

Section 31

Performance Standards

31.1 Performance Standards: Land, buildings and other structures may be used subject to the following performance standards:

- 31.1.1 Dust, Dirt, Fly Ash and Smoke: No offensive dust, dirt, fly ash or smoke shall be emitted into the air.
- 31.1.2 Odors, Gases and Fumes: No offensive odors or noxious, toxic or corrosive fumes or gases shall be emitted into the air.
- 31.1.3 Noise: No noise that is objectionable due to volume, intermittence, beat frequency or shrillness shall be transmitted outside the property where it originates.
- 31.1.4 Wastes: No discharge of hazardous wastes shall be permitted. No offensive washes shall be discharged into any stream or storm drain. Proper provision shall be made for storage and disposal of all hazardous materials, rubbish, garbage and trash.
- 31.1.5 Vibration: No vibration shall be transmitted outside the property where it originates.
- 31.1.6 Danger: No material which is dangerous due to explosion, extreme fire hazard or radioactivity shall be used, stored or manufactured except in accordance with the applicable codes and regulations of the Town of Clinton, State of Connecticut and the United States of America.
- 31.1.7 Drainage: Surface or roof drainage, discharge from pipes or pumps, and diversion of runoff by means of grading, excavating or filling, which create a structural or health hazard or any other nuisance to the owners or occupants of adjacent premises, or to the public by reason of discharge into, onto or across any adjacent building, premises or public thoroughfare shall be abated by the owner of the improperly drained area. (Amended 10/5/2020)
 - (a) Appropriate stormwater control structures or measures shall be utilized to protect surrounding properties from adverse impacts due to stormwater runoff.
- 31.1.8 Lighting: No lighting shall be of such intensity or direction as to create glare or to create light-spill or up-light glare on adjacent properties or adjacent streets and highways.
- 31.1.9 Shopping Cart Management: As shopping carts can become an unattractive facet of retail operation when not actively managed and the outside storage of said carts

and parking lots with shopping carts strewn around can detract from even the most attractive building design, the following standards have been developed:

- (a) Any retail business that uses shopping carts outside of the building shall have a Commission-approved Shopping Cart Management Plan.
- (b) Shopping carts cannot be stored outside overnight.
- (c) Shopping carts used at grocery stores shall be returned by employees to the interior of the store after use by the customer.
- (d) Failure to maintain the standards of the Management Plan will be subject to enforcement as a zoning violation.

(Added 2/1/2015)

31.1.10 **Determination of Compliance:** In the event of doubt as to whether the proposed use will conform to the above performance standards, the ZEO shall disapprove the application for a Zoning Permit. The applicant for a Zoning Permit may apply to the Zoning Board of Appeals for a determination as to compliance with the performance standards.

31.2 **Parking and Loading:** Parking and loading spaces shall be provided off the street for any use of land, buildings and other structures in accordance with Section 33, unless otherwise noted.

(Amended 2/1/2015)
