

## Section 2.0: Definitions

### 2.1 Interpretation and Use of Words

A. The following terms shall be interpreted as follows:

- (1) The masculine includes the feminine,
- (2) The singular includes the plural and the present tense includes the future tense,
- (3) The word "person" includes an individual, firm or corporation, limited liability company, trust, and federally recognized tribe,
- (4) The word "shall" is always mandatory; the word "may" is permissive or discretionary,
- (5) The word "lot" includes the word "plot" or "parcel,"
- (6) The words "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended, arranged, or designed to be used or occupied,"
- (7) Any reference to a residence or residential district shall be interpreted to mean any district with the word "residence" in its title,
- (8) A building or structure includes any part thereof,
- (9) The words "zone", "zoning district", and "district" have the same meaning,

~~(10) The words "these regulations," "the regulations," "said regulations," "the zoning regulations," and "said zoning regulations," shall be deemed to refer to the Zoning Regulations of the Town of Ledyard as may be amended.~~

### 2.2 Definitions

**ABANDONMENT:** The discontinuance of a use of property with the intent by its owner to voluntarily, intentionally, and permanently renounce said prior use, which may be inferred as fact from the surrounding circumstances. Failure to maintain a use for a specific period of time is not, by itself, sufficient to constitute abandonment.

**ACCESSORY APARTMENT (IN-LAW SUITE):** A dwelling unit that (a) is (i) attached to or a part of the main living unit of a house that has an external appearance of a single-family dwelling indistinguishable from other single-family dwellings, (ii) has a full kitchen, (iii) has a size of not more than thirty (30) percent of the total square footage of the house, (iv) has an internal doorway connecting to the main living unit of the house, (v) is not billed separately from such main living unit for any utility service, and (vi) complies with the building code and health and safety regulations (~~Reference: CGS §8-30-g-(k)~~); or (b) is located above or behind a principal non-residential use to provide housing for the proprietor or caretaker, and his family, of the principal use.

**ACCESSORY BUILDING:** A building or structure whose use is customarily incidental to and subordinate to the principal use of the land or building and located on the same lot as the principle use.

**ACCESSORY USE:** A use of land, building, structure and/or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use.

~~**ACRE:** For the purposes of these regulations, a parcel of land that contains 40,000 square feet.~~

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**ADULT DAY CARE CENTER:** Any building or structure which is used to provide supervision for persons who are 18 years of age or older who may be elderly, physically ill, infirm, or physically handicapped such that they require daily supervision and medical treatment incidental to such supervision. The term does not include uses which provide residential, surgical, medical, or special treatment as relates to housing persons who have a chronic illness, disease or injury, or other condition that would require the degree and treatment provided by a nursing home or hospital.

**AGE RESTRICTED HOUSING:** Housing intended for residents age fifty-five (55) or older. Age restricted housing is subject to state and federal fair housing regulations, and may be single-family dwellings, mobile manufactured homes, two-family dwellings, and multi-family dwellings. Age restricted housing proposed for development shall be so designated on any site plan submitted to the Zoning Commission for approval, and shall be subject to deed restrictions and covenants enforceable by the Zoning Official.

**ANTENNA:** A device used to receive or transmit electromagnetic waves. Examples include, but are not limited to whip, panel, and dish antennas.

**APARTMENT:** A dwelling unit located (a) in a building consisting of one or more other dwelling units; (b) above or behind a commercial use; or (c) within a single-family dwelling.

~~ARCHITECT: An individual or firm of Registered Professional Architects licensed to operate in the State of Connecticut.~~

**ARCHITECTURAL REVIEW BOARD (ARB):** Pursuant to CGS §8-2j, the ARB is the advisory board responsible for reviewing applications for all new construction and/or substantial reconstruction or rehabilitation within the Ledyard Center Village Districts 1, 2, and 3 (LCVD), and the Multifamily Village District (MFVD). The ARB may review applications for new construction and/or substantial reconstruction or rehabilitation with the Gales Ferry Design Districts 1 and 2 (GFDD). The ARB members shall include at least one architect, landscape architect or planner who is a member of the American Institute of Certified Planners. The ARB shall review applications and advise the Zoning Commission within thirty-five days of receipt of application if it does or does not comply with the Design Guidelines. The ARB advisory report shall be entered into the public hearing record and considered by the Zoning Commission in making its decision. Failure of the ARB to report within the specified time shall not alter or delay any other time limits imposed by the regulations. —

~~ART GALLERY: A structure or building utilized for the display of art work, including paintings, sculptures, and prints for view and/or sale to the public.~~

**ARTIST STUDIO:** A workshop or workroom for the creation of fine art and crafts such as painting, sculpturing, photography, or other handmade pieces of art for sale.

**ASSISTED HOUSING:** Housing which is receiving, or will receive, financial assistance under any governmental program for the construction or substantial rehabilitation of low and moderate income housing, and any housing occupied by persons receiving rental assistance under Chapter 319uu or §1437f of Title 42 of the United States Code, as defined by Connecticut.

**ASSISTED LIVING FOR SENIORS:** A multi-family dwelling development, for those who are in otherwise good health, that provides the support of services, both licensed and unlicensed, necessary to maintain its residents in a semi-independent life style. An assisted living facility may include convalescent care.

~~BARN: A building for the storage of farm products, feed, and/or the housing of farm animals or farm equipment located on a farm of three (3) acres or more. A barn shall be considered the principal~~

~~structure if there is no residential structure on the tract, and an accessory structure if there is a residential structure.~~

**BED AND BREAKFAST:** An owner-occupied dwelling, with a valid Special permit, having five (5) or less guest rooms, without separate kitchen facilities, in which overnight accommodations and meals are provided to travelers for a fee and for not more than twenty-one (21) consecutive days.

~~**BOARDER:** Same as Roomer, except the rent entitles the Boarder to the furnishing of board in addition to occupancy of a room.~~

~~**BOAT RENTAL, SALES, STORAGE, SUPPLIES, CONSTRUCTION, AND REPAIR:** Any building, structure, land area, dock, pier, slip, wharves, or other premises, or portion thereof used or designed to be used for the rental, sale, storage, construction, maintenance and/or repair of boats.~~

**BUFFER STRIP:** A strip of land unoccupied by buildings, structures or pavements and maintained as a grass strip, in its natural state, and/or for the planting of trees or shrubs as required by these regulations.

**BUILDING:** A combination of materials to form an independent structure above grade, having a roof, resting on its own foundation and adapted to permanent and continuous occupancy for shelter, housing or enclosure of persons, animals, materials, businesses, industry, storage or other similar purposes.

~~**BUILDING AREA:** The maximum horizontally projected area of the building at or above grade.~~

**BUILDING HEIGHT:** The vertical distance from the average finished grade to the highest point of flat or mansard roofs (including the top of a parapet) or to the mean level between the eaves and ridge for gable, hip, or gambrel roofs. In the case of multiple roofs, the roof with the greatest height shall determine building height.

**BUILDING LINE:** A line drawn parallel to the centerline of the traveled portion of abutting streets through the closest portion of the building.

~~**BUILDING OFFICIAL:** The Town of Ledyard Building Department Building Official.~~

**BUILDING SETBACK LINE – FRONT:** A line delineating the minimum allowable distance between the center line of the traveled portion of a lot's abutting public or private street or public or private road right-of-way, or the center-line of an official future street right-of-way line, and the front of a building on that lot. The front building setback line extends the full width of the lot and is parallel to, or concentric, with the right-of-way.

**BUILDING SETBACK LINE – REAR:** A line delineating the minimum allowable distance between the rear property line and a building on a lot (other than for permitted accessory structures). The rear setback line extends the full width of the lot.

**BUILDING SETBACK LINE – SIDE:** A line delineating the minimum allowable distance between the side property line and a building on a lot. The ~~rear-Side~~ setback line extends the front building setback line to the rear building setback line.

~~**BULK REGULATIONS:** Standards that control the height, density and location of a structure on a lot.~~

**CAMPGROUND:** An area used for transient occupancy not to exceed thirty (30) days per year by camping in tents, camp trailers, travel trailers, recreational vehicles, or similar movable or temporary sleeping quarters of any kind.

~~CERTIFICATE OF OCCUPANCY: A certificate issued by the Building Department, or its agent, stating that a structure conforms with all appropriate plans, codes and standards.~~

~~CERTIFICATE OF USE AND COMPLIANCE: A certificate issued by the Zoning Official stating that a building and/or use complies with the provisions of these regulations.~~

CHANGE OF USE: Within a lot, a change from a pre-existing non-conforming use or structure, or from an abandoned use or structure, or from a use or structure listed in Attachment A to another use or structure listed in Attachment A for the district. A change within a unit to a use listed in Attachment A that exists in another unit within the same structure does not constitute a change of use.

CHANGE OF USE, MINOR: A change from a use of a lot to a use listed in Attachment A for the district that will not result in additional dwelling units, additional employees, additional clients or customers, additional floor space, site modification, additional refuse, additional traffic, a change in building footprint, an increase in impermeable surface, or additional parking requirements.

CHILD DAY CARE CENTER: A place that offers or provides a program of supplementary care to more than twelve (12) related or unrelated children outside their own homes on a regular basis. ~~as provided in CGS §19a-77.~~

CLINIC: A place for the treatment of outpatients.

CLUB: An association of persons, one (1) of whom is the owner, lessee or occupant of an establishment operated solely for a recreational, social, fraternal, religious, political or athletic purpose whose activities are confined to the members and guests and are not extended to the general public, and includes the establishment so operated, but does not include such associations when the chief activity is a service customarily carried on for a business or primarily for a gain.

~~CLUSTER: A site planning technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space and/or preservation of environmentally, historically, culturally, or other sensitive features and/or structures.~~

COASTAL SITE PLAN: The site plans, applications and project referrals listed in §22a-105 of the Connecticut General Statutes and are addressed in §12 of these regulations.

COMMERCIAL FISHING, LOBSTERING, SHELL FISHING BASE: A base of operations for the farming of the waters of the state and tidal wetlands on leased, franchised and public underwater farm lands.

~~COMMISSION: The Planning and Zoning Commission of the Town of Ledyard.~~

~~COMMUNITY RULES AND REGULATIONS: A policy statement conspicuously posted in each Mobile Home Land Lease Community that clearly states an intent to house persons who are fifty-five (55) years of age or older.~~

COMPLEX, COMMERCIAL OR INDUSTRIAL: A group of two (2) or more commercial or industrial businesses that share common parking and pedestrian spaces and signage.

~~CONDOMINIUM: The method of ownership in a multiple family project, such as an apartment or townhouse project wherein each dwelling unit is in a separate ownership but all other common features such as land, walls, hallways, roof and lobbies are in fractional or shared ownership.~~

CONFERENCE CENTER: A facility designed to accommodate service organizations, business or professional conferences and seminars limited to conference attendees.

~~CONSERVATION SUBDIVISION DEVELOPMENTS: Subdivision developments that comply with 55.0 of these regulations and the Town of Ledyard Subdivision Regulations.~~

CONTRACTOR'S EQUIPMENT: Commercial equipment, tools, materials, and/or construction vehicles other than pick-up trucks or vans, incidental to a commercial business.

CONVENIENCE STORE: Any retail establishment containing less than five-thousand (5,000) square feet offering for sale food, beverages, and other household supplies to customers.

COST: As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure as established by a detailed written contractor's estimate. ~~The estimate shall include, but is not limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total.~~ Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

COUNTRY INN: A property providing, for a fee, overnight accommodations, meals, and a venue for corporate meetings, retreats, and social events, and which may include a restaurant that can be open to the general public.

~~DATE OF RECEIPT, STATUTORY: The day of the next regularly scheduled meeting of the Zoning Commission immediately following the day of submission of the application, or thirty-five (35) days after such submission, whichever is earlier.~~

DESIGN GUIDELINES: The Design Guidelines contains the general policies applicable to new construction, site work, and design within the Ledyard Center Village Districts and the Gales Ferry Design Districts by establishing a range of appropriate responses to a variety of specific design issues. The purpose of the Guidelines is to establish clear and easily understood criteria to guide applicants towards the desired development pattern, architectural scale and massing. The Design Guidelines are, by reference, made part of the Zoning Regulations.

DEVELOPMENT: Any man-made changes to improved or unimproved land, including but not limited to the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

DISTURBED AREA: An area of land that is subject to accelerated erosion due to the removal of vegetative ground cover and/or earthmoving activities.

DWELLING, CARE-TAKER UNIT: An accessory apartment on a nonresidential lot or in a non-residential structure occupied by the person and his family who oversees the nonresidential operation twenty-four (24) hours a day.

DWELLING, MULTIPLE FAMILY: A structure, or group of structures, on one (1) lot, each containing three (3) or more dwelling units, with each dwelling unit having either a separate or joint entrances. May include apartments, condominiums, townhouses, and cooperatives.

DWELLING, SINGLE-FAMILY: A single structure containing, as its principal use, a single dwelling unit.

DWELLING, TWO-FAMILY (DUPLEX): One (1) building which contains two (2) separate apartments.

DWELLING UNIT: Any single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EQUIPMENT SALES AND REPAIR: Any building or structure utilized for the sale and rental including but not limited to small mechanical equipment, tools, construction equipment, tractors, etc. Included in this use is the incidental storage, maintenance and servicing of such equipment.

~~EROSION: The detachment and movement of soil or rock fragments by water, wind, ice or gravity.~~

FAMILY: An individual or any number of individuals related by blood, marriage, or adoption, and living together as a single housekeeping unit in a dwelling unit, with common access to, and with common use of, all living areas, eating areas, and all areas and facilities for the preparation and storage of food; or not more than three unrelated persons by blood, marriage, or adoption and living together as a single housekeeping unit.

FAMILY DAY CARE HOME: A facility which consists of a private family home caring for not more than six (6) children, including the provider's own children not in school full time, where the children are cared for not less than three (3) nor more than twelve (12) hours during a twenty-four-hour period and where care is given on a regularly recurring basis except that care may be provided in excess of twelve (12) hours but not more than seventy-two (72) consecutive hours to accommodate a need for extended care or intermittent short-term overnight care. During the regular school year, a maximum of three (3) additional children who are in school full time, including the provider's own children, shall be permitted, except that if the provider has more than three (3) children who are in school full time, all of the provider's children shall be permitted ~~as provided in CGS §19a-77.~~

FARM: A tract of three (3) or more acres that may include principal and accessory buildings, used for farming and as an accessory use to the farming operations, the seasonal sale of agricultural or horticultural products produced on the parcel and on other local farms. A "tract" may consist of one or more lots under common ownership.

FARMING: The cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other mollusk shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. Puppies are not livestock. The grooming and/or boarding of puppies and/or dogs, and the breeding, whelping, raising, exercise, and/or training of puppies and dogs for show, sport, or sale, does not constitute farming and are not incidental to farming as herein defined.

FARM STAND: An accessory building in support of farming, specifically for the seasonal sale of products produced on local farms.

FILING, MAJOR: The excavating or relocating or the movement of three hundred (300) cubic yards or more of topsoil, sand, gravel, clay, stone or other materials to, on, or from any lot.

FILLING, MINOR: The excavating or relocating or the movement of less than three hundred (300) cubic yards topsoil, sand, gravel, clay, stone or other materials to, from, or on any lot.

~~FINANCIAL INSTITUTION: A building or structure utilized where financial and banking services are provided to customers or clients, including the maintenance of checking and savings accounts, certificates of deposits, etc., and the providing of related financial services associated with a bank.~~

~~FOUNDATION: A masonry substructure of a building.~~

FRONTAGE, LOT LINE: The length of the front line of a building lot abutting on a public or private road, street, or right-of-way.

~~FUNERAL HOME: An establishment with facilities for the preparation of the dead for burial or cremation, for the viewing of the body, and for funeral services or ceremonies.~~

~~GAS STATION: A business establishment offering gasoline or diesel fuel and accessory sales of other items.~~

~~GOVERNMENTAL INSTITUTION: A government owned or operated building, structure or land used for public purpose.~~

GRADING: Any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

GRAVEL PIT OR SAND BANK: An area of land used for the excavation and removal of gravel, sand or similar materials.

GROUP DAY CARE HOME: A program of supplementary care for not less than seven (7) nor more than twelve (12) related or unrelated children on a regular basis for a part of the twenty-four (24) hours in one (1) or more days in the week, or that meets the definition of a family day care home as provided in CGS §19a-77 except that it operates in a facility other than a private family home.

~~HEIGHT: A vertical distance of the highest point on the main roof to a point on a plane having an elevation of the average finished grade of the ground within ten (10) feet of the walls of the building.~~

HISTORIC STRUCTURE: Any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on the state inventory of historic places; or (d) individually listed on the local inventory of historic places that have been certified.

HOBBY MOTOR VEHICLE: Any antique, rare, special interest, off-road, and/or racing vehicle, regardless of age or condition, not currently designed or intended for daily use, that is being actively restored, repaired, modified, and/or maintained by its owner.

HOME HUSBANDRY: The non-commercial cultivation and production of edible crops or of certain permitted listed livestock and/or poultry as an accessory use of a home for the benefit of its residents.

**HOME OCCUPATION:** An accessory use carried out for intended gain conducted within a single-family dwelling in a residential district by the resident owner(s) thereof that is clearly incidental and secondary to the residential use of the structure, does not involve the use of other than customary home appliances and equipment, does not involve the use of keeping stock in trade, and does not have any exterior visual, audible, or physical evidence of such incidental secondary accessory use.

**HOOP HOUSE (Membrane Covered Frame Structure):** A non-pressurized structure composed of a rigid framework to support a tensioned membrane to provide a weather barrier. A hoop house is also a greenhouse if the membrane is transparent or translucent.

**HORSE, MINIATURE:** A horse that cannot exceed 34 inches in height at the withers as measured from the last hairs of the mane.

**HOTEL:** A building that has a common entrance or entrances and contains sleeping accommodations for hire for ten (10) or more persons.

**INTERIOR LOTS:** A lot that has no direct frontage on a public or private street, but which obtains access to such streets by way of a private driveway or access agreement across land owned by another party. The front lot line of an interior lot shall be considered that lot line where the driveway or access point enters the property.

**JUNK:** Any exterior (a) materials or items, whether covered or not, including but not limited to vehicles and vehicle parts that, due to condition and/or storage, may contaminate or pollute the soil or groundwater, or invite the breeding, collection, or infestation of flies, mosquitoes, rodents, or other animals; (b) vehicles or trailers, whether or not currently registered, which cannot be re-registered due to their current condition, and/or (c) any other material or item that causes the reduction of neighboring property values, or negatively impacts public health, general welfare, or quality of life. Junk may include, but is not limited to, non-operable appliances, non-operable yard-care equipment, unused or deteriorated barrels, boxes, pallets, furniture, metal, glass, and/or plastic, rotted cordwood, abandoned construction materials, tires, abandoned truck caps, hazardous waste, and demolition debris.

**JUNKYARD:** A lot, land, or structure, or part thereof, used primarily where junk, waste, discarded or salvaged materials are bought or sold, exchanged, stored, collected, dismantled or otherwise processed, including automobile wrecking yards. Junkyards are not permitted in the Town of Ledyard.

**KENNEL:** A commercial establishment that provides boarding, medical care, breeding, grooming, exercise, whelping, raising, and/or training of puppies, dogs and other household pets.

**KIOSK:** Free standing structures designed to provide advertising space for two (2) or more businesses on a single premises or group of contiguous premises.

~~LAND SURVEYOR: An individual or firm of Registered Land Surveyors licensed to operate in the State of Connecticut.~~

~~LIBRARY: A facility for the use, but not sale, of literary, musical, artistic, or reference materials.~~

~~LICENSED PROFESSIONAL ENGINEER: An individual or firm of professional engineers licensed to operate in the State of Connecticut.~~

**LICENSED RADIO ENGINEER:** Anyone holding a Radiotelephone Operator License issued by the Federal Communications Commission ("FCC") who is responsible for technical compliance with FCC rules and regulations.



**LIGHT INDUSTRIAL:** The manufacturing, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, provided all manufacturing activities are contained entirely within a building and noise, odor, smoke, heat, glare, and vibration resulting from the manufacturing activity are confined entirely within the building.

~~LIVESTOCK: See "Farming"~~

**LOT:** A parcel of land occupied or capable of being occupied by one (1) principal building and the Accessory Buildings customarily incidental to it, including such Non-Developed Land as are required by these regulations. In the case of multiple dwellings and public, institutional, commercial, or industrial buildings, a group of buildings under the same ownership may be considered as occupying the same lot.

**LOT AREA:** The number of square feet of the lot.

**LOT COVERAGE:** The percentage of the lot area covered by the combined area of all buildings, structures or other impervious surfaces on the lot.

~~LOT, INTERIOR: A lot that has access to a public right-of-way by means of a narrow strip of land, which is less than the required frontage.~~

**LOT LINE, FRONT:** A line dividing a lot from a public or private road, street, or right-of-way.

**LOT LINE, REAR:** A line separating one lot from other lots or from land in different ownership, being the boundary of a lot that is opposite the frontage street.

**LOT LINES, SIDE:** All lines extending from the street that divides adjacent lots abutting the same street.

**LOT, MINIMUM WIDTH:** For rectangular lots, the measured distance at the required building line, measured parallel to the front lot line. For lots on the outer or inner arc of a curve, the measured distance between side lot lines on a street line at right angles to the main direction of the side lot lines, and at a distance so as to meet the required building line from any point of the center line of the traveled portion of the street. For corner lots, the measured distance parallel to the street, in the direction of the lot's minimum width, and so as to meet the required building line from both streets.

**LOT, THROUGH:** A lot with the front and rear lot lines abutting the rights of way of two (2) Town-accepted or State roads.

~~LUMBERYARD OR BUILDING SALES YARD: An area and structures used for the storage, distribution, and sale of building and construction materials.~~

**MANUFACTURING:** The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials including but not limited to oils, plastics, resins, etc.

**MINING:** A lot or land or part thereof used for the purpose of extracting shale, gravel, rock and sand for sale as an industrial operation.

**MINI STORAGE:** Buildings or structures with multiple rental spaces used for the storage, principally of personal goods.

**MIXED USE:** The development of a tract of land, or a building, for a variety of principal uses, usually as apartments above or behind office and/or retail uses.

MOBILE HOME: A manufactured home produced prior to the passing of the federal Manufactured Home Construction and Safety Standards (MHCSS) of 1976.

MOBILE MANUFACTURED HOME: A manufactured home built after 1976 in compliance with the Manufactured Home Construction and Safety Standards (HUD Code) and which displays a certification label on the exterior of each transportable section. ~~Mobile Manufactured Homes are built in the controlled environment of a manufacturing plant and are transported in one (1) or more sections on a permanent chassis.~~

MOBILE MANUFACTURED HOME LAND LEASE COMMUNITY: A land lease community in which two (2) or more mobile homes or mobile manufactured homes are located on a single parcel and occupied as dwelling units.

MOTEL: A building, usually located on a highway, providing lodging for persons, with or without cooking facilities, and intended primarily for accommodations of transients, and so designed that access to rooms is directly from out-of-doors.

~~MOTOR VEHICLE BODY REPAIR AND PAINTING: A building on a lot designed and/or used primarily for body repairs or painting of vehicles.~~

MOTOR VEHICLE DEALERSHIP: The use of a building, land area, or other premises or portion thereof, for the display, sale, or lease of automobiles including any warranty repair work and other repair service conducted as an accessory use.

MOTOR VEHICLE SERVICE: A building on a lot designed and/or used primarily for the sale and installation of lubricants, tires, batteries and similar accessories, and which may also be used for the retail sale and dispensing of vehicular fuels.

MUSEUMS AND CULTURAL INSTITUTION: An establishment utilized for the display of exhibits of historic, educational or cultural nature that are not operated commercially on a for-profit basis.

NON-CONFORMING LOT – LEGAL: Any lot that does not conform to the requirements of these regulations or any amendment thereto upon the effective date of enactment.

NON-CONFORMING STRUCTURE – LEGAL: Any pre-existing lawful building or structure that does not conform to the requirements of these regulations or any amendment thereto upon the effective date of enactment.

NON-CONFORMING USE – LEGAL: A use that lawfully occupied a building or property on the effective date of these regulations that does not conform to the use regulations for the district in which the property is situated.

~~NON-DEVELOPED LAND: An area characterized by natural scenic beauty or existing openness used for recreation or resource protection. It may include wooded areas, meadows, agricultural land, active and passive recreation areas, and vacant parcels not yet developed. Non-developed land shall not include buildings, driveways, parking lots or other surfaces designed or intended for motor vehicular travel.~~

~~OFFICE: A building or room(s) in which services involving predominantly administrative, professional, or clerical operations are performed, not including the sale of retail articles.~~

OPEN SPACE: Land that is subject to a Conservation Easement, or other form of development restriction, including that within a Conservation Subdivision or an Open Space Subdivision. Open space requirements, designation, and approval are within the scope of authority of the Planning & Zoning Commission.

**OPEN SPACE SUBDIVISION:** A subdivision or re-subdivision of land in the Town of Ledyard into individual single-family residential building lots with respect to which not less than sixty (60%) percent of the total area of the land subdivided shall be permanently dedicated as active or passive open space, and with respect to which setbacks and density shall be based upon the applicable provisions of the Ledyard Subdivision and Zoning Regulations for open space subdivisions, and not upon the bulk requirements in the underlying residential Zoning District, and which otherwise comply with all municipal requirements of the Town of Ledyard.

**OUTDOOR STORAGE AND SALES:** Storage and/or sales of any materials, merchandise, stock, supplies, machines and the like that are not kept within a structure, regardless of how long such materials are kept on the premises. Outdoor storage shall not include junkyards.

~~**PARK AND PLAYGROUND:** Land that is intended to be used for the purpose of providing recreation, or non-developed land.~~

**PARKING AREA:** An off-street open space used exclusively for the parking of motor vehicles.

**PERMANENT FOUNDATION SYSTEM:** A permanent rigid structure or structures constructed upon and/or below the surface of a mobile manufactured home site designed for attaching and anchoring a mobile manufactured home, in such a manner that the home will not be subject to movement due to frost, frost heaves, freezing, flooding or wind.

**PERSONAL SERVICE ESTABLISHMENT:** A business that provides grooming or physical fitness services to individuals or groups of individuals.

~~**PLAN OF CONSERVATION AND DEVELOPMENT (POCD):** The Plan as required under CGS §8-23 to show the Planning & Zoning Commission's recommendations for the most desirable use of the land within the municipality and for the most desirable density of population. The Plan is intended to guide growth, land use, consideration, and development within the Town of Ledyard, and is used as guidance by all town boards and Commissions.~~

**PREDOMINANT USE:** The land use that requires the most parking within a parking lot shared by a variety of land uses.

**PROHIBITED USES:** Uses not listed in Attachment A. However, if a use that is omitted in Attachment A is equivalent or similar to a listed permitted use, as determined by the Commission upon request, the use is a permitted use that is subject to the same constraints as is the equivalent or similar listed use.

~~**PROPERTY:** A lot including all buildings or improvements thereon.~~

**PUB AND TAVERN:** A place in which the principal income is derived from the sale or serving of alcoholic beverages for consumption on the premises, with or without live entertainment.

**PUBLIC OR PRIVATE UTILITY INSTALLATION:** The use of land for utility purposes by an entity providing pipeline, gas, electrical, telephone, television, internet, cellular, broadband, water, or sewage service(s).

~~**PUBLIC SEWER SYSTEM:** The disposing of organic refuse, carried off to a central sewage treatment system via underground piping.~~

**RECREATIONAL FACILITY:** Outdoor or indoor facilities designed for leisure activities

**RECREATIONAL SPACE:** An area of a residential complex development that is designated on a site plan by the Applicant as exclusively reserved, in perpetuity, for recreation by residents of the development. The area is designated by the applicant, but is to be maintained by the owner of the

development, or a homeowners or condominium association as appropriate. Recreational Space shall not be used for residential dwellings, accessory structures to residential dwellings, storage, or parking, but may be used for swimming, hiking, running, picnicking, baseball, exercise, barbequing, tent camping, and similar activities. The Recreational Area may also remain in its natural state.

**RECREATIONAL VEHICLE:** A vehicle which is: (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily as temporary living quarters for recreational, camping, travel, or seasonal use. A Recreational Vehicle is not a dwelling unit.

**RECYCLING CENTER:** A building where only recyclable material is collected, processed and/or baled in preparation for shipment to others who will use the materials to manufacture new products.

~~RELIGIOUS USE: A building, facility, or main activity area, and its accessory buildings and uses, wherein persons regularly assemble for worship together.~~

~~RESEARCH FACILITIES: A building for experimentation in pure or applied research design, development, and production of prototype machines or devices or of a new product, and uses accessory thereto.~~

**RESIDENTIAL CARE HOME (NURSING HOME):** An establishment which furnishes nursing services and assistance with activities of daily living to a population that is chronic and stable; or nursing supervision under a medical director twenty-four (24) hours per day, or any chronic and convalescent nursing home which provides skilled nursing care under medical supervision and direction to carry out non-surgical treatment and dietary procedures for chronic diseases, convalescent stages, acute diseases or injuries.

**RESORT FACILITY:** A destination intended for recreation and relaxation distinguished by a selection of activities, such as food, drink, lodging, sports, entertainment and shopping.

**RESTAURANT, EXCLUDING FAST FOOD:** An establishment where food and/or beverages are prepared, served, and consumed and where customers are served primarily when seated at tables or counters, any food take out is incidental to the primary sit-down restaurant use, and no customers are served in motor vehicles.

**RESTAURANT, FAST FOOD:** An establishment specializing in take out, quick service food, frozen dessert and/or beverage, where such items may be consumed anywhere on the premises or removed from the premises and where orders are placed at a central counter or drive-through/walk-up window.

**RETAIL SALES:** A business establishment where diversified goods are kept for retail sale directly to the public either in person, by telephone, or by the internet.

**RIDING STABLE:** An accessory or primary structure on a farm where horses are boarded and cared for and/or where instruction in riding, jumping and showing may be offered for a fee; such establishment may be incidental to the operation of any club or association.

**ROOMER:** One who occupies a rented room in a single-family dwelling.

**SCREENING:** Dense vegetation or other landscape materials, or a combination thereof, which provide effective year-round visual insulation from adjacent property for a minimum of six feet in height. See Buffer Strip.

~~SEDIMENT: Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.~~

SHOPPING CENTER: A group of no less than four (4) business establishments which may include retail stores, service establishments, theaters, and restaurants, including fast food facilities, with a public vehicle parking area shared in common. A shopping center shall contain no less than two (2) acres and have not less than twenty thousand (20,000) square feet of floor area.

SIGN: Any permanent or temporary device composed of or employing any medium that is man-made, natural, and/or from a change of use which is freestanding or attached to a building, structure, or natural object, or erected, painted, represented or reproduced inside or outside any building, structure, or natural object (including window display area which displays, reproduces or includes any lettered or pictorial matter), which is used for the purposes of advertising, demonstrating, directing, displaying, identifying, illustrating, or promoting and is placed in view of the general public. In no event shall the word "sign" be construed to mean any sign in the interior of any structure that is not visible from the outside, unless specifically set forth in these regulations. Pavement markings and driveway directional arrows painted on the ground that contain no advertising are to be excluded from this definition. The American Flag is not a sign in the context of these regulations.

SIGN – AWNING: Any sign that is attached to or part of an awning or canopy.

SIGN – BANNER: A banner made of material that is not rigid such as cloth or vinyl that contains advertising for a business, product, goods, services, sale or activity, that is strung from rope or wall mounted.

~~SIGN – CANOPY: A sign that is part of or attached to an awning, canopy, or other material as a protective cover over a door, entrance, window, walkway or outdoor service area.~~

SIGN – CHANGEABLE COPY: Any sign ~~that is~~ designed so that characters or letters can be manually changed or rearranged without altering the substrate or size of the sign.

SIGN – DIRECTIONAL: Used to indicate location, distance, hours of operation of activity concerned, parking, or other functional activity such as bathroom facilities, telephones, entrances, offices, etc, bearing no commercial advertising,

SIGN – DIRECTORY: A sign to identify any commercial or industrial complex and each use in said complex.

SIGN – EXEMPT: A sign that is permitted without a sign permit.

SIGN FACE: The area of a sign that consists of the entire surface area of the sign on which copy could be placed including the structure of bracing if it is made a part of the sign's message. Where a sign has two display faces back to back, the area of only one face shall be considered the sign face area.

~~Where a sign has more than one display face, all areas that can be viewed simultaneously shall be considered the sign face. In the case of a sign whose message is fabricated together with a background that borders or frames that message, sign face areas shall be the total area of the entire background. In the case of a sign whose message is applied to a background that provides no border or frames, the sign face area shall be the area of the smallest rectangle that can encompass all words, letters, figures, emblems, and other elements of the sign message.~~

SIGN – FREESTANDING: A self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground.

**SIGN – HANGING:** A sign to identify a commercial use within a structure that protrudes perpendicularly from the front of the building.

**SIGN – IDENTIFICATION:** A sign that is attached to or projects from a building facade or other building surface and identifies the name, business, address, and/or use of the building.

**SIGN – INSTRUCTIONAL, DIRECTIONAL:** A sign which identifies location, hours of operation, parking, exit, entrance, and functional activities such as bathroom facilities, food, coffee, lunch, gas, offices, etc. The sign has bearing no commercial advertising or business name.

**SIGN – INTERIOR:** A sign located within the interior of any (a) building, (b) stadium, or (c) athletic field, and is not visible from a public roadway, public right of way, public sidewalk, or abutting property.

**SIGN – PERMANENT:** A sign constructed out of durable materials that is intended to exist for the duration of time that the use or occupant is located on the premises.

**SIGN PERMIT:** A permit issued by the Zoning Commission or its designee, permitting a landowner to construct a sign.

**SIGN – POLITICAL:** A sign that is incidental to a town, state or federal election or referendum. Political signs shall have permission of the property owner to be erected. However, the political party or candidate is responsible for removal.

**SIGN – SPECIAL:** Banners, pennants, sandwich board signs and sidewalk or curb signs used for special events or sales

**SIGN – SPECIAL PERMIT:** A sign necessary to provide adequate visibility to the business community but which cannot satisfy all of the sign regulations due to unique site constraints not envisioned by the regulations.

**SIGN – TEMPORARY:** A sign conforming to size and location requirements, as stipulated by these regulations, which is to be displayed for a limited period of time.

**SIGN – TEMPORARY IDENTIFICATION:** A Temporary Sign intended for pre-development opening or closing, displayed sixty (60) days in advance of advertised activity.

~~**SIGN – TEMPORARY SPECIAL:** A Temporary Sign intended to announce a special event or sale.~~

**SIGN –UNLAWFUL:** A non-exempt sign installed without a Sign Permit after adoption of the Zoning Regulations on October 11, 1963 as amended.

**SITE PLAN:** A plan of a lot on which is shown topography, location of all buildings, structures, roads, rights-of-ways, boundaries, all essential dimensions and bearings and any other additional information necessary to help determine conformance with the Zoning Regulations.

**SOIL EROSION AND SEDIMENT CONTROL PLAN:** A scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

**SOLAR ENERGY SYSTEM:** An energy system which directly uses solar radiation to produce space heating, cooling, hot water or electricity through the process of collecting solar radiation, converting it to another form of energy, storing the converted energy, protecting against unnecessary dissipation and distributing the converted energy.

**SPECIAL FLOOD HAZARD AREA:** The land area, as defined by the Federal Emergency Management Agency (FEMA), covered by the floodwaters of the base flood on National Flood Insurance Program (NFIP) maps.

**SPECIAL PERMIT (ALSO KNOWN AS A SPECIAL EXCEPTION):** A special permit allows a use which is generally compatible with the zoning district but requires special attention as to its location, design, appearance, and/or method of operation in order to keep it consistent with uses permitted as of right in the district.

**START OF CONSTRUCTION:** Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means either: [1] The first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns; or [2] Any work beyond the state of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include: [1] Land preparation, such as clearing, grading and filling; [2] Installation of streets and/or walkways; [3] Excavation for a basement, footings, piers or foundations; [4] The erection of temporary forms; [5] Installation of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**STATUTORY DATE OF RECEIPT:** The date of the next regularly scheduled meeting of the Commission, or 35 days, whichever is less, after receipt of an application.

**STRUCTURE:** Anything constructed or erected, the use of which requires location on or under the ground or an attachment to something having location on the ground including, but not limited to, homes, swimming pools, signs, decks, sheds, pens, runs, barns, pump houses, parking areas, and garages.

**SUBSTANTIAL IMPROVEMENT:** Any combination or repairs, reconstruction, alteration, or improvements to a structure, taking place during a ten (10) year period, in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures that have "substantial damage," regardless of the actual repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the Zoning Official and are solely necessary to assure safe living conditions.

~~TELEPHONE EXCHANGE: A building used exclusively for the transmission and exchange of telephone messages, excluding wireless service towers.~~

**TOWER:** A structure intended to support equipment used to receive or transmit electromagnetic waves and/or to support wind turbines.

~~TRANSFORMER SUBSTATION: A premises used for the distribution of electrical energy at the rate of 35 kva and higher.~~

**TRAVEL TRAILER:** A vehicular, portable structure built on a chassis and designed to be used for temporary occupancy for travel, vacations, or recreational uses with the manufacturer's permanent identification "Travel Trailer" thereon. A travel trailer is not a dwelling unit.

~~TREE LAWN: Strips of land between the road and the sidewalks inside a development.~~

UNREGISTERED MOTOR VEHICLE: A vehicle that is currently unregistered but legally capable of being registered and operated on the public ways of the state.

~~UNUSABLE OPEN SPACE: Any part of the site area which has a slope of more than twenty-five percent (25%) or is in the floodplain or flood-prone area or is subject to periodic flooding due to subsoil conditions. Also, land area that has a high length-to-width ratio as compared to the main site, natural discontinuities in grade, or heavily wooded slopes in excess of fifteen percent (15%), or is otherwise unsuitable for development.~~

~~USABLE OPEN SPACE: That part of the lot area not classified as unusable open space or which is used for or devoted to dwelling structures, driveways or parking spaces; such open space shall be at least twenty-five (25) feet in minimum dimension, shall have no more than ten percent (10%) of its area with a grade of more than five percent (5%), and shall not include floodplains and/or wetlands.~~

USE: The purpose for which property is arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

VETERINARY OFFICE AND CLINIC: Any structure where animals or pets are given medical or surgical treatment, including short-term boarding of animals when boarding is for the purpose of monitoring recovery, but not including boarding or kenneling.

WAREHOUSE: A building or premises, for storing of goods, materials and merchandise, for distribution to off-site locations.

WIND ENERGY SYSTEM, SMALL: A wind energy to electricity energy conversion system, not to exceed 25 KW, consisting of a wind turbine, nacelle, generator, a tower and its support structures, associated control, and conversion electronics.

YACHT CLUB, MARINA, BOAT YARD: A facility located on a parcel within five hundred (500) feet of a navigable waterway for storing, servicing, fueling, berthing and/or securing boats and may include docks, piers, moorings, and slips, and eating, sleeping and retail facilities for owners, crew, and guests.

YARD, FRONT: The space between the building line and the front lot line, extending the full width of the lot; or in case of a corner lot, the non-developed land between a building and the front lot lines extending the full width of each frontage.

YARD, REAR: The space between the rear line of the building and the rear lot lines, extending the full width of the lot.

YARD, SIDE: The space between the building and the side lot lines, extending from the front yard to the rear yard, any yard not a front yard or a rear yard shall be deemed a Side Yard.

~~ZONING: The public regulation of land use and the intensity of such uses.~~

ZONING OFFICIAL (also known as the Zoning Enforcement Official, Zoning Officer and/or Zoning Enforcement Officer): The agent of the Zoning Commission responsible for the implementation and enforcement of its policies and regulations pursuant to CGS §8-3(e) and §15.2 of these regulations.

~~ZONING OFFICE: The division of the Land Use Department responsible for the issuance of zoning permits, processing of periodic certifications of zoning compliance, and enforcement of these regulations~~