

## Section 10

### Site Plan Review

- 10.1 General: Within the context of Site Plan Review, it is intended that the site plan for each use be prepared with due consideration for the purpose and intent of these Regulations, coordination with and improvement of systems for vehicular and pedestrian access, drainage, water supply, sewage disposal, lighting, landscaping, wetlands, watercourses, buildings and other features that support the neighborhood; and protection of the public health, safety, welfare, property values and the environment.

“The designation of a particular use of property as a permitted use establishes a conclusive presumption that such use does not adversely affect the district and precludes further inquiry into its effect on traffic, municipal services, property values or the general harmony of the district.” [Connecticut Land Use Law and Practice, Fuller, pg 193, 2007] Under Site Plan Review, this applies **unless** a use also requires a Special Exception. For those uses, there is a presumption that there will not be an adverse effect on the district only if they meet the additional standards in the section that applies. If the requirements below that are limited to on-site impacts conflict with those in the Special Exception or Special Permit, the latter prevail for uses requiring approval under those sections.

(Amended 1/1/2012)

- 10.2 Construction and Development Standards: The construction of driveways, parking areas, drainage, and other site improvements shall conform to the applicable provisions of the “Construction and Development Standards of the Town of Clinton, Connecticut” (hereinafter referred to as the “Construction Standards”, together with the following additional standards:

- 10.2.1 Driveway Access: The proposed access shown on the site plan shall meet the requirements of the Construction Standards and the following:

- (a) Vehicular access to the lot shall be made in such manner as to safeguard against hazards to traffic and pedestrians in the street and on the lot and to avoid traffic congestion on any street.
- (b) The site shall be designed so as to minimize the impact of any additional traffic created by the site.
- (c) If the frontage or other physical features of the site do not provide optimal conditions for traffic, then traffic controls within the street, such as turning lanes, may be proposed by the applicant.
- (d) Access driveways shall be designed to avoid back-up of entering vehicles within any street.
- (e) Where appropriate, provisions shall be made for continuation and improvement of streets terminating at the lot where the use is to be located.

(Amended 1/1/2012)

- (f) The site plan shall provide adequate access to the site and all structures located on the site for fire protection purposes and emergency vehicles.

(Amended 1/1/2012)

- 10.2.2 Existing Streets: Where the lot fronts on an existing street, adequate provision shall be made for slope and drainage rights, for improvement of shoulders and sidewalks within the right-of-way of the street and for the provision of curbs and sidewalks in accordance with the Construction Standards as approved by the Board of Selectmen.

(Amended 1/1/2012)

10.2.3 Drainage:

- (a) Storm drainage shall be planned and designed to conform to the Construction Standards where applicable.

- (b) Provision shall be made for the collection and discharge of stormwater on the lot in such manner as to assure the usability of off-street parking and loading spaces and to avoid stormwater flow across sidewalks and other pedestrian ways.

- (c) The applicant shall demonstrate to the Commission that all necessary easements exist or have been obtained where stormwater will not be managed on-site.

(Amended 1/1/2012)

- (d) The applicant shall provide easements, in locations deemed proper by the Town's Engineer, for town drainage and drainage facilities existing on the subject site or constructed as a result of development of the site.

- 10.2.4 In the event that there is a conflict between the Regulations and the technical requirements of the Construction Standards, the Commission shall determine the appropriate standard after consultation with the Town's Engineer.

10.3 Sanitation:

- 10.3.1 The site plan shall provide for the sewage disposal requirements of the proposed use.

- 10.3.2 On-site sewage disposal and water supply systems shall be designed and constructed with due regard for applicable Town or State laws. If approval by the Town and/or State Health agencies cannot be obtained prior to a decision on the application by the Commission, an approval by the Commission may be conditioned upon approval by the Town and /or State health agencies.

(Amended 1/1/2012)

- 10.3.3 Provision shall also be made for the collection, storage and disposal of solid wastes accumulated in connection with the proposed use and for control of litter by means of receptacles, fences or other means approved by the Commission.

- (a) For residential property of more than three living units and all commercial/industrial uses, a dumpster placed on private property for the purpose of any solid or liquid waste material shall be shielded on three sides by a fence, or similar barrier, so that the dumpster is not visible from any Town or private roadway by passing vehicular or pedestrian traffic.  
(Amended 1/1/2012)
- (b) Only one entrance or access to the dumpster will be permitted, with the other three sides sufficiently shielded from view.  
(Amended 1/1/2012)
- (c) The dumpster must be located on private property and not on the public highway or on the Town's property.  
(Amended 1/1/2012)

#### 10.4 Wetlands:

- 10.4.1 The site plan shall provide for the protection of inland wetlands and watercourses on the lot in accordance with the recommendations of the Inland Wetlands Commission.
- 10.4.2 The site plan shall also provide for the protection of tidal wetlands on the lot in accordance with the recommendations of the Office of Long Island Sound Programs/DEEP and the Town of Clinton.  
(Amended 1/1/2012)

#### 10.5 Underground Utility Lines:

- 10.5.1 New electric and telephone wires on the lot shall be installed underground when the distribution system that is on the street and serving such lot is located underground.
- 10.5.2 New wires on the lot that are fed by the overhead distribution in the street shall be installed underground unless the Commission determines, based on a written report from the applicant, that such underground installation is inappropriate or not feasible for all or part of such lot, taking into account:
  - (a) The type of service existing on other lots in the neighborhood;
  - (b) Topographic and construction conditions; and
  - (c) The extent of building construction proposed under the site plan.
- 10.5.3 If the application is for a change of use and there is to be no change to the structure's footprint or to the ground coverage, new wire on the lot already fed by overhead lines may also be run overhead.

#### 10.6 Special Standards: The following Special Standards shall apply to uses permitted in Business District B-2 subject to approval of a Site Plan:

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(Amended 1/1/2012)

- 10.6.1 Any addition to, extension or alteration of an existing building originally designed as a house shall preserve the character of the existing building as a house.
  - 10.6.2 Any new building or other structure shall be of such character as to be consistent with the historic architecture prevalent in the District and to harmonize with existing buildings in the District originally designed as houses.
  - 10.6.3 The entire area of the lot required for a setback from a street line shall be landscaped, except for necessary access drives, with lawns and shrubs and trees.
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