Section 25

Lot Requirements – Standards

25.1 Setbacks: No building or other structure shall extend into any setbacks required by these Regulations, except as follows:

25.1.1 Permitted signs as specified in Section 28.

25.1.2 Marquees, canopies, eaves, open fire escapes and similar projections without projecting walls may project not more than five feet (5') into the required setback area provided that it does not adversely impact the public health or safety.

25.1.3 In Residence Districts and the Village Zone, an unattached accessory building or structure, not exceeding fifteen feet (15') in height and one hundred square feet (100 sq. ft.) in floor area, may extend to within ten feet (10') of any property line but shall not extend into the area required for setback from a front property line.
(Amended 11/1/2012)

25.2 Lot Area, Shape, Access and Frontage Requirements:

25.2.1 Area and Shape:

(a) East lot shall have a minimum area as specified for the district in which the lot is located and shall be of such shape that a square with sides equal to the minimum frontage requirements can be placed on the lot in an area (exclusive of those spaces created by front and rear line setbacks) capable of supporting the principal building or residence.

(b) Lot widths may not narrow to less than seventy percent (70%) of the minimum frontage and then widen to accommodate the minimum square.

(c) Wells, septic systems and reserve areas for one hundred percent (100%) leaching field expansion shall be provided on the lot.

25.2.2 Lots of Record; In any zoning district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of these Regulations, a single-family dwelling and customary accessory buildings may be erected or reconstructed on any single lot of record at the effective date of adoption of amendment of these Regulations.

(a) This provision shall apply even though such lot of record fails to meet the lot and area requirement for the district in which it is located, but shall conform to Section 25.2.4 and Section 27.2 of these Regulations.

25.2.3 Areas of Special Concern:

(a) In Districts requiring thirty thousand square feet (30,000 sq. ft.) and less per lot where the soil is designated "Severe" for septic tank absorption fields, as reported in the USDA Soil Survey of Middlesex County, Connecticut, and as more fully described in the State of Connecticut Public Health Code, Section 19-13-B103d(e), the minimum lot area shall be at least one (1) acre of which there shall be at least thirty thousand (30,000) contiguous square feet of dry land.

(b) The Commission may require a minimum lot area of two (2) acres lying on an aquifer or recharge area for a public water supply or within five hundred feet (500') of a public water supply reservoir or well.

25.2.4 Access and Frontage: Each lot shall have access to and frontage, as specified in the Lot Requirement Schedules, on an accepted Town road, approved subdivision road or highway as recorded in the Clinton Land Records and/or shown on the current CT Department of Transportation Map TR-27, except:

(Amended 11/1/2012)

(a) Access to a rear lot shall be in accordance with Section 10.5 or 10.3 of these Regulations.

(b) A lawful non-conforming lot, as defined in Subsection 3.13.1 and 3.15.1(b) shall not be excluded under this Section for failure to meet access and frontage requirements.

(c) Frontage for a corner lot shall be the street lines with applying minimum frontage requirements as set forth in the Lot Requirement Schedules shall apply to both streets.

25.2.5 Determination of Compliance:

(a) In determining compliance with minimum lot area and shape requirements, land subject to easements for drainage facilities and underground public utilities may be included.

(b) No street or highway easement or vehicular access, private right-of-way for vehicles, or easement for above ground public utilities may be included.

(c) Conservation easements may be included, but may not exceed twenty percent (20%) of the minimum lot requirement.

(d) Areas consisting of inland wetlands, tidal wetlands or watercourses, as defined in Section 3, shall not be used in computing lot area in zones requiring sixty thousand square feet (60,000 sq. ft.) or less per lot.

(e) In zones where minimum lot area exceeds sixty thousand square feet (60,000 sq. ft.) inland wetlands, watercourses or tidal wetlands may be included to

meet the minimum lot area in excess of sixty thousand square feet (60,000 sq. ft.) but in no event shall exceed twenty-five percent (25%) of the minimum zone requirement.

25.3 Corner Lots: On any corner lot there shall be no building, structure, fence, wall or planting in excess of three feet (3') in height, as measured from curb line, located within a triangular space on the lot bounded by the two intersecting street lines and a straight line connecting a point fifty feet (50') from the intersection so as to obstruct a clear line of sight across the triangle.

25.4 Coverage and Bulk:

(Amended 1/1/2015 – Section 25.4.3 deleted)

25.4.1 The aggregate lot coverage of all buildings and other structures on any lot shall not exceed the percentage of lot area specified in the Lot Requirement Schedules.

(Amended 11/1/2012)

25.4.2 The total floor area of all building and other structures on any lot, excluding basements, shall not exceed the percentage of lot area specified in the Lot Requirement Schedules.

(Amended 11/1/2012)

25.5 Minimum Floor Area for Dwellings: Dwelling shall have the minimum floor areas as specified in the Lot Requirement Schedules.

(Amended 11/1/2012)

25.6 Setbacks:

25.6.1 All lots of the following subdivisions that were developed as either Conservation Subdivisions or Planned Residential Cluster Developments shall have the following setbacks:

(a) Sub. 94: Fox Hill; Sub. 117: Kenilworth IV; Sub. 127: Kenilworth V; Sub. 227: Pembroke West; Sub. 230: Stonewall Acres; and Sub. 264: Taylor Ridge. These Subdivisions are shown on the Zoning Map.

(b) Front Setback: Thirty Feet (30')
Side Setback: Fifteen Feet (15')
Rear Setback: Thirty Feet (30')

(c) Any Conservation Subdivision approved after January 1, 2005 shall utilize the setbacks provided in Section 10.6 of these Regulations.

25.7 Special Buffer Requirements:

25.7.1 The intent of this buffer is to prevent easy access and to diminish as much as possible or eliminate sight, sound and odors from Businesses, Industrial and Marine Zones in or onto abutting residentially zoned property as viewed from the second floor living area of existing or potential residential structures. This applies

to all projects, whether requiring a Zoning Permit, Site Plan approval, Special Exception approval, or Special Permit approval.

(a) A buffer of at least fifty feet (50') in width running continuously along the property line shall be established along the residentially zoned properties abutting any Business, Industrial and/or Marine Zones.
(Amended 11/1/2012)

(b) At five feet (5') to fifteen feet (15') of depth comprised of two (2) rows of suitable deciduous trees of minimum three inch (3") caliper, DBH (diameter breast height), or evergreen trees eight feet (8') in height, spaced fifteen feet (15') apart and staggered in rows fifteen feet (15') apart. The space between trees shall be filled with evergreen or deciduous shrub underplanting.
(Amended 11/1/2012)

(c) At fifteen feet (15') to fifty feet (50') of depth comprised of mixed plantings of suitable evergreen and deciduous trees, arranged in natural groupings, with tree quantity based on an average of one tree (minimum two inch (2") caliper DBH for deciduous, six feet (6') high for evergreen) per three hundred square feet (300 sq. ft.) of buffer area. The space between trees or tree groupings shall be underplanted with evergreen or deciduous shrubs, with quantity based on one shrub per two hundred square feet (200 sq. ft.) of buffer area. Up to one-third (1/3) of the buffer area may be covered with grasses or ground cover.
(Amended 11/1/2012)

(d) Use of existing natural growth for buffer areas is encouraged and such areas may be augmented with additional trees and shrubs to achieve the required density set forth in the previous paragraph.
(Amended 11/1/2012)

(e) All types of landscaping materials shall be approved by the ZEO. All landscaping trees, shrubs and fences must be maintained and repaired or replaced within thirty (30) calendar days of notification of such by the ZEO.
(Amended 11/1/2012)

25.7.2 Tidal Wetlands Buffer: A resource protection buffer of no less than fifty feet (50') shall be established along the upland edge of any tidal wetland as defined by CGS Section 22a-29(2), thereby requiring a minimum buffer of fifty feet (50'). The width of the buffer shall be measured inland from the upland edge of the tidal wetlands except in the case of wetlands bordered by slopes greater than 25% in which case the buffer shall be measured inland from the top of the slope.

(a) The following uses and activities are prohibited within the buffer:

(1) New building construction that increases the building area or footprint including minor additions to existing buildings.

(2) Detached accessory buildings such as garages and sheds.

(3) Pools, tennis courts, patios and terraces.

(4) Driveways, parking areas and other impervious surfaces.

(5) Seawalls, bulkheads, retaining walls, landscaping walls or similar structures.

(6) Grading, excavation or filing, including the construction of new septic systems.

(7) Land clearing, except for minor clearing to allow for appropriate landscaping.

(8) Dumping of lawn clippings and other wastes.

(9) The application of fertilizers and/or pesticides except when necessary to address public health issues as determined by the local health official and/or State Department of Health Services or to control an infestation of invasive vegetative species if authorized by the local Conservation Commission.

(10) The establishment of new lawn areas, and

(11) Extensive clearing or pruning.

(b) The following uses and activities are permitted and/or encouraged within the buffer area:

(1) Preservation of existing native vegetation, including shrubs and trees.

(2) Removal of invasive species and replacement with native species.

(3) Elimination and/or minimization of mowing to encourage a variety of native species including shrubs and trees, and

(4) Planting of native vegetation.

(c) This regulation does not prohibit the continued use, reconstruction or renovation of any septic disposal system, building or other improvement in existence on the effective date of the regulation (March 1, 2005) nor does it prohibit the construction of new improvements necessary for the function of water-dependent uses as defined by CGS Section 22a-93(16) except when those improvements can functionally be located outside the buffer area.

25.8 (Reserved for Future Use)

25.9 (Reserved for Future Use)