

Year Morris

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Site Plans

Considerations/suggestions to P and Z:

Mission Statements do seem to carry impact re: Litchfield. Litchfield's focuses on its 57 mile town environmental, scenic and historic resources.

Citing council approved a solar farm on No. Lake St. but Litchfield P and Z did negotiate with the citing council. Solar farm was in without all the necessary vegetation and sound barriers in but it was addressed quickly (even w/o changes to ordinances- per agreement w citing council).

Ordinances changes in effect in Litchfield Nov. 6 2025.

Agrivoltarics: Should this be considered mandatory with solar farms: benefits include: improved microclimates, reduces temperature extremes, protects from excessive sun, and reduces water evaporation from soil.

This is an opportunity to help farmers and utilize solar: farming generate \$200. Acre. Combine with solar and it is upwards of \$900. Per acre. Has been shown to triple crop yields.

California, Minnesota Habitat Friendly Solar Program, Solar Synergy Program (free seeds /connects local beekeeper), and Indiana. The solar farm gets an incentive per kilowatt hour when implemented (government). Colorado

Litchfield: compatibility w/ neighborhood  
can't be detrimental to health  
must protect environmentally sensitive areas  
contaminants  
design considerations

\* OT - Green Skies Onond + E Windsor \* Agrivoltarics!

P and Z meeting

12/4/25

### Solar farm development in Morris

Mission Statement: to promote sustainable solar energy while eliminating health and quality of life concerns for residents, ensuring environmental protections, and preserving town character.

*As an agricultural community, we would like to limit our solar development to working with companies who are committed to agrivoltarics and ecovoltarics.*

*To maintain town character and community life we would like to limit solar farm development to no more than 2% of property in our town limits.*

Environmentally Friendly: any solar development needs to protect water reserves, soil, and wildlife. Environmental best practices need to be incorporated into all development. It also needs to control noise, glare, traffic, and maintain appropriate distances in all its operations.

Items in this category: Vegetation and noise buffers (noise can't exceed 50 d at the solar side of property line), set back requirements from property lines, watershed protections are essential, farm land preservation, fencing needs to be 18' off ground, native planting and pollinator pathways should be incorporated, and anti-glare measures. This should also include size limits for solar farms (*nothing to exceed 50 acres*). *This is what is in other towns are setting as a limit.*

Materials used in construction should be sustainable, safe materials. Native plantings and pollinator pathways should be incorporated.

Permitted zones for solar: Solar should be prohibited in residential, historic, wetland, watershed, and flood plain areas, and forests.

Design and construction standards: Panel spacing is important to water runoff and vegetation. Panels also need to be elevated. No panel can be perpendicular or it will affect flow concentrations and drainage.

Operational Requirements: Panel size, wattage, number and generation decisions should all be made in the collective best interest. The solar farm operator is responsible for compliance with all requirements.

Noise from condensors shall not exceed 50 decibels.

No permanent light should be allowed- it should be motion sensored for wild life.

Fencing needs to be 18 inches off the ground.

If there are issues/problems the solar developer is responsible to address concerns in a timely manner.

If property values are affected by the solar farm, the developer is responsible to compensate affected homeowners.

Approval Process: Multiple public hearings should be held to ensure community members have opportunity for participation.

Should a solar farm make modifications to their plan a new application and permit process should begin.

Enforcement and Penalties: If there are any violations or the solar operator fails to meet the environmental requirements it could result in penalties, fines and revoking of permit.

The town may conduct periodic inspections with associated costs to be borne by the solar operator.

therefore, the stabling of horses shall conform to all regulations of Local and State Health Authorities. Toilet facilities shall be provided for in accordance with local health requirements for normal operations as well as for horse shows and similar activities. If the Commission determines that the proposed activity may pose a threat to groundwater, the Commission shall require appropriate provisions to prevent groundwater contamination in accordance with the groundwater protection requirements in these regulations.

4. Adequate perimeter fencing shall be installed and maintained to reasonably contain the horses within the lot.
5. Fire control facilities for the barns, buildings and other facilities used for normal operations as well as for horse shows and similar activities shall be acceptable to the fire marshal.
6. The use of public address systems, the conduct of the instruction of rider, training of horses and the spectator participation in competitions, should be modulated and continuously controlled in order to avoid becoming a nuisance to surrounding neighbors as determined by the Commission.
7. No building or manure pit used for or in conjunction with the operation shall be located in a manner that any part thereof shall be less than 100 feet from the nearest line of any road, street or highway abutting the lot or any side and rear lot line. Riding rings and corrals shall not be within 50 feet of any residential use.
8. The use of temporary buildings or trailers for the stabling of horses in excess of 15 days is prohibited.
9. The area should be landscaped so as to harmonize with the character of the neighborhood. The land shall be so maintained that it will not create a nuisance as determined by the Commission. The manure storage area shall be so screened that it will not be unsightly. There shall be no storage of supplies outside of permanent building, except that the storage of wood chips used in the open is permissible, provided there is no conflict with Paragraph c above.
10. There shall be no external flood lighting which is objectionable, either due to brightness or to direct transmissions outside of the lot where it originates, as determined by the Commission.
11. The Commission may require the posting of a bond to guarantee the cost of construction and improvements.

## **5.25 - Public Utility Facilities**

Any public utility facility subject to local zoning authority in accord with Connecticut General Statutes Section 16-235 shall require a Special Exception. This includes any steam plant, gas plant, gas tank or holder, water tank, electric substation, antenna or earth station receiver of any public service company where such facility is not subject to the jurisdiction of the Connecticut Siting Council.

1. Special Exception Criteria and Standards for all Utility Facilities:
  - a. Wherever possible public utility facilities shall be located in the RC district. Where a public utility facility is proposed in a residence district the applicant shall provide documentation that the facility is not feasible or suitable for location in the RC district.
  - b. The applicant shall demonstrate that the location and size of the proposed site was selected to minimize the visual impact of the proposed facility on surrounding residential areas.
  - c. The site plan for all public utility facilities shall include all of the following:
    - i. landscape plan prepared by a registered landscape architect which shall show how the facility will be screened from surrounding residential uses to the extent feasible in consideration of the height of the facility;
    - ii. existing tree scape and other natural features to be preserved to screen the view of the facility from public streets and surrounding residential areas.

2. The minimum lot size for an electric substation in a residence district shall be three acres. Yard requirements shall be as provided for in the residential district in which the facility is located. Front, side or rear yard shall not be developed or used for equipment or storage.
3. The Floor Area of any water or sewer pumping station shall not exceed 300 square feet.

## **5.26 - Special Structures: Solar Energy Systems**

1. Purpose: These provisions are intended to promote the safe, effective, and efficient use of solar energy systems.
2. Definitions:
  - a. **Solar Collectors-Roof Mounted:** A solar energy system that is installed upon, or is part of, the roof of a building or structure and which consists of solar panels, shingles, or tiles. This shall include systems that are attached to the roofs of porches, sheds, carports, and covered parking structures.
  - b. **Solar Collectors-Wall Mounted:** A solar energy system installed on the side of a building or structure and which consists of solar panels, shingles, tiles, or thermal water heaters. This shall include systems that are integrated as awnings.
  - c. **Solar Collectors- Ground Mounted:** A solar energy system that is mounted on the ground to hold solar panels up at affixed angle as well as systems that enable tracking of the sun via manual or automatic methods.
3. Solar Collectors – Roof Mounted: Solar collectors attached to a roof are allowed (no Zoning Permit required) in all districts provided that:
  - a. No portion of the solar collector shall extend beyond the perimeter of the roof on which it is mounted.
  - b. No portion of the solar collector, in combination with the building height, shall exceed the applicable maximum building height (in feet), as set forth in these Regulations for the zoning district.
  - c. The collector is in accordance with Section BB.5.
4. Solar Collectors – Wall Mounted: Wall mounted solar collectors are allowed (no Zoning Permit required) in all districts provided that the collector complies with the setback requirements and is in accordance with Section BB.5.
5. Solar Collectors – Ground Mounted:

Note: unless otherwise approved by the Commission by granting of a Special Exception, ground mounted solar collectors count to the building coverage limit in each zoning district and such installations may be constrained by the size of the lot and the amount of existing coverage. It is the responsibility of the applicant to demonstrate that the coverage limitation will not be exceeded or to apply for a Special Exception.

  - a. Ground mounted solar collectors are permitted by Site Plan Approval in all residential zones and all commercial zones except that a Special Exception shall be required if:
    - i. The building coverage limit for the zoning district is or will be exceeded by the building(s), solar collectors, and other structures on the property.
    - ii. The property is in a local historic district.
    - iii. The ground mounted solar system is located between the building and the street.
    - iv. Any part of a ground mounted solar collector exceeds 15 feet in height.
    - v. The proposed location is in an area identified on the Natural Diversity Database as maintained by the Department of Energy and Environmental Protection.
    - vi. The ground mounted solar collector installation will occur on pre-development slopes of 15 percent or steeper.
  - b. Ground mounted solar collectors shall be located so that no portion of the structure is within the required setback for the zone.

- c. All electrical and other connections to ground mounted solar collectors shall be located underground.
- d. An application for a ground mounted solar collector shall be accompanied by a site layout plan of sufficient detail and such other information as necessary to determine compliance with setback requirements and other provisions of these Regulations. For a Special Exception application, the Commission may waive the requirement that the plan be signed and sealed by an appropriate professional if the site layout plan provides sufficient detail and accuracy, as determined by the Commission.
- e. The site layout plan shall show the location of the solar collector(s), relevant setbacks and property lines, and existing structures (as applicable).
- f. No Zoning Permit shall be issued for a ground mounted solar collector unless the Torrington Area Health District has signed off on the location relative to septic location, well location, and any other applicable provisions of the Health Code.

## 5.27 - Special Structures: Communications Facilities

1. **Purpose and Intent:** The following establishes standards and requirements for communication facilities and sites in order to regulate the placement of antennas, towers, and other related facilities in a manner that will protect the Town's visual quality, safeguard the community and:
  - a. to require information necessary to evaluate a proposed facility;
  - b. to establish locations least disruptive to the public health, safety and welfare of the Town and consistent with the Town Plan;
  - c. to minimize adverse visual effects through proper design, siting and screening;
  - d. to avoid potential damage to adjacent properties;
  - e. to minimize the height and number of towers, especially ground mounted towers; and
  - f. to provide for the orderly removal of abandoned antennas and towers.
2. **Use Regulations:**
  - a. **Exemptions:** The following are exempt from these regulations:
    - i. Repair and maintenance of towers and antennas.
    - ii. Antenna(s) used solely for residential household television and radio reception.
    - iii. Satellite Antenna(s) measuring two meters or less in diameter and located in commercial districts and satellite antenna one meter or less in diameter regardless of location.
  - b. **Permitted Facilities:** The following regulated facilities are allowed as a Permitted Use, subject to the issuance of a Zoning Permit:
    - i. A regulated facility proposed on an existing structure as within a flagpole, steeple, chimney, or similar structure.
    - ii. A regulated facility proposed on an existing structure including, but not limited to, a guyed, lattice, or monopole tower, fire tower or water tower, provided the installation does not increase the height of the existing structure.
    - iii. Antenna(s) located on an electric transmission and distribution tower, telephone pole and similar existing utility structure, provided there is no more than a 20 foot increase in the height of the existing structure as a result of the installation. Such 20 foot increase in height shall not be permitted on a utility structure located within the Litchfield Historic District, the Milton Historic District, Northfield center or East Litchfield center as set forth on a map on file in the Planning and Zoning Office or within 150 feet of the pavement of any Town road or State highway proposed for or designated as a Town scenic road or State scenic highway.
    - iv. Building (roof or side) mounts with antenna(s) provided such facility does not project more than ten feet above the building or height limit of the zoning district within which the facility is located. However, such mount may locate on a building or structure that is legally non-conforming with respect to height provided it does not project above the existing building or structure height, or more than ten feet above the height limit of the zoning district within which it is located.

**d. Hearings:** The Zoning Board of Appeals shall hold public hearings on all appeals and applications for variances and shall publish a notice of said hearing in a newspaper of general circulation within the Town in accordance with the General Statutes of the State of Connecticut.

**6.6 - Special Exceptions.** Those uses, specified in each district as requiring a Special Exception (SE), are so special as to require review and approval on an individual basis. Special Exception approval is required prior to the establishment, re-establishment or change of the Special Exception on a lot. The Commission shall have the authority to approve, deny, or approve with conditions all applications for Special Exceptions. No permit shall be issued by the Building Inspector until the Commission has approved the Special Exception and a Zoning Permit has been issued. On approval, the Commission may require a performance bond from the property owner for commercial and multifamily developments to assure completion of all the requirements of the regulations and granted approvals are met.

**a. Required Submittals for Special Exception:** Completed Special Exception application with an original signature of the owner of the property and/or the owner's designated representative accompanied by the required application fee. Where a site plan is required to fully evaluate the application for Special Exception, the following will be submitted:

1. Four (4) full size (24" by 36") sets of plans at a scale of no less than one-inch equals 40 feet, signed and sealed by a Registered Land Surveyor licensed to practice in Connecticut;
2. Ten (10) reduced size (11" by 17") sets of the same materials; and
3. One (1) electronic set of the same materials in PDF format;
4. All additional documents submitted to the Commission shall be in an electronic format and one (1) paper copy for the file.

The Commission or Zoning Enforcement Officer may waive the site plan only when it is determined a plot plan adequately shows the proposed activity and its impact on neighboring properties, parking or any other conditions related to the Special Exception standards or requirements.

**b. General Standards of Review:** All determinations of the Commission for Special Exceptions shall be made in accordance with the objectives of these regulations and shall be consistent with the purpose and intent expressed herein that in each case the proposed building or structure or the proposed use shall not aggravate a traffic hazard, fire hazard or panic hazard, block or hamper the town's patterns of highway circulation; and depreciate the value of property in the neighborhood or be otherwise detrimental to the neighborhood or its residents or the neighborhood's essential characteristics.

**c. Specific Review Standards:**

1. **Compatibility.** The proposal is in harmony with the neighborhood, accomplishes a transition between areas of like and unlike characteristics, protects property values, preserves, and enhances the appearance and beauty of the community, and provides a harmonious relationship between existing and proposed development. Special consideration should be given to scale and proportion and should include design elements that are attractive and suitable for the site, are compatible with the style of other buildings in the immediate area and will not alter the essential characteristics of the neighborhood. Special consideration should be given to existing elements including historic features, site topography, native vegetation, stone walls and any other site features that contribute to the overall appearance of the neighborhood. Every effort should be made to protect and when necessary, adaptively reuse historic structures. In determining neighborhood compatibility, the Commission shall also refer to the Design Review Guidelines contained in Permits, Approvals and Exceptions, Section 6.9.

2. **Location.** The location of the proposed Special Exception use is such that the proximity of the use will not have a detrimental effect upon any place of worship, school, library, public playground or similar facility or use; and the number of similar existing Special Exception uses in the vicinity is such that the granting of the proposed Special Exception will not be detrimental to public health, safety and welfare of the immediate neighborhood.
3. **Traffic.** Vehicular and pedestrian traffic projected as a result of the use, including traffic to and from the vicinity of the use, will not be hazardous or detrimental to pedestrians, vehicles or the character of the district or neighborhood. In making its determination, the Commission shall consider the proposed location, the size and layout of the Special Exception use, its nature and the intensity of operation, its relationship and impact on local streets and the adequacy of proposed traffic flow controls and emergency access. The Commission shall give due consideration to any recommendation by the Town Engineer regarding the adequacy of any town road proposed to be used for access. The applicant may be required to provide a traffic study related to the project's connection to town streets and/or DOT roadways impacted by the proposal with a statement as to the following:
  - a. Adequacy of emergency vehicle access to proposed buildings and structures providing for emergency vehicle response, including but not limited to fire and ambulance equipment.
  - b. The design of access points with town roads and interior roadways shall be two lanes, with width and shoulder dimensions approved by the Town Engineer. Alternative locations for access and egress may be required if it is believed to be in the interest of public safety due to existing conditions, including but not limited to, shared access/egress and/or restricted turning movements.
  - c. The Commission may deny any proposed development which causes the level of service (LOS) on a roadway to fall below LOS C.
4. **Parking:** The number, location and arrangement of off-street parking and loading spaces shall meet the requirements of these regulations, as stated in Section 4.4. Off-street Parking and Loading shall be adequate for the proposed use and shall consider the impact of parking location and design on adjoining properties. Consideration should be given to the appearance of the neighborhood for compatibility to prevent having an adverse effect on property values. Special design consideration shall be required when the proposed project is within or abuts a residential zone. Implementation of design elements, such as landscaping, fencing, berms, or a combination of elements should be employed to create characteristics that are in keeping with the neighborhood. The use of a mixture of native trees, shrubs, fencing and other elements are required to create an attractive and harmonious appearance.
5. **Environmental Impact:** Consideration should be given to the built environment when designing a proposed project. A description of existing natural features shall be submitted, including but not limited to specimen trees, shrubs, plants and/or animal habitat, along with a description of the terrain. Consideration will also be given to the impact of the development on water run-off from slopes and other conditions, such as soil composition, that could impact the site and surrounding properties. Every effort should be made to protect environmentally sensitive areas through easements, landscape buffers or other means to protect the visual integrity of the natural environment. The Commission may require conditions of approval for environmentally sensitive areas within the project site which may include increasing the depth of required buffer zones. To provide for reasonable conditions and to safeguard sensitive environmental areas, a Conservation easement may be required for the purpose of:
  - a. Protection of valuable vegetation, including specimen trees, wildlife habitat, scenic and/or historic resources.
  - b. Protection of wetlands, watercourses, and aquifers;
  - c. Prevention of uncontrolled storm-water runoff due to terrain related conditions such as steep slopes and poor or problem soils;
  - d. Creation of open space for passive recreational areas to protect farmland, wildlife habitat and corridors, wetlands, and other natural features as vistas and views;
  - e. Assuring protection for sufficient volume and quality of water supply;

- f. Providing measures for control of storm water run-off and disposal of wastes;
- g. Providing methods that foster an energy efficient layout and landscape plan.

6. **Containment of Hazardous Materials:** The Commission shall be satisfied that the applicant has shown the adequacy of proposed measures for the prevention of pollution of surface and drinking water supplies and shall consider the effect of the proposed activity on the quality and quantity of groundwater. The Commission may consider potential problems related to the site, including, but not limited to, the following:

- a. Hazardous material and storage areas;
- b. Existence of underground fuel storage facilities;
- c. Location of floor drains;
- d. Size, location and quality of run-off from parking lot areas;
  - i. Any other proposed use that may adversely affect the quality or quantity of groundwater.

e. **Note:** Where hazardous materials may be used or generated or where the activity may otherwise threaten groundwater, the applicant must comply with the provisions of the Groundwater Protection, Section 4.2, and the Commission may not approve any Special Exception for such activity unless it makes a finding that the Groundwater Protection Plan will adequately protect groundwater. Land uses normally associated with the use of hazardous materials or which otherwise pose a high risk to groundwater quality by the nature of their operation include but are not limited to:

- i. institutional uses such as schools, colleges, trade schools, hospitals, nursing homes, high density housing developments (more than one dwelling per 1/2 acre site); large scale retail commercial development;
- ii. medical, veterinary, and similar professional offices;
- iii. commercial retail processors; furniture strippers;
- iv. dry cleaners; photo processors, beauty shops;
- v. appliance repair shops; auto body and service stations;
- vi. machine shops; industrial manufacturing, research and storage facilities;
- vii. waste disposal practices utilizing land treatment including landfills, lagoons and bulky waste sites.

If there will be discharges of hazardous materials associated with the Special Exception use such that a discharge permit will be required from the Connecticut Department of Environmental Protection (DEEP), this Special Exception shall be valid only during the time that such a discharge permit is in effect.

7. **Additional Required Submittals:**

- a. Plan showing the location of all buildings, proposed signs, parking, lighting, landscaping, restricted areas, such as easements and wetlands, as applicable;
- b. Detailed site development data for the zoning district showing the requirements of the regulations have been met;
- c. Approvals from all governmental agencies required to review the proposal, including but not limited to, fire marshal, building inspector, Water Pollution Control Authority (WPCA), Water company or Health District, Town Engineer, DOT. The commission shall be satisfied that the applicant has shown the ability to provide for the adequacy of:
  - i. proposed methods for disposal of wastes;
  - ii. provision for volume and quality of potable water supply;
  - iii. measures to control storm water run-off, discharge and drainage to conform to accepted engineering criteria, any appropriate regulatory agency and these regulations;
  - iv. proposed methods to foster an energy efficient layout and landscape plan;

- v. existing fire and police protection, transportation, water and sewer facilities, schools or other public facilities to meet the needs of the proposed use;
- vi. the existing power service to the site to provide for the power needs of the proposed use. Where a development application involves changes or upgrading of power service to the site, the Commission may require that the applicant provide a letter from the power company or power distribution company that the existing power infrastructure is adequate to meet the new power demand;
- vii. All the land on the lot together with such detail of adjacent properties as will relate the proposed development to the neighborhood and to street traffic patterns within 500 feet;
- viii. Proper and adequate provision for vehicular access and egress related to emergency vehicles, parking and loading of delivery vehicles, waste collection, and control of access to roadways;
- ix. The relation of proposed buildings to the existing and estimated future development of the property and/or the neighborhood;
- x. Photographs, illustrations, elevations, and renderings of the proposed buildings and project area sufficient to clearly show the proposal;
- xi. Floor plans of all proposed structures for both commercial and residential proposals, showing square footage of habitable floor area, including accessory structures;
- xii. Provision for adequate sewage disposal provided by connection with a public sewer or through use of a private facility. Such private facility shall have been deemed adequate by the Torrington Area Health District and/or DEEP where applicable and in the case of public sewers, approval by Litchfield's WPCA;
- xiii. Plans for utilities: electricity, telephone, internet, private or public sewer and public water shall be shown and in the case of new construction or major reconstruction of a site, whether commercial or residential, utilities shall be underground.
- xiv. Detailed provision for containment of pollution of surface and groundwater as a result of activities on the lot, including refuse collection facilities, oil and grease traps where required, and appropriate sumps and points for sampling;
- xv. Location of wetlands, private and public drinking water supplies, and where appropriate, the boundary of the Wellfield Protection Zone and the boundaries of the aquifer/recharge areas as identified by Town maps.

**d. Design Considerations:**

1. **Suitable Structures/Elements for Use:** Any proposed structures, their size, scale and proportion, pedestrian and vehicular accessways, lot fixtures, and lighting shall be compatible with the surrounding neighborhood and appropriate for the location. The architectural style, location and height of any proposed structure and the nature and extent of landscaping on the lot shall be appropriate for the proposed use and will not have a detrimental effect on neighboring properties.
2. **Building Design:** The design and architectural style of project buildings should be compatible and consistent with neighborhood development. Buildings should be constructed of traditional, high-quality building materials common to Litchfield (for example, clapboards, brick and stone for buildings, shingle and metal for roofs) shall be used as the building material. Modern materials that have the same visual characteristics are acceptable. In all cases attention must be paid to the detail at corners, trim at openings and whenever there are abutting materials. Where masonry foundation materials are used, the types of stonework, brick or any other material should be consistent with those commonly used in Litchfield. Long-term maintenance requirements shall be a consideration in the selection of all building material. The following materials are prohibited: highly reflective metal or plastic panels, brushed aluminum, internally illuminated translucent surfaces, non- textured concrete block, untreated plywood, EIFS (i.e. Dryvit), and similar materials. T-111 is permitted for accessory structures such

as sheds and barns. Where portions of proposed buildings located in the C-202 or RC zones are not visible from a public way or a residential zoning district, the Commission may approve alternative materials.

**e. Application Procedure for Special Exception:** The requirements for considering Special Exception applications shall be as set forth in the Connecticut General Statutes, including the requirement for conducting a public hearing. The Commission may require the applicant to submit a site plan with their application.

1. No later than ten days prior to the date of the hearing (the date of the hearing may be included in calculating the ten-day notice requirement), the applicant shall send by Certificate of Mailing a notice, in the form prescribed by the Land Use Office and the Planning and Zoning Commission.
2. The notice shall include the date and time of the public hearing, sent to the record owners of lots, as shown on the Assessor's records, within 150 feet in all directions from the subject lot's perimeter boundary, including lots located across the street.
3. Prior to commencement of the public hearing the applicant shall present the electronic return receipts to the Commission as evidence of meeting this requirement.

**f. General Statement:**

1. As-Built Requirement. Before a Certificate of Compliance is issued or surety released "as built" drawing of completed site improvements, including any underground utilities and lines, shall be submitted to the Commission or the Zoning Enforcement Officer for acknowledgement and sign-off as to compliance with the approved Special Exception and Site Plan.
2. Installation. All site development work and auxiliary facilities, sewer, parking area, landscaping and planting, and recreation areas and related facilities must be installed prior to the issuance of a Certificate of Zoning Compliance or, in the discretion of the Zoning Enforcement Officer, a signed document guaranteeing completion by a specified date. The Commission or the Zoning Enforcement Officer may accept surety in a manner acceptable to the Town Attorney, guaranteeing completion of improvements, which because of weather or other conditions, cannot reasonably be completed before a Certificate of Compliance might otherwise be properly issued.
3. Expiration of Site Plan Approval. All work in connection with a site plan shall be completed within the period provided for in Connecticut General Statutes, Section 8.3k. The site plan shall include an approval block which shall state the date of Commission approval and the date on which such period expires in accordance with the requirement of the Connecticut General Statutes. Failure to complete all work within such period shall result in automatic expiration of the approval of any such site plan. "Work" for the purpose of this requirement means all physical improvements required by the approved plan.

**g. Modifications:** All proposed modifications shall be brought to the attention of the Zoning Enforcement Official (ZEO) in writing and shall be submitted to the Land Use Office for review. Minor changes may be approved by the ZEO and reported to the Commission or submitted to the Commission for review. Minor changes shall be slight alterations which can be deemed compliant administratively by the ZEO. Major changes (additional building area, alteration of building location) shall be submitted to the Commission for additional review and approval. The ZEO and/or Commission reserves the right to require the applicant submit a new application and re-engage the approval process should they deem the modifications to be significantly different (such as change of use) from the previously approved project.

## **6.7 - Site Plan Review and Approval.**

The purpose of a Site Plan Application is to enable a detailed review of all proposed development for which Site Plan Approval shall be required, thus ensuring compliance with these Regulations and to promote the health, safety, and the general welfare of the town of Litchfield.

**a. Review Required:** Permitted uses identified as requiring a Site Plan "SP," shall not be established or re-established and no improvements shall be constructed, moved, enlarged, or substantially altered until a site plan has been approved and a Zoning Permit issued in accordance with the requirements of this section. Where site plan review is required, the Zoning Enforcement Officer shall not issue a Zoning Permit until the site plan has been reviewed and authorized by the Planning and Zoning Commission. The Commission or Zoning Enforcement Officer may waive certain requirements where it determines that such information is not necessary to evaluate compliance with these regulations.

**b. Application:** A Site Plan Application shall be submitted to the Land Use Administrator along with the required fee(s) as provided in the town Ordinance fee schedule to cover the cost of administration. Submittals required:

1. Four (4) full size (24" by 36") sets of plans at a scale of no less than one-inch equals 40 feet, signed and sealed by a Registered Land Surveyor licensed to practice in Connecticut;
2. Ten (10) reduced size (11" by 17") sets of the same materials;
3. One (1) electronic set of the same materials in PDF format;
4. All additional documents submitted for review to the Land Use Administrator and/or Planning and Zoning Commission shall be in an electronic PDF format along with one (1) printed copy;

Where the site plan proposes changes to grading or includes construction or reconstruction of site improvements, including but not limited to vegetation, drainage or storm water structures, parking lot or driveway improvements, additional information deemed necessary by the Commission to conduct a reasonable review of the application may be required. Site Plan Application activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the applicant shall submit an application to the Inland/Wetlands Commission not later than the day such application is filed with the Commission. Where Inland/ Wetland review is required, the application to the Planning and Zoning Commission cannot be approved until the Inland/ Wetlands Commission decision has been rendered.

**c. Site Plan Application Submittal Requirements:**

1. Plans showing both pre and post development of the parcel including location of all structures, signs, parking, lighting, landscaping and any easements or encumbrances on the parcel along with site contours at intervals of ten feet or less;
2. Location of wetlands, private and public drinking water supplies, and where appropriate, the boundary of the Wellfield Protection Zone and the boundaries of the aquifer/recharge areas as identified by Town maps;
3. Location of sewer lines or in the case of private septic, septic fields, and underground lines;
4. Proper and adequate provision for vehicular traffic, service roads, control of entrances and exits to highways, parking and loading within the site;
5. All the land within the lot shall be shown, together with such details of adjacent properties as to show the project's compatibility in scale and proportion with the neighborhood and the proposal's access and egress to the street including existing traffic patterns within 500 feet;
6. Statement as to adequate provision for safe water supply. Water connected to a public system requires approval from Aquarion or other public water utility and if by well, approval by Torrington Health District prior to issuance of a zoning permit and a certificate of compliance;

7. Adequate sewage disposal provided through connection with a public sewer or through use of a private facility. Such private facility shall have been deemed adequate by the Torrington Area Health District, when a site plan of the lot is approved;
8. Location of underground utilities, electricity, telephone;
9. Storm water management plan designed by a Connecticut licensed professional addressing pollutant reduction, ground water recharge and runoff volume reductions;
10. Construction details for the management of proposed erosion and sedimentation control measures;
11. Provision for facilities required to prevent pollution of surface and groundwater resulting from activities on the lot, including but not limited to refuse collection facilities, oil and grease traps where required, and appropriate sumps and points for sampling along with a maintenance plan for the facilities;
12. The number and type of proposed buildings as well as any accessory structures and/or green space.

**d. Access Management:** This section is intended to ensure that adequate provision shall be made for vehicular access to the proposed development and circulation upon the lot to safeguard against hazards to traffic and pedestrians in the street and upon the lot to avoid traffic congestion and to provide safe and convenient circulation upon the lot. The Commission may require a traffic study when conditions warrant such analysis. The following criteria and standards shall apply to access plans for proposed new developments:

1. Consideration of pedestrian safety is paramount in any new access planning;
2. The number of driveways onto public streets shall be minimized;
3. The sharing and interconnecting of driveway between adjacent uses is encouraged;
4. The street giving access to a proposed development shall have traffic carrying capacity and be suitably improved to accommodate the traffic generated by the proposed use;
5. Where necessary provisions shall be made for turning lanes, traffic directional islands and traffic signals and control within the street;
6. Access driveways shall have sufficient capacity to avoid queuing of vehicles on any street;
7. Roads shall be designed in accordance with the Town Road Ordinance;
8. Provision shall be made for access to buildings and other structures by fire, police, and other emergency services;
9. For all non-residential development and all multi-family residential development, consideration shall be given to the provision of sidewalks and the use of the property by pedestrians, bicyclists, handicapped individuals, and transit users.

**e. Environmental Considerations:** A description of existing natural features shall be submitted, including but not limited to specimen trees, shrubs, plants and/or animal habitat, along with a description of the terrain. Consideration should be given to protect environmentally and historically sensitive areas through easements, landscape buffers or other means to protect the visual integrity of the natural environment where possible including:

1. Protection of valuable vegetation, specimen trees, wildlife habitat, scenic and/or historic resources;
2. Protection of wetlands, watercourses, and aquifers;
3. Prevention of uncontrolled storm-water runoff due to terrain related conditions such as steep slopes and poor or problem soils.

The Commission may require conditions of approval for environmentally sensitive areas within the project site. To provide reasonable conditions and to safeguard sensitive environmental areas, a Conservation easement may be required.

**f. Landscaping:** Landscape plans and the provision of landscaping pursuant thereto are intended to preserve and enhance the character, appearance and beauty of the Town and to accomplish transition between areas of unlike characteristics. Landscaping is intended to provide privacy from noise and visual intrusion, control erosion and excessive run-off of

stormwater and avoid depletion and pollution of water resources. The following standards and guidelines shall be followed in creating landscape plans:

1. Preserve existing trees, vegetation and site features such as stone walls and rock outcrops to the maximum extent possible;
2. Maximize use of native species;
3. Provide street trees in front yards and along roads and driveways to create shade canopy;
4. Screen and shade parking areas;
5. Provide landscape islands in parking areas to provide shade and for stormwater management;
6. Screen residential areas from non-residential development.

**g. Additional Review Requirements:** The following criteria is required for all site plan applications:

1. The relationship of proposed buildings to any existing and/or estimated future development of the property or within the immediate neighborhood;
2. Proper provision for the protection of existing residences and neighborhoods through the use of landscaping, fencing, berms or buffering, around buildings and in parking areas;
3. The location and design of accessory recreational or utilitarian/maintenance structures, refuse containers, mail receptacles, lighting, and signage;
4. Floor plans related to proposed uses within commercial structures, dwelling units/apartments and any other interior spaces within buildings showing the square footage of habitable floor area within each structure, as well as square footage within accessory structures;
5. Illustrations, elevations, and renderings of the proposed buildings and project area sufficient to clearly show the proposed development and its compatibility with neighboring properties;
6. Plans shall follow the design review guidelines with respect to overall site design, architectural design, landscaping, lighting and signage.

**h. General Statement:** Design considerations including building design and landscaping are subject to review by the Design Review Advisory Committee Section 6.9 – Design Review and shall be consistent with the historic qualities of the Town of Litchfield.

1. **As-Built Requirement.** Before a Certificate of Compliance is issued or surety released, an "as built" A-2 survey of completed site improvements, including any underground utilities and lines, shall be submitted to the Commission or the Zoning Enforcement Officer for acknowledgement and sign-off as to compliance with the approved Site Plan and where applicable, Special Exception approval.
2. **Installation.** All site development work and auxiliary facilities, sewer, parking area, landscaping plantings, and recreation areas as well as related facilities associated with an approved Site Plan must be completed/installed prior to the issuance of a Certificate of Zoning Compliance or, at the discretion of the Zoning Enforcement Officer, a signed document guaranteeing completion by a specified date. The Commission or the Zoning Enforcement Officer may require surety in a manner acceptable to the Town Attorney, guaranteeing completion of improvements, which because of weather or other conditions, cannot reasonably be completed before a Certificate of Compliance might otherwise be properly issued.
3. **Expiration of Site Plan Approval.** All work in connection with the site plan shall be completed within the period provided for in the Connecticut General Statutes. The site plan shall include an approval block which shall state the date on which such period expires in accordance with the requirement of the Connecticut General Statute Section 8.3k. Failure to complete all work within such period shall result in automatic expiration of the approval of any such site plan. "Work" for the purpose of this requirement means all physical improvements required by the approved plan.

**i. Modifications:** All proposed modifications shall be brought to the attention of the Zoning Enforcement Official (ZEO) in writing and shall be submitted to the Land Use Office for review. Minor changes may be approved by the ZEO and reported to the Commission or submitted to the Commission for review. Minor changes shall be slight alterations which can be deemed compliant administratively by the ZEO. Major changes (additional building area, alteration of building location) shall be submitted to the Commission for additional review and approval. The ZEO and/or Commission reserves the right to require the applicant submit a new application and re-engage the approval process should they deem the modifications to be significantly different (such as change of use) from the previously approved project.

## 6.8 - Erosion and Sediment Control Plans.

**a. When Required:** A Soil Erosion and Sediment Control Plan shall be submitted for certification by the Commission with any application for development when the cumulative disturbed area is more than one-half acre. A single-family dwelling that is not part of a subdivision of land shall be exempt from these soil and sediment control regulations. A lot in a subdivision shall be subject to the requirement for an erosion and sedimentation control plan both as part of the subdivision plan and as part of this application for a zoning permit. The applicant shall describe in mapped and narrative form the measures to be taken to control erosion and sedimentation both during and after construction. The plan and its specific measures shall be based upon the best available technology and shall be in accordance with the principles and the minimum standards of the Connecticut Guidelines for Erosion and Sediment Control (1985), as revised.

**b. Submission Requirements:** Mapped information as required below shall be shown separately or as part of the site plan. Said plan shall contain but not be limited to the following:

1. A narrative describing the following:
  - a. Development project
  - b. Time schedule for:
    - i. All major construction activities indicating the anticipated start and completion of development.
    - ii. Creating and stabilizing disturbed areas.
    - iii. Grading operations.
    - iv. Applying erosion and sediment control measures and facilities onto the land.
    - v. Design criteria, construction details, detailed installation/application procedures and maintenance program.
    - vi. Soil erosion and sediment control measures.
  - c. A map at a sufficient scale to show:
    - i. A location plan showing the site at a scale of 1 - 1,000.
    - ii. Existing and proposed topography including soil types, wetlands, watercourses and water bodies.
    - iii. Within the disturbed areas topography contours shall be at no less than two feet contour intervals based upon field survey.
    - iv. Proposed site alterations and disturbed area, including cleared, filled or graded areas.
    - v. The sequence of grading, construction activities, installation of erosion and sediment control measures and final stabilization.
  - d. Review of Certification: The Commission shall either certify that the Soil Erosion and Sediment Control Plan complies with the requirements and objectives of this regulation or deny certification when the development proposal does not comply with these regulations. Nothing in these regulations shall be construed as extending the time limits for the approval of any application under Chapters 124, 125A, and 126 of the Connecticut General Statutes. Prior to certification, any plan submitted to the Commission may