity of five (5) cubic yards, a maximum forty-five (45) horsepower engine and a maximum gross vehicle weight of twenty-two thousand (22,000) pounds,	n/a	Permitted only in conjunction with zoning permit issued for a building.	n/a

and provided that no earth material shall be brought on-to the premises and no screened materials may be exported from the premises.

E. CONSIDERATIONS

- C. In addition to the Special Permit criteria set forth in Subsection 9.2.A.5 (Special Permit), the Commission shall also consider the following when reviewing an application under this Section:
- a. Potential soil erosion and sedimentation affecting all land, bodies of water and public works, both on-site and off-site.
 - b. Effects on drainage and groundwater table.
 - c. Lateral support slopes, grades and elevations of abutting streets and properties.
 - d. Land values and uses in the surrounding areas.
 - e. Effect on traffic circulation and road condition on streets serving the parcel under consideration.
 - f. Any permit or recommendation issued by the Inland Wetlands Board.
 - g. The recommendation of the Town Engineer, the Conservation Commission, the Flood and Erosion Control Board, and the Planning Director.
 - h. Scope and duration of the project and effects on neighboring properties.
 - i. In cases of excavation, filling, dredging earth material processing, rock crushing, screening or other regrading within the limits of an overlaying Flood Safety Zone, the Commission may further consider -
 - i. Any approval of the Connecticut Department of Environmental Protection and/or the U.S. Army Corps of Engineers.
 - ii. Possible deleterious effects of the proposed work in regard to flood or pollution, either before or after completion.
- D. In approving an application, the Commission may specify the overall time period within which an excavation, filling, regrading or processing activity shall be completed, but in no event shall that time period exceed two (2) years.
- E. The Commission may grant an extension of time within which to complete the proposed project upon a showing by the applicant of good cause and subject to the considerations and conditions set forth in this Section, but in no event shall more than one extension of time be granted. The time period of the extension shall not exceed the duration of the original permit.
- F. As a condition of any Special Permit, the Commission may require that the applicant furnish a performance and/or maintenance bond, acceptable to the Commission in form, amount, and surety, securing to the Town of Ridgefield the faithful performance of the work proposed, pursuant to both the provisions of this or other applicable Sections of these regulations and to the specific conditions of approval.
- G. No bond shall be released until the Commission receives an as-built survey prepared by a Connecticut-licensed land surveyor that the project has been completed according to approved plans and conditions attached thereto.

F. STANDARDS

1. Unless otherwise specified by the Commission, truck access and egress and operations shall be limited to the hours of 8:00 AM to 4:00 PM, Monday through Friday and there shall be no activities on weekends or legal holidays.
2. No equipment other than that necessary to complete the work on-site shall be maintained on the premises and any equipment or machinery used for the operation shall be properly muffled to minimize nuisances of noise upon surrounding properties.
3. Any excavation, filling or grading work approved by the Commission or Staff shall be completed in accordance with the approved grading plan(s).
4. Except as may be specifically approved by the Commission or as permitted Sec. 7.5.D.3.7 (table):
 - a. no screening, sorting, washing, crushing, mixing, or other forms of material processing shall be conducted within the premises.
 - b. no materials shall be imported to a site for screening, crushing, or any other type of processing.
 - c. no processed materials shall be exported from a site.
5. Truck access/egress to and from the premises shall be conducted as to minimize danger to off-site traffic, and nuisance to surrounding properties.
6. If frequent truck access/egress is anticipated, the Commission or its authorized agent may require that the access/egress road have a dust-less surface or apron:
 - a. Consisting of a three (3) inch thick layer of crushed stone,
 - b. no less than twelve (12) feet wide by one hundred (100) feet long measured from its intersection with the wearing surface of principal street or roadway, and
 - c. which apron shall be refurbished as needed to continuously retrieve soil from truck tires, etc.
7. All excavated material to be stockpiled within the premises shall be contained within a sediment control barrier.
8. All materials to be transported out of site shall be covered to minimize flying dust or rock.
9. No excavation requiring Special Permit approval by the Commission shall take place within fifty (50) feet of any property line or street line unless specifically approved by the Commission.
10. During the period of excavation and removal, barricades or fences of approved design and location shall be erected as deemed necessary by the Commission or its authorized agent as a safety precaution and shall remain in effect until safety hazard is eliminated provided that such barricades shall not be erected at location where prohibited by other Sections of the Zoning Regulations.
11. Unless otherwise authorized by the Commission¹³, all disturbed areas which are not to be excavated further shall, unless exposed rock or ledge surface;
 - a. Be graded so the slopes do not to exceed one (1) foot vertical for every three (3) feet horizontal (1:3),
 - b. Be covered with a layer of topsoil four (4) inches thick over the graded area,
 - c. Be treated with 10-10-10 fertilizer at the rate of fourteen (14) pounds per one thousand (1,000) square feet,

¹³ 2012-037-SR-A-SP: Amended effective 5/18/12

- d. be seeded with perennial rye grass at the rate of one and one-half (1.5) pounds per one thousand (1,000) square feet, and
 - e. Be kept mulched until the area is stabilized to erosion-free conditions.
12. At all stages of operation, proper drainage shall be provided to prevent the collection and stagnation of water and to prevent harmful effects upon surrounding properties.

7.6. Erosion and Sediment Control

A. PURPOSE

This Section is intended to provide standards for earth-disturbing activities in order to minimize accelerated erosion and sedimentation and to avoid unnecessary damage to land features, bodies of water and public works, both on-site and offsite.

B. OVERALL REQUIREMENTS

1. Any earth-disturbing activity in Ridgefield shall consider the potential problem of accelerated erosion and sedimentation and shall address such potential problem in accordance with the standards outlined in a publication prepared and distributed by the Connecticut Department of Environmental Protection (DEP) entitled "Guidelines for Soil Erosion and Sediment Control (2002)," as may be amended from time to time, available for inspection at the Planning and Zoning Office.
2. Any development activity which will result in earth disturbance¹⁴ shall prepare and submit a soil erosion and sediment control plan as provided in Subsection 7.6.C.

C. PLAN REQUIREMENTS

1. A soil erosion and sediment control plan shall be prepared on a stamped, signed and sealed survey by a licensed Connecticut surveyor, or on a site plan based on a survey, prepared by a licensed Connecticut professional engineer or landscape architect showing the following detail, unless an alternate plan is accepted by the Planning and Zoning staff for smaller projects:
 - a. one paper copy at a minimum scale of 1"=40' and 24" X 36" in size;
 - b. one digital PDF copy; ¹⁵
 - c. the boundaries of the property;
 - d. existing structures on the project site, if any;
 - e. existing and proposed topography including soil types, wetlands, watercourses, water bodies and flood zones;
 - f. proposed alterations including limits of clearing, grading, excavation, filling;
 - g. proposed new structures and site improvements (utilities, driveways, parking, easements, etc.);
 - h. location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;
 - i. a narrative, and such other materials as may be necessary to fully describe the techniques which will be utilized to minimize soil erosion and sedimentation resulting from development and earth-disturbing activities, and the proposed sequence of activities;
 - j. table including overall area of disturbance, size of regulated area in acres or square feet (existing and disturbed), area of impervious surface (existing and proposed), water quality volume required and treated, and watershed area;
 - k. location of soil tests completed to identify soil texture, color and horizon limits, depth to

¹⁴ 2020-049-A: Amended effective 10/30/2020

¹⁵ 2020-049-A: Amended submission requirements effective 10/30/2020

- rock, depth to water, and suitability for use as designed;
- l. contingency erosion control planning for extreme weather events.

- 2. Such soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sediment and reduce the danger from storm water runoff on the proposed site and onto off-site neighboring properties during construction, and shall provide stabilization and protection from erosion and sedimentation when the project is completed.

D. MINIMUM ACCEPTABLE STANDARDS

- 1. Plans for soil erosion and sediment control shall be developed in accordance with the best available technology and the CTDEEP's *2002 Guidelines for Soil Erosion and Sediment Control*, as amended.
- 2. Computations for storm water runoff are required when drainage structures are proposed, and may be requested by Planning and Zoning Staff when warranted because of topography and/or potential effect on neighboring properties or downstream/downhill resources. When required, such computations shall be prepared by a Connecticut licensed professional engineer in accordance with Sec. 7.14 of these regulations.
- 3. Alternative design criteria, principles, methods and practices may be used with the approval of the Commission or its designated agent.

E. PLAN REVIEW AND APPROVAL

- 1. Any soil erosion and sediment control plan submitted pursuant to this Section may be reviewed by a technical expert retained by the Commission, at the expense of the applicant.
- 2. The Commission or its designated agent may refer the plan to any other local, state or federal agency for their findings and recommendations.
- 3. Nothing in this Section shall be construed as extending the time limits for actions on any application under Chapter 124 or 126 of the Connecticut General Statutes.
- 4. The Commission or its designated agent may require as a condition of approval that the applicant/developer post a performance bond in favor of the town in form, content and amount satisfactory to the Commission or its agent.

F. IMPLEMENTATION

- 1. It shall be the responsibility of the developer to:
 - a. Implement the approved plan or any revision thereto,
 - b. Install the erosion and sediment control measures and facilities as scheduled and as shown on the approved plan, prior to the commencement of any site development activity except as may be required to implement the plan; and
 - c. Maintain the plan measures and facilities in effective condition to ensure compliance with the approved plan.
- 2. The Commission or its agent may require the permittee to:
 - a. verify through progress reports and "as-built" surveys that soil erosion and sediment control measures and facilities have been performed or installed according to the approved plan and are being operated and properly maintained, or
 - b. retain an inspector who is a Certified Professional in Erosion and Sediment Control (CPESC) or other qualified professional to inspect the development activity and to file periodic reports with the Planning and Zoning Office.

3. The Commission or its agent is hereby authorized to withhold the issuance of zoning permits or the issuance of zoning certificates of compliance unless, in its judgment, accelerated erosion and sedimentation control measures have been complied with.
4. Inspections shall be made by the Commission or its agent during development to ensure compliance with the approved plan and that control measures and facilities are properly performed or installed and maintained.

7.7. Access Management

A. PURPOSE

This Section is intended to control the number, size, and location of driveways and access points, especially those that front on heavily trafficked roads and state highways, while allowing proper and adequate access to and from premises along such thoroughfares in order to promote overall traffic control, promote public safety and welfare, provide for safer and more efficient traffic operations along major roadways and protect the public safety through the management and reduction of vehicular congestion.

B. APPLICABILITY

The provisions of this Section shall apply to all development in Ridgefield.

C. REVIEW CONSIDERATIONS

In reviewing proposed developments, the Commission and/or its designated agent shall review road layout, parking layout and configuration, traffic circulation within the site, the number and location of access points to and from the site, and the nature and type of traffic circulation on adjacent roadways to ensure that public safety and welfare is promoted with the greatest efficiency.

D. GENERAL PROVISIONS

1. Where street geometry, traffic volumes or traffic patterns warrant, the Commission may limit the number of driveways that serve a specific site, designate the location of any driveway, require the use or provision of a shared driveway with associated easements, and limit access to a major street and require access from a minor street.
2. As part of application approval, the Commission or its designated agent may require an applicant or owner to establish mutual driveway or other easements to provide a single point of access for two or more abutting properties in a location acceptable to the Commission and the Traffic Authority, file such easements on the land records in favor of the abutting property owners and/or the Town of Ridgefield as shall be acceptable to the Commission and the Town Attorney, and/or utilize a mutual driveway or other easement that exists on abutting property in lieu of having a separate curb cut onto a road or street.

E. SPECIFIC PROVISIONS

1. Specific curb cut and access management plans may have been adopted by the Commission as follows:
 - a. Route 7 Curb Cut and Access Management Plan (1996).
 - b. Route 35 Driveway and Curb Cut Management Plan (2005).
 - c. such other corridors as deemed necessary.
2. Where specific curb cut and access management plans have been adopted by the Commis-

sion, driveways and curb cuts shall, unless modified by the Commission, be brought into conformance with recommendations shown on maps contained in the document if:

- a. The application is for a new development.
 - b. The application is for an existing development and involves an increase of twenty-five (25) percent or more in floor space or traffic generation.
 - c. The proposal requires a special permit pursuant to Subsection 9.2.A (Special Permit) of these regulations or if the alteration or change of use of land or building necessitates the filing of a site plan application under Subsection 9.1.C (Site Plan Approval) of these regulations.
3. In reviewing existing and future curb cuts, the following guidelines shall be considered:
- a. Cuts should generally be located opposite existing streets and/or major driveways;
 - b. The number of site access points should be limited;
 - c. Driveway closures should not restrict internal site circulation;
 - d. Internal connections between adjacent properties and the combination of access/egress driveways serving adjacent properties shall be required whenever practicable.

7.8. Exterior Lighting

A. PURPOSE

These Regulations are intended to provide standards with regard to exterior lighting in order to maximize the effectiveness of site lighting, to enhance public safety and welfare, to raise public awareness of energy conservation, to discourage the installation of lighting fixtures that emit objectionable illumination, to avoid unnecessary upward illumination and illumination of adjacent properties, and to reduce glare.

B. APPLICABILITY

The standards herein shall apply to all exterior lighting where site plan review or special permit is required, except for single-family dwellings.

C. STANDARDS

1. All exterior lights and sign illumination shall be designed, located, installed and directed in such a manner as to:
 - a. prevent direct glare or light trespass,
 - b. employ soft, transitional light levels which are consistent from area to area,
 - c. minimize contrast between light sources, lit areas and dark surroundings, and
 - d. be confined within the target area.
2. For commercial uses, for multi-family developments, for institutional uses or other non-residential uses in residential zones:
 - a. no externally-mounted, direct light source directed towards the property line shall be visible at the property line at ground level or above, and
 - b. lighting fixtures for all vehicular areas and pedestrian areas shall be full cut-off type fixtures or IESNA cut-off fixtures as approved by the Commission, or shall be fully shielded/recessed fixtures where the lens is recessed or flush with the bottom surface.
3. Lighting fixtures for building security or aesthetics and any display purposes shall, unless otherwise approved by the Commission or these regulations, be:
 - a. top downward (not upward or sideways), and
 - b. full cut off, or IESNA cut-off fixtures as approved by the Commission, or fully shielded/recessed.

4. Where outdoor playing fields or other special outdoor activity areas are to be illuminated, lighting fixtures shall be specified, mounted and aimed so that:
 - a. their beams fall within the primary playing area and immediate surroundings, and
 - b. no light trespass is directed off the site.
5. Lighting designed to highlight flagpoles shall be targeted directly at the flag.
6. All non-essential lighting (such as display, aesthetic, parking and sign lighting) shall be configured for “photocell on - time clock off” operation.
7. Where necessary, lighting for site security may be configured for motion or infrared sensor operation.
8. The height of luminaires, except streetlights in public right-of-ways, shall be the minimum height necessary to provide adequate illumination, but shall not exceed a height of:
 - a. fourteen (14) feet from the ground to the highest point of the fixture or pole in the Central Business District.
 - b. fourteen (14) feet in height from the ground to the highest point of the fixture or pole in any other district unless specifically authorized by the Commission by granting of a Special Permit and in no instance shall any pole or fixture exceed twenty -four (24) feet in height from the ground to the highest point of the fixture or pole.
9. The “maintained horizontal illuminance recommendations” set by the Illuminating Engineering Society of North America (IESNA) shall be observed unless modified by the Commission.
10. High pressure sodium light sources are prohibited.
11. In any case, the Commission shall determine whether the type and style of proposed lighting fixtures and illumination meets the standards, purpose and intent of these regulations.

D. EXEMPTIONS AND MODIFICATIONS

- A. The following types of lighting are exempt from these Regulations:
 - a. Traditional seasonal lighting;
 - b. Temporary lighting associated with a fair, carnival or similar function authorized by the Town of Ridgefield;
 - c. Temporary light used by the Police Department, Fire Department or Emergency Services.
- B. The Commission may, by Special Permit, allow lighting that does not comply with the specific standards listed in this Section provided the Commission determines that such proposed lighting is consistent with the intent and purpose of these Regulations.

E. ADDITIONAL PROVISIONS

1. The Planning Director may refer any Site Plan to the Commission for a determination of acceptable lighting fixtures.
2. Any application for use of IESNA fixtures shall include “cut-sheets” with specifications and details of the proposed fixture and pole..
3. Any application for use of fixtures in excess of fourteen (14) feet in height shall:
 - a. include plans and details prepared by a professional lighting designer or electrical engineer,

- b. show that the proposed number, height, and placement of fixtures will provide sufficient illumination for both pedestrian and vehicular use with sensitivity to the surrounding area and the proximity of residential and other uses that may be affected,
- c. demonstrate that the proposed plan will result in fewer light poles and fixtures, less visual impact on surrounding properties, reduced electrical consumption, reduced overall glare, and lower light intensity, and
- d. show that the scale of the proposed fixtures and poles is appropriate in relation to the elevation of the site and surrounding properties and the buildings and natural features on the site.

7.9. Driveways

A. PURPOSE

This Section is intended to provide basic standards for the establishment of driveways in Ridgefield.

B. STANDARDS

1. Unless otherwise authorized or required by the Commission or its agent, a driveway constructed for primary vehicular access to a rear lot or adjacent parcel shall be located within the required accessway.¹⁶
2. No driveway shall have a grade in excess of twelve (12) percent except as provided below¹⁷:
 - a. Where warranted to avoid excessive cuts and fills, the Commission or its agent may authorize a driveway with a grade over twelve (12) percent and up to fourteen (14) percent;
 - b. A Special Permit shall be required for any driveway in excess of fourteen (14) percent.
3. Unless otherwise authorized by the Commission or its agent, no driveway shall, within the street right-of-way, have a grade in excess of three (3) percent.
4. Any culvert or bridge on a driveway shall be designed to carry the weight of emergency vehicles (including water supply trucks) unless modified by the Commission.

7.10. Pedestrian Improvement

A. PURPOSE

This Section is intended to provide for the establishment of a pedestrian network in Ridgefield.

B. STANDARDS

1. To provide safe pedestrian access, sidewalks and/or trails shall be constructed in the following locations as may be required by the Commission or its authorized agent:

District	Standards
CBD Zone	Sidewalks shall be required along street frontages
B-1 Zone	Walkpaths may be required within the site
R-7.5 Zone	Trails may be required within the site
R-10 Zone	

¹⁶ 2010-104-A: Amended effective 11/25/10

¹⁷ 2008-062 Amended effective 7/4/08

R-20 Zone
SD R-20 Zone

MFDD Zone ARHD Zone	Sidewalks shall be required along street frontages and along internal roads within the development Walkpaths may be required within the site Trails may be required within the site
--------------------------------------	---

CDD Zone B-2 Zone B-3 Zone	Sidewalks may be required along street frontages Walkpaths may be required within the site Trails may be required within the site
---	---

RA Zone RAA Zone RAAA Zone	Sidewalks typically not required along street frontages Walkpaths may be required within the site Trails may be required within the site
---	--

Other zones	Sidewalks may be required along street frontages Walkpaths may be required within the site Trails may be required within the site
--------------------	---

2. Unless modified by the Commission or its agent:
 - a. sidewalks shall be five (5) feet wide and constructed of concrete,
 - b. walkpaths shall be four (4) feet wide and constructed of suitable surface material (such as stone dust), and
 - c. trails shall be of suitable width as determined by the Commission.

7.11. Utility Infrastructure

A. PURPOSE

These utility standards are established for the purpose of enhancing the reliability of the utility infrastructure, helping to protect the public health and safety, protecting property values by preserving existing vegetation, and improving the quality of the environment and the attractiveness of the town of Ridgefield.

B. STANDARDS

1. Unless otherwise authorized by the Commission or its agent, all new utility service lines shall be placed underground. This requirement shall not apply to replacement service or a service upgrade.
2. All fuel oil tanks shall be placed within basements of buildings or shall be installed pursuant to the Connecticut Department of Environmental Protection standards.

7.12. Outdoor Woodburning Furnaces¹⁸

A. INTENT AND PURPOSE

This section regulates the installation of Outdoor Woodburning Furnaces, as defined in Section 2.2 (Definitions) of these regulations.

B. STANDARDS

¹⁸ 2009-052 Amended effective 7/17/09 (supersedes 2008-060)

1. The installation of Outdoor Woodburning Furnaces in any zone within the Town of Ridgefield is prohibited.

7.13. CANNABIS ESTABLISHMENTS¹⁹

A. INTENT AND PURPOSE

This section regulates Cannabis Establishments, as defined in Section 2.2 (Definitions) of these regulations and in Connecticut General Statutes Section 21a-420. The Planning and Zoning Commission has determined that Cannabis Establishments have the potential to impair the health, safety, and welfare of the citizens of the Town of Ridgefield.

B. STANDARDS

1. Cannabis Establishments are prohibited in any zone within the Town of Ridgefield, consistent with Chapter 356 of the Ridgefield Town Ordinances.

7.14. Incidental Improvements²⁰

A. PURPOSE

This section is intended to provide for the installation of incidental site improvements for all properties within the Town of Ridgefield.

B. APPLICABILITY

The standards herein shall apply to fences, walls, retaining walls, parking areas, driveways, stormwater management facilities, light poles, fire hydrants and suppression tanks, septic facilities, refuse containers, generators, HVAC equipment, gas or propane tanks, playground equipment, signs authorized by Section 7.2, minor accessory structures permitted by section 3.4.A.1, and other similar incidental improvements that are not roofed structures.²¹

C. STANDARDS

1. Unless otherwise authorized or required by the Commission or its agent, incidental improvements may be located at any location on the premises, including being located within the minimum yard setbacks.

Section 7.14 is repealed, effective July 14, 2017.²²

¹⁹ A-22-4 Amended effective 11/04/2022

²⁰ 2017-083-A: Amend effective 1/12/2018. Section for incidental improvements replaces repealed stormwater regulations

²¹ 2018-006-A: Amend effective 3/02/2018 Amended to include Sec. 3.4.A.1, Minor Accessory Structures as Incidental Improvements

²² 2017-037-A: Amend effective 7/14/2017 Repealed stormwater management regulations

7.15. Stormwater Management and Drainage Requirements²³

A. PURPOSE AND INTENT

This section is intended to regulate the development and redevelopment of properties in Ridgefield with the goal to maintain post-development peak rate of stormwater runoff to a level that is less than or equal to pre-development conditions, manage quantity of runoff, and improve the water quality of the runoff.

These regulations are intended to protect the public health, safety, and welfare of Ridgefield's residents, to avoid adverse and cumulative impacts to downstream properties and structures, and to protect the integrity of our wetlands and watercourses.

Implementation of these standards, in conjunction with adherence to the standards in Section 7.6 (Erosion and Sedimentation Control) will minimize any unnecessary accelerated erosion and sedimentation, and result in compliance with MS4 requirements, as amended.

B. APPLICABILITY

Within the Town of Ridgefield, any new development or redevelopment, received after the date of adoption, including any earth disturbance (excavation, filling, or grading, etc.), and/or any sub-missions of any application subject to the review by the Planning and Zoning Commission (e.g., Special Permits and Revisions to Special Permits, Subdivisions, Floodplain Site Plan Applications, etc.), shall be subject to these regulations.

1. Residential Zones:

Unless the project, upon completion, will result in total impervious coverage that is the same or less than the percentage threshold shown in Table 1, stormwater management shall be required. However, stormwater management shall only apply to the area of new impervious coverage. Stormwater management shall be required:

- A. When impervious coverage on a property currently exceeds the threshold shown in Table 1.
- B. When impervious coverage on a property is currently under the percentage threshold shown in Table 1, but completion of the proposed activity would result in exceeding that threshold.

Table 1. Impervious Coverage Thresholds.

Residential Lot Area (square feet)	Impervious Coverage Threshold – Maximum Allowed Without Requiring Stormwater Management Requirements
Less than 7,500	35% of lot area
7,500-9,999	2,625 plus 5% of lot area in excess of 7,500 sq ft
10,000-19,999	2,750 plus 6% of lot area in excess of 10,000 sq ft
20,000-39,999	3,350 plus 6.5% of lot area in excess of 20,000 sq ft
40,000-79,999	4,650 plus 4% of lot area in excess of 40,000 sq ft
80,000-99,999	6,250 plus 3.5% of lot area in excess of 80,000 sq ft
100,000-199,999	6,950 plus 2% of lot area in excess of 100,000 sq ft
200,000 or More	8,950 plus 1.5% of lot area in excess of 200,000 sq ft

²³ 2020-007-A: Amend effective 09/04/2020 Stormwater Regulation

2. Business/Commercial and Multi-Family Dwelling Zones:

Where new impervious coverage is proposed, a stormwater management plan shall be submitted in accordance with this regulation. Stormwater management shall only apply to the area of new impervious coverage.

C. GOALS FOR STORMWATER DRAINAGE DESIGN AND FACILITIES

Proposed stormwater drainage systems shall address the following goals:

1. Preserve the pre-development site hydrology;
2. Preserve and protect streams, channels, wetlands, water bodies, watercourses and other natural features that provide water quality and quantity benefits, including upland review areas;
3. Prevent pollution of drinking water sources, both above ground and below ground (aquifers) by minimizing the discharge of soluble pollutants;
4. Prevent pollutants from entering receiving waters and wetlands;
5. Preserve undisturbed natural areas from development and minimize grading and clearing of land;
6. Avoid compaction of soils and restore the original properties and porosity of the soil. In areas where no improvements are proposed, but there has been, or will be, earth disturbance due to onsite construction, the soils should be loosened to a minimum depth of six (6) inches below grade prior to placing topsoil or final landscaped surface;
7. Manage stormwater runoff in a manner that maintains or improves the physical and biological characteristics of existing drainage systems and prevents increases in downstream flooding, stream bank erosion, and water pollution;
8. In accordance with the Connecticut Department of Energy and Environmental Protection General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Water Systems (effective date 07/01/2017, and as amended), consideration of Low Impact Development (“LID”) techniques, Best Management Practices (“BMPs”), runoff reduction site planning and development practices, and non-structural approaches to controlling runoff and water quality, where appropriate;
9. On applications where the increase in the area of impervious surfaces exceeds the impervious coverage thresholds in Table 1, or any application adding impervious coverage in any commercial or business zones, ensure that the new peak rate of runoff is less than or equal to the existing condition peak rate of runoff for a 1, 10, and 50-year storm event, based on a 24 hour storm duration;
10. Utilize infiltration, where appropriate, to reduce stormwater runoff rate and volume, to improve stormwater quality and to recharge groundwater.

D. STORMWATER TREATMENT GENERAL PROCEDURES AND GUIDELINES

In general, the preferred methods for meeting the objectives of post-construction runoff control include the installation of Site Design Best Management Practices and/or Low Impact Develop-

ment measures, described below, which can be considered as both stormwater pretreatment facilities and primary treatment facilities, as applicable.

Pretreatment facilities are designed to remove large particles and debris from runoff in order to prevent clogging and minimize maintenance of any downstream primary treatment facility.

Primary treatment facilities are designed to capture and treat the design water quality volume (WQV) or the design water quality flow (WQF) in accordance with the design procedures contained in the Connecticut Stormwater Quality Manual, as amended, and address the Goals and Guidelines set forth in these regulations.

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

Low Impact Development (LID). A site design strategy intended to maintain or replicate pre-development hydrology through the use of small-scale controls integrated throughout the site to manage runoff as close to its source as possible. This involves strategic placement of lot-level controls to reduce runoff volume and pollutant loads through infiltration, evapotranspiration, and reuse of stormwater runoff. Small-scale LID practices include, but are not limited to, the use of vegetated swales, buffers, and filter strips, bioretention facilities and rain gardens, dry wells, sub-surface chambers, and infiltration trenches, rainwater harvesting, vegetated roof covers (green roofs), and pervious surfaces. The main feature that distinguishes these practices from conventional structural stormwater controls is scale. These small systems are typically designed as off-line systems that accept runoff from a single residential lot or portions of a lot, as opposed to large multiple-lot or end-of-pipe controls.

E. STORMWATER MANAGEMENT REQUIREMENTS

1. Application Submission

Proposed stormwater drainage systems shall be shown on a stamped and signed site plan prepared by a Connecticut licensed professional engineer, using current engineering practices, and shall be designed to create post-development runoff that is less than or equal to existing conditions. Plans shall incorporate BMPs, LID, and/or other Stormwater Treatment General Procedures to manage the quantity of stormwater and to treat the quality of stormwater in order to comply with the Goals for Stormwater Drainage Design and Facilities. Application submissions shall include calculations and documentation to support and identify the methods used in the design of the stormwater management and drainage facilities, and compliance with the Connecticut Stormwater Quality Manual, as amended.

Any application submission subject to these regulations shall be accompanied by a written narrative describing the proposed project, and the following stormwater management requirements shall be included and/or addressed in documentation, plans, and details:

- A. An analysis performed in accordance with the Connecticut Stormwater Quality Manual, providing a comparison of the pre-development conditions with the proposed post-development conditions;
- B. Attenuation of the post-development peak runoff rate;

- C. All drainage/conveyance systems, whether structural or non-structural, shall be analyzed, designed and constructed to accommodate existing upstream off-site runoff and developed on-site runoff (post-development);
- D. Provisions for the treatment of surface runoff in order to minimize the discharge of pollutants into existing conveyance systems, wetlands, watercourses, and water bodies;
- E. Measures to control soil erosion and sedimentation during construction and post-development in accordance with Section 7.6 in these regulations;
- F. Pretreatment of runoff prior to discharging to the site's primary stormwater treatment facility or to any infiltration facility. If a pretreatment facility is used, primary treatment shall also be required;
- G. Primary treatment of stormwater runoff at all points where stormwater discharges from the site into an existing stormwater conveyance system, wetland, or watercourse; and
- H. All stormwater conveyance systems, storm sewer systems, surface drainage systems, detention systems, swales, channels, and similar facilities shall be appropriate for the site and shall be designed in accordance with current engineering practices, addressing the goals and requirements in these regulations.

Submission of a Stormwater Maintenance and Drainage System Agreement and Plan shall accompany all applications when required by these regulations.

Maintenance of all proposed stormwater drainage systems/facilities not dedicated to the Town shall be the sole responsibility of the property owner or property association. A Stormwater Management Maintenance Agreement must be submitted.

Detention systems not dedicated to the Town require an operation and maintenance schedule/plan that addresses items of routine maintenance, frequency of maintenance, the party responsible for maintenance, accessibility for town inspection, and an emergency operation plan outlined in a document that must be filed as an agreement with the Town prior to the issuance of any Zoning Certificate of Compliance for the development.

2. Stormwater Quality

All development subject to these regulations shall include provisions for the treatment of stormwater runoff in order to minimize the transport of pollutants into existing conveyance systems, wetlands, watercourses, water bodies, and into the groundwater, in accordance with the Town of Ridgefield's policy to comply with the National Pollutant Discharge Elimination System (NPDES) Permit Phase II Requirements for Post-Construction Runoff Control. The Commission or its Agent may require a post-development pollutant renovation analysis for business or commercial site development, where warranted by the proposed use and potential for pollutant runoff.

Specifically, all stormwater management facilities including, but not limited to, stormwater conveyance systems, storm sewer systems, surface drainage systems, detention systems, drainage swales and channels shall be designed to:

- A. Remove at least 80% of the average total suspended solids (TSS) load;
- B. Remove all oils, greases and vehicle fluids from the post development runoff, prior to the runoff leaving the site, to the maximum extent possible;
- C. Incorporate stormwater management practices that mitigate potential increases in the temperature of runoff.

Water quality volume shall be calculated based on the precipitation depth of 1.5 inches. The use of pervious surfaces, as defined in Section 2.2, is encouraged, and the amount of coverage required to be managed, in accordance with this regulation, shall be reduced by 50% of the area of new pervious surface, provided the plan prepared by a Connecticut licensed professional engineer is acceptable.

3. Stormwater Quantity / Peak Runoff Attenuation

All development subject to these regulations shall attenuate the post-development peak runoff rate. Peak runoff attenuation can be accomplished by limiting impervious coverage, increasing travel times, utilizing pervious pavers and pavements, introducing groundwater recharge, constructing stormwater detention facilities or other approved methods.

The following standards shall be applied in designing for peak rate attenuation:

- A. Increases in peak runoff must be attenuated for the 1, 10, and 50-year storms, based on data for 24-hour storm duration, upon certification from a Connecticut licensed engineer. The Commission or local review authority may waive the peak runoff attenuation criterion for sites that discharge to a large river (fourth order or greater) or lake where the development area is less than 5 percent of the watershed area upstream of the development site;
- B. Rainfall data (Point Precipitation Frequency Estimates) for Ridgefield Connecticut shall be obtained from the National Oceanic and Atmospheric Administration (NOAA) Atlas 14: (https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html);
- C. Additional attenuation may be required where the development is in close proximity to designated Special Flood Hazard Areas, designated on Federal Flood Insurance Rate Maps for the Town of Ridgefield, where the cumulative impact of the development has the potential to adversely affect downstream developed properties, or the Commission determines that additional attenuation for the 100-year storm may be required.

F. OTHER APPROVALS MAY BE REQUIRED

An approval under this Section does not relieve any person from having to obtain other permit approvals that may be required, including:

- 1. A regulated activity in a wetland or watercourse area;
- 2. An activity within a floodplain area; or
- 3. An activity regulated by a local, state, or federal agency.

G. REFERENCES FOR DESIGN

The analysis and design of drainage and stormwater management systems shall utilize the latest versions of the following publications, where applicable:

- 1. State of Connecticut Department of Transportation (CONNDOT) Drainage Manual;
- 2. U.S. Soil Conservation Service TR-55 Manual;
- 3. U.S. Soil Conservation Service TR-20 Manual;

4. 2002 Connecticut Guidelines for Soil Erosion and Sediment Control (DEP Bulletin 34);
5. 2004 Connecticut Stormwater Quality Manual, including the Low Impact Development Appendix to the Manual (2011)

7.16 - Renewable Energy Systems²⁴

A. PURPOSE AND INTENT

These renewable energy standards are established for the purpose of incentivizing, facilitating, and regulating the development of renewable energy, including renewable geothermal, solar and wind generating facilities in Ridgefield with the goal of protecting the public health, safety, and welfare of Ridgefield's residents by avoiding significant adverse and cumulative impacts to the public and neighboring properties, and ensuring the preservation of the Town's community character.

Renewable energy is widely considered an essential part of addressing man-made climate change by weaning the electric grid from fossil fuels. The carefully managed widespread employment of renewable energy is encouraged in the Town of Ridgefield. Connecticut General Statutes Section 8-2 allows zoning regulations that encourage the use of renewable energy systems.

The planning, zoning and permitting processes for renewable energy systems seek to address safety, aesthetics, community character, and compatibility concerns. Thus, the intent of this section is to:

- Establish standards to enable and regulate the installation and use of renewable energy systems;
- Encourage and facilitate the use of renewable forms of energy in Ridgefield.
- Ensure that renewable energy systems are consistent with neighborhood compatibility and the preservation of community character.

B. APPLICABILITY

Within the Town of Ridgefield, the installation of solar, wind, and geothermal energy renewable energy systems shall be subject to these regulations.

However, large-scale solar energy systems that are tied to the grid are governed by the Connecticut Siting Council and do not fall within the jurisdiction of the Town of Ridgefield's Zoning Regulations. The Connecticut Siting Council does not regulate facilities owned and operated by a private power producer that is determined by the Connecticut Siting Council to be for the producer's own use and that has a generating capacity of 1 megawatt or less if utilizing renewable energy sources or a generating capacity of 25 megawatts or less if utilizing cogeneration technology.

C. ALLOWED RENEWABLE ENERGY SYSTEM TYPES

The following renewable energy system types, as defined in Section 2.2, shall be allowed within the Town of Ridgefield as permitted below in Section 7.16.E through Section 7.16.I.

²⁴ A-21-3: Amendment effective 8/6/2021. Add new Section 7.16, "Renewable Energy Systems".

1. Solar Energy Systems
 - a. Roof-mounted Solar Energy Systems
 - b. Ground-mounted/Pole-mounted Solar Energy Systems
2. Wind Energy Systems
 - a. Roof-mounted Wind Energy Systems
 - b. Ground-mounted Wind Energy Systems
3. Geothermal Energy Systems

D. PERMITS REQUIRED

1. Permitted (without a Zoning Permit):
 - a. All roof-mounted solar energy systems, installed on a principal building or accessory structure in all zones.
 - b. All closed-loop geothermal energy systems in all zones.
2. Zoning Permit Required:
 1. All ground-mounted/pole-mounted solar energy systems of no more than six (6) feet in height from the ground to the highest point of the structure in all residential zones or no more than four (4) feet in height from the ground to the highest point of the structure on lots that are less than 20,000 square feet in area, and not located in the front yard.
3. Special Permit Required:
 - a. All ground-mounted/pole-mounted solar energy systems greater than six (6) feet in height from the ground to the highest point of the structure in all residential zones or greater than four (4) feet in height from the ground to the highest point of the structure on lots that are less than 20,000 square feet in area.
 - b. All ground-mounted/pole-mounted solar energy systems in all residential zones located in the front yard.
 - c. All ground-mounted/pole-mounted solar energy systems in any business/commercial or multi-family zone.
 - d. All wind energy systems.

E. REQUIREMENTS FOR ALL RENEWABLE ENERGY SYSTEMS

1. Where designed to generate electricity, the system must be used to produce energy solely for consumption within buildings, structures, and uses located on the same lot as the system, except that:
 - a. When the lot receives electrical power supplied by a public utility company, excess energy generated may be supplied to the utility company or through the distribution system of the utility company to offset other usage of other electric ac-

counts, in accordance with applicable laws such as those pertaining to net or virtual net metering.

2. The applicant may be required to submit additional materials that indicate compliance with this section which may include but are not limited to:
 - a. An A-2 Survey and project narrative showing detailed information, including maps, plans sheets, or dimensioned sketches, showing the proposed location, including setbacks from property lines, adjacent roadways and sight line studies, distances from structures on neighboring properties, and height.
 - b. Detailed product specifications from the manufacturer.
 - c. Sun and shadow diagrams specific to the proposed installation (for solar energy systems).
3. All parts of a renewable energy system shall be maintained in good working repair at all times.
4. Renewable energy systems, when applicable, shall be subject to Sec.7.15, Storm-water Management.
5. Renewable energy systems, when applicable, shall be subject to the provisions of the Ridgefield Noise Ordinance.

F. REQUIREMENTS FOR SOLAR ENERGY SYSTEMS

1. Roof-Mounted:
 - a. A roof-mounted solar energy system and any portion thereof shall be located in compliance with minimum yard setbacks applicable to structures for the zoning district in which it is located.
 - b. A roof-mounted solar energy system and any portion thereof affixed to a pre-existing legal non-conforming structure, as of the effective date of this regulation, shall not have to comply with the minimum yard setbacks applicable to structures for the zoning district in which it is located.
 - c. A roof-mounted solar energy system or any portion thereof shall not extend or protrude further than any eaves, edges or outermost element.
 - d. In all zoning districts, a roof-mounted solar energy system or any portion thereof shall not exceed the allowable total building height for that zoning district.
2. Ground-Mounted/Pole-Mounted Solar Energy System as an Accessory Structure/Use:
 - a. Ground-mounted/pole-mounted solar energy systems may be permitted in the side or rear yard as long as the equipment is located outside the minimum required yard setbacks.
 - b. On properties of less than 20,000 square feet in area, ground-mounted/pole-mounted solar energy systems shall cover no more than ten percent (10%) of the total lot area.

- c. On properties of less than 20,000 square feet in area, ground-mounted/pole-mounted solar energy systems shall not exceed four (4) feet in height from the ground to the highest point of the structure
- d. A ground-mounted/pole-mounted solar energy system and any portion thereof shall not exceed twelve (12) feet in height from the ground to the highest point of the structure when fixed or eighteen (18) feet in height from the ground to the highest point of the structure if a solar tracker is used.
- e. Applications shall include a landscaping plan showing adequate screening from neighboring properties, where appropriate.
- f. A ground-mounted/pole-mounted solar energy system shall conform to industry standards and shall be constructed in accordance with all applicable local, State, and Federal safety, construction, electrical, and communication requirements.
- g. All exterior electrical and/or plumbing lines must be buried below the surface of the ground and be placed in conduit.

G. REQUIREMENTS FOR WIND ENERGY SYSTEMS

- 1. Roof-mounted:
 - a. A roof-mounted wind energy system and any portion thereof shall be located in compliance with minimum yard setbacks applicable to structures for the zoning district in which it is located.
 - b. A roof-mounted wind energy system and any portion thereof affixed to a pre-existing legal non-conforming structure, as of the effective date of this regulation shall not have to comply with the minimum yard setbacks applicable to structures for the zoning district in which it is located.
 - c. In no case shall a roof-mounted wind energy system and any portion thereof extend more than 10 feet above the total building height for the zoning district in which it is located.
 - d. When a wind energy system is proposed in the Central Business District, approval shall first be granted by the Village District Consultants (pursuant to Section 8.3).
- 2. Ground-Mounted Wind Energy System as an Accessory Structure/Use:
 - a. Ground-mounted wind energy systems in the RAA and RAAA residential zones shall not exceed 80 feet in height from the average grade.
 - b. Ground-mounted wind energy systems shall not be located in any front yard.
 - c. In permitted residential zones, ground-mounted wind energy systems shall be set back from all lot lines a distance at least equal to the height of the wind energy apparatus.
 - d. In all permitted business/commercial zones, ground-mounted wind energy systems shall comply with minimum setbacks for the specific zone.

- e. When a wind energy system is proposed in the Central Business District, the design shall first be reviewed by the Village District Consultants (pursuant to Section 8.3).
- f. When a wind energy system is proposed in any other business/commercial zone, review shall be undertaken according to Zoning Regulations by the Architectural Advisory Council.

H. REQUIREMENTS FOR GEOTHERMAL ENERGY SYSTEMS

- 1. All transmission lines to any other building or structure shall be located underground to the extent feasible, and shall not involve access to the street right-of-way or cross any street lines.
- 2. All closed-loop geothermal systems shall be installed according to manufacturer specifications, the requirements of any applicable utility company interconnected agreements, where applicable, and any applicable codes including the Connecticut Building Code.
- 3. The design and installation of geothermal systems and related boreholes for geothermal heat pump systems shall conform to applicable industry standards.
- 4. Only non-toxic, biodegradable circulating fluids such as food grade propylene glycol shall be permitted.
- 5. Wellheads located above ground shall be labeled clearly to identify that they are part of a closed loop geothermal system and not a source of potable water.

I. OTHER APPROVALS MAY BE REQUIRED

An approval under this Section does not relieve any person of the requirement to obtain other necessary permit approvals if applicable, if the proposed work may include:

- 1. A regulated activity in a wetland or watercourse area;
- 2. An activity within a floodplain area; or
- 3. An activity regulated by a local, state, or federal agency.

108 Colonial Hill Drive
Wallingford, CT 06492
203-314-7151
bmiller@millerplanninggroup.com



Zoning Update – Memorandum 4 Non-Conforming Lots New Lake Area District

November 15, 2023

There have been a large number of applications for variances in New Fairfield.

2019	70
2020	50
2021	47
2022	49
2023	<u>49 (through November)</u>
Five Year Total	218

Almost all of these have been for improvements on non-conforming lots within the R-44 districts. Most have been under one-half acre in size, many less than one-quarter acre. The R-44 zone requires setbacks of 20' for side yard, 40' for front yard and 50' for rear yards.

Variances are intended to be granted only when there is a hardship based upon physical characteristics of the site. The large number of variances indicate the hardships may be caused by the regulations and that it would be appropriate to amend the zoning regulations. There are two potential methods.

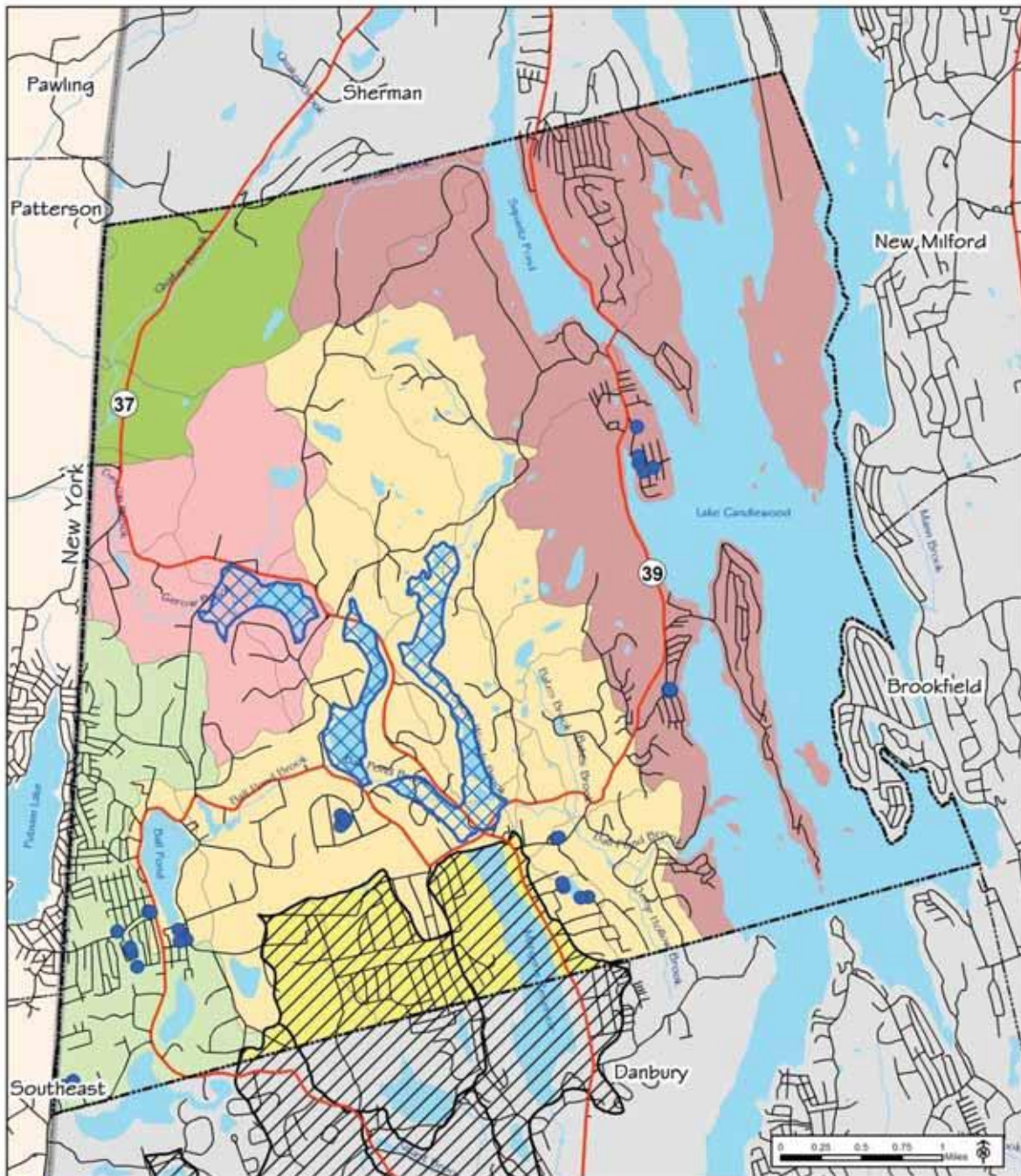
- **Establish a new zoning district for the lake communities.**

The zoning regulations include Section 3.3 Waterfront Residential District WR, but there are no regulations, and it is not mapped. This regulation could include different area and bulk requirements as well as some potential methods to protect the water quality of the lake, such as requiring permeable driveways, grading standards, or a more nuanced requirement for stormwater management planning, similar to what was discussed in Memorandum 3.

A map amendment would need to be defined for the proposed area. That brings up the issue as to whether the map should be based upon the watershed boundaries, distance from the lake or the location of the developed areas which have been subdivided into small lots. A map of the watershed boundaries is attached.

- **Establish standards for non-conforming lots for the R-44 District.**

Section 7.1 could be amended to include different setback requirements for non-conforming lots. It could be a sliding scale which depends upon the dimensions of the lot. For example, for a lot between 80' and 100' the minimum side yard setback could be sixteen feet, for a lot between 60' and 80', twelve feet and under 60' ten feet.



Town of New Fairfield, Connecticut
Plan of Conservation and Development Update

Watersheds & Public Water Supply

- Community Wells
- ▨ Strathed Drift Aquifer
- ▨ CT Public Water Supply Watershed
- Ball Pond Brook
- Corner Pond Brook
- East Branch Croton River
- Lake Candlewood
- Padanaram Brook
- Quaker Brook

Legend

Source:
 Base Map: CT DEP - CT Town Boundaries,
 CT Hydrography (2012),
 GIS GIS Connecticut 91 - Town Boundaries,
 NY Hydrography (2011),
 StreetMap USA (2011)

This map is intended for planning purposes only.
 Conditions may not be exact.

August 2013

