

Amend Article IV 193-27, Table of Area and Dimensional Requirements for the I-3 Zone

Zone	Minimum Lot Area Sq Ft	Minimum Lot Frontage Feet	Minimum Front Yard Setback Feet	Minimum Rear Yard Setback Feet
I-3	1 acre	40 feet on private road 200 feet on Town or State Road	40 feet on private road 75 feet on Town or State Road	20 feet 50 ft if abutting a Residential Zone*
	Minimum Side Yard Setback Feet	Maximum Lot Coverage (percent)		
	20 feet 40 ft if abutting a Residential Zone*	40%		

*Note the Commission may reduce the side yard or rear yard setback by Special Exception to not less than 20 feet.

Amend Article IV Section 193-30B, Side yard setback requirements for lots in a business or industrial zone where the lot abuts a lot in a residential zone. Add: When an I-3 Zone property’s side yard abuts a lot in a residential zone, a 40 foot side yard shall be required and a landscaped buffer zone **may** be provided and approved by the Planning and Zoning Commission. If an I-3 Zone property’s rear yard abuts a lot in a residential zone, a 50 foot rear yard shall be required and a landscaped buffer zone **may** be provided and approved by the Planning and Zoning Commission. The Commission may further reduce the side yard or rear yard setback by Special Exception approval to not less than 20 feet.

Amend Article IV Section 193-35, Driveway regulation, add new Subsection 193N: In an I-3 Zone the Planning and Zoning Commission may allow up to 3 lots to share a driveway with access off a private street. The common driveway shall be under the ownership of one lot or jointly owned by all lots. The applicant shall submit an easement for the shared use of such accessway if not jointly owned. The easement shall be reviewed and approved by the Town Attorney at the applicant’s expense. The approved deed or covenant shall be filed with the Town Clerk. The Commission shall be assured that the ownership responsibility for maintenance improvements and liability associated with the common driveway shall remain private. Such assurance shall be in the form of documents prepared in accordance with the Connecticut Common Interest Ownership Act, which documents shall be reviewed and approved by the Town Attorney at the applicant’s expense.

Amend Article IV Section 193-36, Signs, add new Subsection 193-36 E: In an I-3 Zone the Planning and Zoning Commission may allow by special exception an off-site free standing sign, not to exceed 120 sq ft in size listing the occupants of a commercial subdivision or business park.

The proposed revisions to the Barkhamsted Subdivision Regulations are as follows:

Amend Article V, Section 170-25, Site Development Plan, add new Subsection D: In a non-residential subdivision the applicant shall prepare a Site Development Plan to demonstrate to the Commission that each lot is suitable for development. The Site Development Plan accompanying the record subdivision map is a conceptual plan that shall demonstrate each lot meets the minimum requirements for the I-3 Zone and can support a building, driveway, associated parking, septic system, and water supply. Prior to development of each lot the property owner shall, obtain site plan approval in accordance with Zoning Regulations Article VII, Section 193-40 of the Zoning Regulations, based on a specific tenant use and building design.

Amend Article VI, Section 170-38, Street classification and planning, add new Subsection B (3): No new Town streets are allowed in the I-3, Industrial Zone. Private streets shall be approved by the Planning and Zoning Commission and Board of Selectmen. The private street shall be constructed in accordance with the Town of Barkhamsted, Streets Specifications Ordinance, Article II, except 166-14D, private streets in the I-3 Zone, may be constructed with twenty-four feet of pavement with four-foot shoulders in both cut and fill areas, constructed and centered between the limits of a fifty foot right-of-way. The Town Engineer shall review the construction plans at the applicant's expense. **The use of a pre-existing road may be allowed by Special Exception and approved by the Board of Selectmen.** The private street and any other common elements in the subdivision shall be owned by a common interest ownership association in accordance with the Connecticut Common Interest Ownership Act (COIA). The Commission shall be assured that the ownership responsibility for maintenance improvements and liability associated with the common driveway shall remain private. Such assurance shall be in the form of documents prepared in accordance with the Connecticut Common Interest Ownership Act, Chapter 828 of the Connecticut General Statutes. The documents shall be reviewed and approved by the Town Attorney at the applicant's expense and filed with the Town Clerk along with the record subdivision map. In addition:

- a. All lot owners shall be a member of COIA or owner's association. Each owner shall have an undivided interest in the private street or other common interest elements.
- b. Applicants shall provide the Commission with copies of the proposed deed covenants. Grantees, heirs, successors and assigns of the property owners shall be obligated and subject to all covenants in the deed, to share with all other property owners in such expenses and these obligations must include all future deeds for the property. The documents shall empower the Town to take all necessary measures to assure compliance with all responsibilities

related to the private street or other common elements, including but not limited to assessment of the association and individual property owners for all costs incurred for such purposes.

- c. These covenant provisions shall appear on the record subdivision map. It shall be the responsibility of the applicant to legally establish the owners association. The Common Ownership Agreement or Owner's Association Agreement Each lot served by a private street shall have a deed restriction indicating that the Town of Barkhamsted is not responsible for maintenance of the private street.

Note: the above Article VI, Section 170-38, Street classification and planning, Subsection B (3) is consistent with the recommendations in the 2007 Plan of Conservation and Development, page 17, "Private Roads":

The Commission should consider amending its regulations to allow private roads in industrial and commercial developments. Changes in yard setbacks, lot coverage, sign requirements and other standards could make this option attractive to developers. Private roads would relieve the Town of maintenance costs and provide "out of sight" development.

**ARTICLE III
Uses Permitted**

193-27. Table of Uses Permitted by Zone

The Table of Uses Permitted by Zone shall be as follows:

Use	RA-2	B-1	B-2	RC/PVC	I-1	I-2	I-3
Agricultural							
All agricultural uses including livestock	P	P	P	P	P	P	
Financial							
Banks		P	P	P			
Financial Institutions		S	S	P			
Industrial							
Small machine shops, no more than 3 persons employed		S	S	S	P	P	P
Warehouses, no outside storage				S	P	P	P
Manufacturing, processing and assembly of goods, all facilities within a building				S	S		P
Manufacturing, processing and assembly of goods				S		S	P
Contractor shop and storage yards, including outside storage* EFFECTIVE 4/2/01			P		P	P	P
Sale and storage of fuel						S	S
Indoor Storage			P		P	P	P
Sale and storage of building materials						S	
Exterior Bulk storage						S	S
Public Utility Garages						S	S

Uses where waste, discharged or salvaged materials are bought, sold, exchanged, or baled, packed, disassembled or handled, including auto wrecking and used lumber

						S	S
Use	RA-2	B-1	B-2	RC/PVC	I-1	I-2	I-3
Research laboratories					S	S	

Institutional

Cemeteries	S	S	S	S	S	S	
Churches	S	S	S	S	S	S	
Public utility stations	S	S	S	S	S	S	S
Energy generation facilities (e.g. wind turbines; may exceed maximum height and area requirements in Art IV)	S	S	S	S	S	S	S
Municipal or similar public buildings	S	S	S	S	S	S	
Day-care facilities (other than family/group as defined in CGS)	S	S	S	S	S	S	
Public and private schools with a state license	S	S	S	S	S	S	
Public and semipublic institutional uses				P			

Office

General	P	P	P	P	P	P	
Professional	S	P	P	P	P	P	
Real estate, Insurance	S	P	P	P	P	P	
Investment broker	S	P	P	P	P	P	
Manufacturing sales representative	S	P	P	P	P	P	
Non-display sales	S	P	P	P	P	P	
Education, charity & civic	S	P	P	P	P	P	
Other offices similar to the above	S	P	P	P	P	P	

Recreational

Shooting ranges, turkey shoots, hunting clubs, or any event involving the discharge of a firearm inside or outside of a building		S	S		S	S	
Private commercial recreational campsites		S	S		S	S	
Other non-profit recreation	S	S	S	S	S	S	
Non-profit golf and member clubs	S	S	S	S	S	S	

Theaters				S			
Indoor recreation facilities such as bowling alleys, tennis courts, handball, racquetball, exercise or health facility or similar recreational facilities		S	S	S	S	S	
Temp. permit- One day special event	P	P	P	P	P	P	P
Temp. permit- More than one-day special event	S	S	S	S	S	S	P
Residential							
Single family detached	P			P			
Duplexes, 2 family *EFFECTIVE 11/3/03			S	S		S	
Residential clusters (see Article IX)		S					
2 or more family residences as conversions of existing buildings					P		
Accessory buildings (see 193-30F)*EFFECTIVE 10/15/02	P			P			
Day care, group/family as per the CGS	P						
Satellite transmission/receiving devices (to the rear of dwellings and not within any required yard setback)	P						
Home occupations *EFFECTIVE 10/4/01	S			S			
Accessory apartments *EFFECTIVE 10/4/01	S			S			
Bed and breakfasts *EFFECTIVE 10/4/01	S			S			
Efficiency Unit/Apartment *EFFECTIVE 3/15/07		P	P			P	P
Retail sales and/or service							
Shops, general		P	P	P			
Small retail shops EFFECTIVE 7/28/2000		P	P	P		S	
Drug, food, bakery or dairy		P	P	P			
Small shopping centers (less than 5,000 sq. ft.)		P	P				

Shopping centers (greater than 5,000 sq. ft.,
determined by outside building dimensions)

Use

Art galleries, dance studio or similar artistic
educational or instructional use

Restaurant, low-turnover (See Article VIII)

Restaurant, high-turnover (See Article VIII)

Printing and publishing

Repair services and businesses, including repair of
bicycles, radios, televisions and other home
appliances and similar uses

Retail Sales and Storage

Auto, mobile home and recreational vehicle sales,
repair and services *EFFECTIVE 7/1/01

Auto service and repair stations

Auto washes, subject to report from registered
professional engineer on the impact on
groundwater

Sales and storage, contractor equipment

Wholesale business

Temporary roadside stands (See 193-38C)

Other

Aircraft landing fields

Parking of Commercial Vehicles

Veterinary hospitals

Commercial and private kennels

Earth excavation (See Article IX)

Fences and walls (See 193-65c)

Temporary trailers (See 193-38A&B)

	RA-2	B-1	B-2	RC/PVC	I-1	I-2	I-3
			S				
Art galleries, dance studio or similar artistic educational or instructional use		P	P	P			
Restaurant, low-turnover (See Article VIII)		S	S	S	S	S	
Restaurant, high-turnover (See Article VIII)		S	S		S	S	
Printing and publishing			P				P
Repair services and businesses, including repair of bicycles, radios, televisions and other home appliances and similar uses			P				
Retail Sales and Storage							S
Auto, mobile home and recreational vehicle sales, repair and services *EFFECTIVE 7/1/01		S	S				S
Auto service and repair stations			S	S			S
Auto washes, subject to report from registered professional engineer on the impact on groundwater			S				
Sales and storage, contractor equipment			S				
Wholesale business		S					
Temporary roadside stands (See 193-38C)	P	P	P	P	P	P	P
Other							
Aircraft landing fields		S					
Parking of Commercial Vehicles	P/S	P	P	P/S	P	P	P
Veterinary hospitals			S				
Commercial and private kennels			S				
Earth excavation (See Article IX)	S	S	S	S	S	S	S
Fences and walls (See 193-65c)	P/S			P/S			
Temporary trailers (See 193-38A&B)	P	P	P	P	P	P	P

Wireless communication facilities (See 193-62) Towers (See 193-62a)	S	S	S	S	S	S	S
Use	RA-2	B-1	B-2	RC/PVC	I-1	I-2	I-3
Hospital and health care facilities which are subject to approval of Certificate of Need by the State Commission on Hospitals and Health Care and licensing by the State of CT Dept of Public Health Services	S	S	S	S	S	S	
Country Inns (See Article VIII)	S	P	P	S	S	S	

Key

P=Permitted

S=Special exception

Blank=Not permitted

*=allowed in these zones only where no site is feasible in zones designated as a Special Exception use.