



**Town of Stafford** RECEIVED  
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2018 MAR 15 A 11:59

1 Main Street, Warren Memorial Town Hall

Stafford Springs, CT 06076-1208

Planning & Zoning Commission

*[Signature]*  
TOWN CLERK

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## Town of Stafford Legal Notice

Notice is hereby given that the Stafford Planning and Zoning Commission will hold a Public Hearing on March 27, 2018 at 7:00 p.m. at the Warren Memorial Town Hall, Veteran's Meeting Room, 1 Main Street, Stafford, CT 06076 to consider the following:

### Public Hearings

Changes to the zoning regulations including; In-law apartments; agricultural tourism; gasoline sales; and accessory buildings.

*At this meeting, interested persons may be heard and written communication received. Copies of legal notice, and the regulation updates are on file in the Town Clerk's Office, Town of Stafford, CT.*

Respectfully,  
Nancy Ravetto, Chairman

Journal Inquirer  
March 16, 2018  
March 24, 2018

#### 4.1 Conversion for Related Family Unit ("in-law apartment"):

Conversion of single-family homes to provide for one in-law apartment unit for immediate family may be ~~allowed by the Commission as a special use permit~~permitted by the Zoning Enforcement Officer subject to reasonable safeguards and the following standards:

- A. The in-law apartment unit is to be occupied by a parent, grandparent, aunt, uncle, brother, sister, brother-in-law, sister-in-law, child, or child-in-law of the owner-occupant of the principal dwelling or a care giver as certified by a licensed physician.
- B. The in-law apartment shall be limited to a maximum of three (3) rooms exclusive of bathrooms, hallways, and closets. The in-law apartment shall also be limited to a maximum floor area of seven hundred and fifty (750) square feet. (as defined on the drawing by providing square feet of each room).
- C. The remainder of the structure shall contain the minimum livable floor area that is required for a single-family residence in that zone.
- D. The in-law apartment unit shall be in the same building as the principal dwelling unit.
- E. There shall be no separate utility service entrance for the in-law apartment unit.
- F. No structural alteration made to the exterior of the building shall detract from its single-family characteristics.
- G. No stairs above the first floor shall be added outside the existing exterior walls except at the rear wall of the building; and on a corner lot, any new stairs shall be added within the existing walls of the building or added in the form of a wing that will not detract from the building's single-family characteristics.
- ~~H. A three-year (3) permit shall be issued to the property owner who must occupy one of the dwelling units. Said permit may be renewed by the Zoning Enforcement Officer on proof of residency.~~
- I.H. \_\_\_\_\_ An approval notice from the Stafford Health District as to the adequacy of on-site sewage disposal and water supply if utilized.
- J.I. One additional off-street parking space shall be provided for use by the occupant(s) of said in-law apartment.
- ~~K.J. \_\_\_\_\_ Upon vacating of the unit by the originally intended immediate family, the in-law apartment unit will be altered to return the house to its original status as a one-family dwelling. The owner of the accessory apartment property must file a deed restriction on the land records requiring the unit, if rented, be rented at or below prices that would qualify the apartment as "affordable housing", as defined in CGS 8-39G.~~
- L.K. \_\_\_\_\_ Failure to meet any of the above requirements may be cause for revocation of the permit.



**1. Accessory Agricultural Activities (Ag-tivities)-** The following fee-based activities are considered to be accessory to an established agricultural operation. A Site Plan Review shall be required when the following uses may reasonably be expected to require parking for twenty (20) or more motor vehicles, used by visitors to the farm, at any given time. Otherwise, such uses require only an Agricultural Activity "Ag-tivity" Permit.

**A. Agricultural Engagement-** The opening to the public of a working farm or any agricultural, horticultural, or agribusiness operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation, including (but not limited to) "U-Pick", Community Supported Agriculture (CSA), Wine tours & associated tastings, agricultural workshops, classes, and demonstrations.

**B. Agricultural Events-** Events of limited duration on a farm that are incidental to agricultural uses, including (but not limited to) hayrides, corn mazes, festivals, petting zoos, and other similar activities.

**2. Non-agriculturally Related Uses-** Fee-based activities that are part of an agricultural operation's overall offering, but are not incidental to agriculture, are allowed by permit. Such uses may include (but not limited to) outdoor recreation such as bird watching, snow-shoeing, cross country skiing, mountain biking, and other passive recreational activities, as well as rental of farm property for small and large-scale events, such as parties, weddings, and other non-agricultural events.

**A. "Small-scale Farm Events"** are allowed with an Agricultural Activity "Ag-tivity" Permit. Only low-volume amplified sound or music (as determined by the ZEO) will be allowed during these events. A Site Plan Review will only be required if these events happen more than ten (10) times per year, or they require parking for more than twenty (20) vehicles, at any given time.

**B. "Large-scale Farm Events"** at which the use of loud amplified music is planned, and more than twenty (20) vehicles are expected, require a Special Permit. In order to satisfy the conditions of a Special Permit, the Planning & Zoning Commission may limit the number of events per year. The Planning & Zoning Commission may also impose additional restrictions on the use if it determines, after a hearing for which the owner of the farm is given written notice that the noise levels, or other factors, are causing a nuisance to nearby properties. The ZEO retains the right to meet annually with the farm owner to discuss any possible concerns. In the case of events when more than twenty (20) vehicles are expected, but loud amplified music is not a consideration, only a Site Plan Review is required.

### 3. General Requirements

**A. Parking.** Parking for all permitted agricultural accessory uses shall, to the maximum extent possible, be located in areas on the site where they will be the least visible from access roads and adjoining properties but must allow for adequate sightlines for drivers traveling on the adjacent road and entering and exiting such spaces from such road. Setback requirements apply to all parking areas. Due consideration shall be given to the posted speed limit and other pertinent factors. The ZEO and/or Commission may require additional buffering to meet the intent of the parking and landscaping regulations.

**B. Location, Lighting and Noise.** The location of outdoor events and activities associated with “Ag-tivities” on the farm shall take into consideration the current use of surrounding properties. The Commission and/or ZEO may require a specific separating distance and/or an appropriate buffer strip that screens any such activity from adjacent properties. If the proposed activity or agricultural use regularly employs the use of an amplified sound system, there shall be a sound-absorption plan in place that confirms compliance with the State of Connecticut DEEP noise standards (§22a-69-1 through §22a-69-7-4) as amended. All lighting must be shielded so that it does not impact neighboring properties. The Commission may impose additional restrictions on the use if it determines, after a hearing for which the owner of the farm is given written notice, the noise levels are causing a nuisance to nearby properties.

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AGRICULTURAL ACTIVITY "AG-TIVITY"  
PERMIT APPLICATION

Date\_\_\_\_\_

Permit #:

Name \_\_\_\_\_ Address\_\_\_\_\_

Phone:\_\_\_\_\_ Email:\_\_\_\_\_

Date(s) of event(s)\_\_\_\_\_

Time and duration of event\_\_\_\_\_

How many people are anticipated?\_\_\_\_\_

How many cars will be parked at any one time (maximum)?\_\_\_\_\_

Will there be amplification? (If yes please describe):

Location of Event(s) (attach site plan)

Description of event(s):

Submitted by\_\_\_\_\_

Date:\_\_\_\_\_

Approved for: permit/site plan needed/special permit needed

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Zoning Enforcement Officer

No fee for Ag-tivity Permit Site Plan Review (one time)- \$180 Special Use- \$310



7.6 Regulations Concerning Automotive Sales and Repair, Service Garage, ~~and Gasoline Stations and Convenience Stores~~; and compliance with CGS Secs. 14-51, 14-54, 14-321, as amended.

A. Applicability:

1. No person, firm, or corporation shall establish, expand, or alter in use or structure any business concerned with: sale, repair, or servicing of automobiles and/or gasoline sales unless said businesses or uses are developed in accordance with the requirements of this section and all other applicable controls in these Regulations.
2. All sale, repair, or servicing of automobile and/or gasoline sales legally developed prior to the effective date of these Regulations shall be considered legal notwithstanding the provisions of this section.
3. Furthermore, no business or use referred to in this section shall become nonconforming by reasons of development of any park, or playground, school, ~~college, church, public library, or dwelling~~ subsequent to the establishing of the business or use.

B. Issuance of permits:

1. Issuance of a permit for the establishment, the expansion, or the alteration in use or structure ~~of any of the businesses, or uses described above~~, shall be contingent upon the approval or the disapproval by the Zoning Board of Appeals ~~after a duly advertised public hearing for sales and repair licenses, and by the zoning commission for gasoline sales~~
- ~~2.~~ The Zoning Board of Appeals or the Zoning Commission shall not give approval unless it finds the location is suitable for the use or business intended, due consideration being given to the proximity of schools, places of worship, libraries, theaters, playhouses, or other places of public gathering; or intersecting streets, traffic conditions, width of highway; and effect of public travel and that such use or business will not imperil the safety of the public. In no event shall a business or use referred to in this section be established if any part of the proposed building or structure will be within one thousand-hundred (1,000) feet of any entrance to a public park or playground, ~~school, college, place of worship, public library, or residentially zoned dwelling on the same side of the street.~~
- ~~3.2.~~ No permit shall be granted by the Zoning Board of Appeals unless the proposed use or business is within a district where such use or business may be permitted.

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C. General requirements:

- ~~1. The minimum area of each site shall be as set forth in paragraph D. of this section, and the performance standards are set forth in Section 5.5 of these Regulations.~~
- ~~2.1.~~ Safeguards shall be provided against surface and subsurface leakage of gas and oil.
- ~~3.2.~~ All applications to the Zoning Board of Appeals or the Zoning Commission shall include a report from the Zoning Enforcement Officer confirming that the site plan required as part of the application meets all zoning requirements.

4.3. All applications ~~to the Zoning Board of Appeals~~ shall be accompanied with maps showing information as detailed in Section 8.3 of these Regulations.

5.4. Off-street parking shall conform to Sections 6.2.

6.5. There shall be at least ten (10) feet of landscaped area along the frontage of the premise; and where adjacent to paved areas and service roads, said areas shall be clearly defined by curbing.

7.6. There shall be a buffer zone/strip of at least twenty-five (25) feet between any of the uses or buildings described in this section and adjacent to lots zoned for or in residential use. Said buffer zone shall be properly landscaped and planted including Type "C" screening.

8.7. There shall be no exits or entrances closer than one hundred (100) feet to any road intersection nor shall there be any business or uses referred to in this section proposed for a location within ~~two hundred one hundred (100200)~~ feet of any residential dwelling structure that is situated in a residential district.

9.8. Except for new or used auto sales operations, vehicles parked, or stored on the premises for periods exceeding ten (10) days and all damaged vehicles on the premises shall be housed within a fenced and obscured enclosure at least six (6) feet in height.

~~10. Corner lots shall meet minimum frontages for each street frontage as set forth in paragraph D. of this section.~~

**D. Special requirements:**

Special Type Business	Minimum Lot Area	Minimum Lot Frontage	Minimum Setback from Street Line		Minimum Side-Yard Clearance	Minimum Rear-Yard Clearance
			Building	Canopy		
Auto sales—new and/or-used	37,500 square feet	250 feet	55 feet	-	40 feet	40 feet
Auto repair—garage or shop	37,500 square feet	150 feet	55 feet	-	40 feet	40 feet
Gas service station	40,000 square feet	200 feet	60 feet	30 feet	40 feet	40 feet

~~The Zoning Board of Appeals may impose such additional conditions upon each use as it finds necessary to protect the public safety, convenience, and property values notwithstanding the requirements of this section.~~

D. Convenience store retail trade shall be permitted as an accessory use, provided that:

1. Adequate vehicular and pedestrian traffic flow patterns are established which prevent conflict with gasoline and service patrons.

2. Adequate parking for the additional retail trade use is provided in accordance with Section 6.2.

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3. To insure adequate supervision for both the gasoline sale and retail trade uses, there shall be at least one (1) employee on duty for the sale of gasoline, and one (1) additional employee for the retail trade use. Depending on the size of the facility, and the anticipated volume of vehicular traffic and public activity, the Commission may require additional security measures as a condition of the retail trade use.

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4. Restroom facilities shall be provided for employees and may be required by the Commission for customers

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5. There shall be no overnight parking associated with the retail trade use, other than for employees.

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**TOWN OF STAFFORD – ZONING REGULATIONS**

**Article V  
Commercial Districts**

**5.1 Explanation of Tables**

- A. No structure shall be used, erected, or expanded; and no land use shall be established or expanded except in accordance with the Zoning Regulations. The schedules contained in Section IV list permitted uses of lands and buildings, and the maximum height of buildings, the required yards, open space, area of lots, and other requirements for the various districts in the Zoning Regulations.
- B. Any use marked “SU” in the following tables is a permitted use subject to the issuance of a building and/or zoning permit and subject to Sec. 8.10(A) “Special Use Permit.”
- C. Any use marked “SP” in the following tables is a permitted use subject to the issuance of a building and/or zoning permit and subject to Sec.8.3 “Site Plan.”
- D. Any use marked “P” in the following tables is a permitted use subject to the issuance of a building and/or zoning permit.
- E. Any use not marked is not a permitted use in the particular zoning district. Uses that are not permitted are prohibited unless the Commission determines that a proposed use is sufficiently similar to a listed use.
- F. Any use marked “A” in the following tables is a permitted use as of right without a permit.

**5.2 Schedule of Permitted Main Uses:**

Permitted Main (Principal) Uses	Zoning Districts						
	WM	OS	LB	HB	CB	IN	HI
1. One-family (1) dwelling, one (1)/lot	SU*						
2. Agriculture	A	A	A	A	P	P	P
3. forestry	P	P	P	P	P	P	P
4. Poultry	A	A	A	A	A	A	A
5. Government uses, cemeteries, places of worship	SU	SU	SU	SU	SU	SU	SU
6. Wood cutting/sawmill	SP						
7. Group day care home, child play care center, nursery school, adult day care			SU	SU		SU	SU
8. Bed and breakfast			SP	SP			
9. Clubhouse, lodge, or other non-profit social, civic, or fraternal house			SP	SP	SP		
10. Utility transmission lines and substations	P		P	P	P	P	P
11. Commercial Kennel				SU			SU
12. Noncommercial kennel (Effective December 19, 2003)			SU	SU			
13. Veterinary hospital (Effective December 19, 2010)			SU	SU			SU
14. Rental Care Business							SU
15. Funeral home			SP	SP			SP
16. Retail, personal services, restaurant			SP	SP	SP		SU
17. The sale of alcoholic beverages							
a. Café permit				SU			

TOWN OF STAFFORD - ZONING REGULATIONS

b. Tavern permit				SU			
c. Club permit or nonprofit permit			SU	SU	SU		
d. Hotel permit or hotel permit for beer only				SU			SU
e. Package store permit				SU	SU		SU
f. Restaurant permit, restaurant permit for beer only, restaurant permit for wine and beer only, or restaurant permit for catering establishment				SU	SU		SU
g. Bowling establishment permit, bowling establishment permit for beer only, or racquetball facility permit					SU		
18. Parking *			SU	SU	SU	SU	SU
19. Business and professional offices, banks			SP	SP	SP		
20. Auto sales, auto repair, service station, <i>GASOLINE SALES</i>			SP	SP		SP	SP
21. Trade school, business school				SU		SU	SP
22. Assembling, processing, and packaging of goods for sale (25% of floor)			SP	SP	SP		
23. Grooming facility			SP	SP			SU
24. Drive-in, open air sales, commercial recreation, amusement arcade, café				SU			SU
25. Bus station, hotel, motel, inn				SP			SU
26. Wholesale, storage, freight terminal, commercial processing						SP	SU
27. Manufacturing, processing, assembly						SP	
28. Outdoor storage, fuel storage, contractor's yard						SU	SU
29. Salvage operations contained within a building						SU	
30. Lawn care business (Effective 5/1/2000)			P	P	P	P	SU
31. Retail use limited to ten (10)% of floor area (Effective 7/27/2005)						P	SU
32. Retail uses having a gross floor area of more than twenty thousand (20,000) square feet as defined Sec. 4.64(a) (Effective 4/1/2006)			SU	SU	SU		SU
33. Earth removal (Effective 4/25/2007)			SU*	SU*			

- A. One family dwellings in WM zones are subject to site plan requirements. Such site plan shall include wetland, flood plain, and stream encroachment delineations.
- B. Uses permitted under "SP" are limited to sites with a total area of building coverage no greater than fifty thousand (50,000) square feet. Sites that propose total building coverage in excess of fifty thousand (50,000) square feet require "SU" approval. (Effective 7/2/2005)
- C. All buildings, or uses larger than twenty thousand (20,000) square feet of gross leasable floor area require the issuance of a special use permit in accordance with the requirements of Section 8.10(A) of these regulations. (Effective 4/1/2006)
- D. A special use permit is required for all drive through facilities. (Effective 4/1/2006)
- E. Earth removal in HB and LB allowable under temporary permit only and in conjunction with a bona fide construction project.

\* All parking areas will comply with parking requirements of Section 6.2.

\*\* The Commission shall determine, upon request, all like uses not specifically listed and, in its discretion, may allow such use under a special use permit whether such use is a main use or accessory use.



minimum of twenty-five (25) feet and meet all other setback regulations. A minimum of one (1) parking space per two hundred (200) square feet of selling space is required. Buffers shall be a minimum of ten (10) feet wide and planted with plant materials reaching a minimum of six (6) ft high in five (5) years and produce a continuous visual barrier or erect a solid fence six (6) feet tall. Maximum size is twelve hundred (1200) square feet. The PZC may impose further conditions as it deems required to insure safety and welfare of the community.

**3.17 Location of Accessory Buildings:**

A. Accessory buildings that are not more than two hundred (200) square feet in size and not more than twelve (12) feet in height may be located not closer to the front line than the front plane of the primary structure, or forty (40) feet from the front line of the lot and no closer than five (5) feet of the side or rear lines of the lot. Accessory buildings to farming use are regulated in section 7.2f

B. No accessory buildings or private garage shall be built on an untenanted lot unless it is part of a structure on a continuous foundation that is under construction and is to be completed within one (1) year or if the building is used for agricultural purposes.

C. Accessory buildings may include private garages with one space occupied by a commercial motor vehicle provided such vehicle be of not more than thirteen thousand (13,000) pounds gross vehicle weight

~~A. Accessory buildings that are not more than fifteen (15) feet in height may be located:~~

- ~~1. In the rear half of any lot, but not nearer than seventy-five (75) feet to any street;~~
- ~~2. Within five (5) feet of the side or rear lines of said lot when such lot lines abut the rear lines or rear half of side lines of adjoining lots;~~
- ~~3. No accessory building shall be nearer than the required minimum side yard line to a rear lot line that adjoins the front half of the side line of an adjacent lot;~~

~~B. Accessory buildings to farming use are regulated in section 7.2f. Accessory buildings shall not occupy more than twenty-five percent (25%) of the area of a required rear yard.~~

~~C. No accessory buildings or private garage shall be built on an untenanted lot unless it is part of a structure on a continuous foundation that is under construction and is to be completed within one (1) year or if the building is used for agricultural purposes.~~

**3.18 Removal and Replacement of Topsoil:**

The removal or destruction of topsoil of more than one thousand (1,000) square feet on any lot shall not be permitted except in connection with construction, regrading, or landscaping work. After completion of such work, the topsoil shall be replaced and seeded according to accepted landscaping practices.