

Proposed Draft Text Amendment on Article II of the Woodstock Zoning Regulations.
Proposed Text Amendment: **Bold red** text is proposed new language, ~~strikeouts~~ are proposed deletions.

Public Hearing to be held on: July 20, 2017 at 7:45 p.m.

Town of Woodstock Zoning Regulations

Article II. Definitions

A. Scope

~~This section shall control the definition of all terms relating to the Town of Woodstock Zoning and Subdivision Regulations.~~

Certain terms and words used in these Regulations shall be interpreted and defined as set forth in **the following this** Section. ~~Disclaimer: This list of definitions is applicable to all of Woodstock. but not all definitions may apply to both Subdivision and Zoning Regulations or applications.~~

This list of definitions is applicable to all Planning and Zoning matters in Woodstock; some are specific to Zoning matters and others to Subdivision Applications.

1. Words used in the singular shall include the plural, and vice versa. Words used in the present tense shall include the future tense, and vice versa.
2. The word “shall” is mandatory and not discretionary. The word “may” is permissive.
3. The word “structure” shall include the word “building”.
4. The word “lot” shall include “piece”, “parcel”, “plot”, “plat”, “lot”, “site”, “property”, and “premises”.
5. The word “person” shall include a(n) “individual”, “limited liability company”, “LLC”, “partnership”, “firm”, “association”, “incorporated association”, “trust”, or “corporation”, or any other similar entity.
6. The words “zone”, “zoning district”, and “district” shall have the same meaning.
7. The phrase “these Regulations” shall refer to the entire Zoning **and Subdivision** Regulations or to any Section or Subsection.
8. The word “Commission” shall refer to the Woodstock Planning and Zoning Commission”.
9. In the case of any difference of meaning between the text of a Regulation and any caption, illustration, or table, the text shall control.

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A

Accessory Apartment: A second dwelling unit, not to exceed the specified size in the standards for the applicable district, that is contained on the same lot as a single family residence and that is clearly subordinate to the main dwelling unit in terms of size and appearance.

Accessory Building, Structure, or Use: A building, structure, or use customarily incidental and subordinate in size and magnitude of use to the principal building, structure, or use and located on the same lot with such building, structure, or use. Accessory buildings, structures, or uses include, but are not limited to, garden shed or barn, guesthouse, private playhouse, private greenhouse, private swimming pool, home garden, nursery or greenhouse, outdoor retail sales, home occupation, residential accessory structure or use (garage, shed), solar energy system, temporary structure or use, tennis court, windmill, antenna (including dish or tower) and the like.

Access Point/Curb Cut: an opening along a curb line or other access point if there is no curb line at which point vehicles may enter or leave a roadway

Accessway: That portion of an interior (rear) lot extending from the street and providing width of the minimum lot frontage required under these Regulations. The width of the accessway shall be measured in a direction parallel to the front lot line.

Acre: One acre shall be forty three thousand, five hundred and sixty (43,560) square feet

Agriculture and Agricultural Uses: The terms "agriculture" and "agricultural uses" shall have all those meanings set forth in Section 1-1(q) of the Connecticut General Statutes, as amended, which, as of the date of enactment of these Regulations, included cultivation of the soil, dairying, forestry, raising or harvesting of any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals; and aquaculture, as defined below; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations; the harvesting of mushrooms, the hatching of poultry, the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging,

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processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term "aquaculture" means the farming of the waters of the state and the production of protein food, including oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands.

~~**Agricultural Easement: A conservation restriction stated in the form of an easement whose primary purpose is to retain land exclusively in agricultural and related use.**~~

Agricultural Easement: a conservation restriction whose primary purpose is to retain land exclusively in agricultural and related use.

Agricultural Production Purposes: Activities directly related to the production of agricultural commodities.

Antenna: A device used to receive or transmit electromagnetic waves. Examples include, but are not limited to whip, panel, and dish antennas.

Anti-tracking Pad: an area of stone underlain with filter fabric which is required to be installed at the entrance to all construction sites to minimize the off-site movement of soils by vehicles.

~~**A Plan of Open Space and Conservation (APOSC): Document prepared by the Woodstock Conservation Commission, accepted by the Town of Woodstock on June 20, 2001, updated December 3, 2003, and as may be amended from time to time.**~~

~~**Applicant: Any person, firm, corporation, partnership, or other legally recognized entity who shall apply to the Commission for approval of a subdivision, either on the Applicant's own behalf or as an agent for one or more others. Same as "Subdivider."**~~

~~**Application: A request for approval of a specific subdivision plan, including an Application form as may be prescribed by the Commission, accompanied by all supporting information, documents, reports, and the like required by these Regulations.**~~

Appraisal: an estimate or opinion of the value of real or personal property as determined by a person carrying the professional credential of Member, Appraisal Institute (MAI); **a Senior Residential Appraiser (SRA); or equivalent**

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Aquifer: a geological formation, group of formations, or part of a formation capable of storing and yielding ground water to wells or springs.

Aquifer recharge area: The surface land or water area through which an aquifer is replenished.

As-Built: a site plan showing where the actual physical construction of a building or other improvement is on the property in relation to the boundary lines and may include factors such as height of the building after it has been built, for purposes of evaluation for compliance with the Regulations or an approved subdivision, resubdivision or Special Permit.

Ash: bottom ash, air pollution control residue and other residuals of the combustion process

Average Daily Traffic (ADT) Count: a process by which engineers shall sample 3-7 days of traffic flow, based on the total daily traffic in both directions.

B

Banner: A piece of flexible material bearing a design, motto, slogan, etc. used as a sign.

Barn: a building primarily used for agricultural purposes and/or for the housing of agricultural or recreational livestock, as well as related materials such as feed and equipment

Bed and Breakfast: a dwelling, in which lodging and meals are offered or provided for compensation to one to twelve persons for limited periods of time not exceeding 30 consecutive days; the owner shall live on the property.

Berm: a mound or small linear hill constructed of earthen materials.

Best Management Practices (BMPs): A collection of preferred construction practices to minimize impact on the environment. These practices include those that require minimizing area of disturbance; erosion and sediment controls for the stabilization of disturbed soil, management of stormwater, etc. More details are provided in the Connecticut Guidelines for Soil Erosion and Sediment Control and in the Connecticut Stormwater Quality Manual by DEP as both may be amended.

Bond: A form of financial guarantee whereby sums of money are placed in escrow by

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the applicant, which may be used by the Town to complete and/or correct permitted activities provided the applicant does not complete and/or correct the permitted activities as approved.

Bonus Lot: A lot created pursuant CGS 8- 2g and 8-2i as may be amended; a density bonus for creating Affordable Housing

Buffer/Screening: an area, used to physically separate or screen one use or property from another so as to visually shield or block noise, lights or other nuisances thereby preventing spillover onto another property. This area may consist of natural materials such as trees, hedges, bushes, shrubs, or other plant life in addition to fences, walls, berms or any combination thereof, and shall be of a sufficient mass as to make the buffer opaque or become opaque within twelve (12) months. This buffer/screen may be located within or partially within the minimum setback requirement. See also Vegetated Buffer.

Buildable Area, Contiguous: the undivided area free of wetlands and watercourses, steep slopes, or pre-existing restrictive easements or other Restricted Lands.

Buildable Acreage, Gross: all land contained within a parcel, exclusive of wetlands and watercourses, steep slopes and pre-existing restrictive easements or other Restricted Land.

Building: Any structure having a roof supported by columns or walls and intended for shelter, housing, or enclosure of persons, animals, or things.

Building Height: shall be measured from the highest point of the foundation to the highest point of the roof. Ornamental or decorative features such as cupolas or weathervanes shall not be considered as part of this measurement.

C

Cape Cod Style Curbing: A low curb with a slope designed to be crossed easily (See appendix for schematic).

Campground: an area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents and recreational vehicle equipment, which is primarily used for recreational purposes, and retains an open-air or natural character; one example of a Commercial Recreation Facility.

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Cease and Desist order: written notification by the Commission or designee that an activity must be suspended in that it is viewed as harmful, or contrary to Regulations. The order is permanent or holds until a final determination of the legality of the activity has taken place.

Certificate of Zoning Compliance: A Certificate issued by the ZEO after an inspection to confirm that a structure or use is in compliance with the Zoning Regulations.

Change of Use: any use that substantially differs from the previous use of a building or land. A change in any use classification defined in these Regulations.

Church/House of Worship: a structure owned by a tax-exempt entity in which religious services are conducted

Cistern: a large receptacle for storing or reusing water which may be located below-grade, or on a rooftop or other area and may be for fire protection or for ecological uses.

Commercial Earth Excavation and/or Processing Operation: a business engaged in the removal and/or alteration of earth materials on site, including screening, washing and mixing with other approved materials for sale.

Commercial Recreation Facilities: Building and/or other facility designed and equipped for the conduct of sports and other customary leisure activities owned or operated by a for-profit entity.

Commercial use: an occupation, employment, or enterprise that is carried on for profit.

Commission: The Planning & Zoning Commission of the Town of Woodstock.

Common Interest Ownership Association: real estate described in a declaration by which a person, by virtue of ownership of a unit, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance, improvements, services and other expenses related to the property, per CGS 47-67 as may be amended.

Common/Village Green (in a VGD): a grassy plot or lawn of various possible sizes, usually in a key position, set aside for public use, which may be “accessed by right” by local people for sports, relaxation and other pastimes; a reflection of the traditional Town Square.

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Composting: A process of accelerated biological decomposition of organic material under controlled conditions.

Condominium: an estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with a separate interest in space in a structure, (a unit or more than one unit); in addition, a separate interest in other portions of the real property may exist.

Conservation Commission: the Woodstock panel of advisors regarding matters related to development, conservation, and supervision and regulation of natural resources, including water resources, with specific duties and responsibilities as enumerated by CGS as may be amended.

Conservation Easement: A conservation restriction pursuant to Connecticut General Statute 47-42(a), stated in the form of an easement.

Conservation Land: Areas of Protected Open Space approved by the Commission under the provisions of the Woodstock Subdivision Regulations, including that portion of the Gross Buildable Acreage of a subdivision permanently and legally protected and dedicated to conservation, open space or agricultural purposes.

Contiguous Buildable Area: see Buildable Area, Contiguous

Cottage in a Seasonal Resort: A detached single unit structure, designated as part of an overall Seasonal Resort, made up of a room or group of rooms containing cooking, sleeping, bathing and sanitary facilities and that is not occupied between November 30 and March 31. As a requirement of this designation, water service to the unit shall be turned off during the same period.

Country Inn/Inn: a for-profit establishment which provides temporary lodging as well as dining and beverage service to travelers and other short-term patrons, in a structure which has previously served as a residence or an accessory structure thereto.

Critical Watershed Land: areas defined as possessing one or more of the following characteristics: land within 250 feet of a reservoir or public water supply diversion; land within 100 feet of a tributary stream; wetlands associated with tributary streams; land subject to stream overflow; and land with slopes 15% or greater without significant interception by wetlands, swales and natural depressions between the slope and the watercourse.

Cul-de-sac: A street having only one outlet to another road, and having a circular, elliptical, or similar turnaround at its terminus.

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~~**Curb cut:** an opening along a curb line at which point vehicles may enter or leave a roadway~~

Curb Cut/ Access Point: an opening along a curb line or other access point if there is no curb line at which point vehicles may enter or leave a roadway

D

Date of Receipt: the date of the next regularly scheduled meeting of the Commission immediately following the date of submission of the Complete Application, request, petition or appeal, or thirty-five (35) days from the date of submission, whichever is earlier if there is any conflict between this provision and the requirements of 8-7d of the General Statutes, the provisions of the General Statutes as amended shall prevail.

Day Care Center, Child: a facility which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis for a part of the twenty-four hours in one or more days in the week.

Day Care, Family: Any dwelling unit where nine (9) or fewer children not related by blood, adoption, or marriage to the person who resides in and maintains the home are received for care, protection, and guidance during only part of the twenty-four (24) hour day, on a regular basis, for a minimum of ten (10) hours per week, and that complies with the requirements of the State of Connecticut. Every family day care home shall have a Certificate of Occupancy.

Day Care Home, Group: a private family home which provides a state licensed program of supplementary care to not less than seven nor more than twelve related or unrelated children on a regular basis for a part of the twenty-four hours in one or more days in the week

Detention basin /dry detention pond: Stormwater basin designed to capture temporarily hold, and gradually release a volume of stormwater runoff to attenuate and delay stormwater runoff peaks. Dry detention ponds provide water quantity control (peak flow control and stream channel protection) as opposed to water quality control and are frequently planted.

Development Land: The portion of Gross Buildable Acreage that is deemed available for development after the delineation of Conservation Land boundaries

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as required by ~~Chapter V and Chapter VI of these~~ the Subdivision Regulations.

Development Review Checklist: the form used to review Subdivision /Resubdivision and Special Permit Applications for compatibility with A Plan of Open Space and Conservation and for evaluating possible impacts of a proposed development on other factors of importance to the citizens of Woodstock. (See Appendix)

Digital Drawing / Media File: A digital record showing spatial details of a development. The information contained in the file shall conform to the Connecticut Grid System NAD 83 Datum; in either Autocad (.dwg), ESRI, or other compatible format.

Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Distribution Center: An establishment engaged in the receipt, storage, and distribution of goods, products, cargo, and materials, including transshipment by motor vehicles

Driveway: A paved or unpaved access strip of land providing a vehicular connector between the public right-of-way and the parking space or garage of a private or public property.

Driveway apron: an area at the juncture of a driveway with a street entrance.

Driveway, Approach: includes vehicle driveways, or any construction, removal, or alteration of grade or pitch within the taking lines of any Town Road.

Driveway, Common: A driveway that serves between two (2) and five (5) lots.

Dwelling: A structure or portion thereof that is used exclusively for human habitation.

Dwelling, Multi-Family: A building used or designed as a home or residence for two (2) or more families living independently of each other, exclusive of accessory apartments as defined in these Regulations.

Dwelling, Single-Family: A building designed for and occupied as a home or residence for not more than one family.

Dwelling Unit: Living quarters (including cooking space and at least one complete bathroom) designed for or used by one family. The term does not include recreational vehicles or seasonal cottages that are part of a seasonal resort.

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E

Earth: topsoil, loam, sand, gravel, clay, peat, rock or stone or any natural inorganic or organic matter derived from the earth's surface or subsurface.

Earth Materials: Any mineral, rock, natural soil, or fill, or combinations of such materials.

Easement: a non-possessory right, established by deed or other legal means, of one party to use a designated portion of a second party's land for a specific, limited purpose.

Easement/Restriction, Conservation: A non-possessory interest in real property imposing limitations or affirmative obligations, the purpose of which include retaining or protecting natural, scenic, or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use, protecting natural resources; maintaining air or water quality.

Environmental Review Team (ERT): a group of professionals assembled by the Eastern Connecticut Resource Conservation and Development Council which, at the request of the Commission, provides multi-disciplinary, non-partisan, expert, and project-directed advice and recommendations in terms of environmental aspects regarding a proposed development.

Erosion: The detachment and movement of soil or rock fragments or the wearing away of the land surface by water, wind, ice or gravity, including such processes as gravitational creep.

Erosion and Sediment Control Plan: a plan which sets forth measures to be undertaken for the control of erosion and sedimentation, to include, but not be limited to, drawings and descriptions sufficient in detail to establish clearly the location of areas to be stripped of vegetation and other proposed or unprotected areas; schedule of operations, including starting and completion dates for each major development phase, such as land clearing and grading, streets, sidewalks, utility and storm drainage installations, and the like; seeding, sodding or re-vegetation plans and specifications for all unprotected or un-vegetated areas; location and design of all structural sediment control measures, debris basins and the like; timing of all planned sediment control

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measures; and general information relating to the implementation and maintenance of the sediment control measures.

Erosion & Sediment Controls: natural or man-made materials installed by the developer/contractor on-site prior to disturbance of the topsoil or as required by the ZEO to stabilize earth materials, to minimize the erosion of the topsoil or other earthen materials and to filter runoff to prevent deposition of sediment elsewhere. The Controls shall be installed and maintained according to the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as may be amended. These controls include but are not limited to: properly installed silt fence, staked hay bales, mulch, temporary and/or permanent vegetative plantings and anti-erosion mats, etc.

F

Family: Any number of individuals regularly living together as a single housekeeping unit and doing their cooking on the premises; as distinguished from a group occupying a boarding or rooming house or hotel.

Farm: A parcel of land used for agricultural activities.

Farm/agricultural building: a permanent structure, not limited in size on agricultural land designed, constructed, and used to house farm implements, feed, agricultural or recreational livestock, or agricultural produce or products grown or raised on the premises.

Farm Stand: Any temporary structure (i.e., a structure that can be easily removed when not in use) used exclusively for the display or sale of agricultural products.

Fence: any artificially-created barrier of any material or combination of materials erected to enclose or define an area.

Finished Developed Area: That portion of a site subject to man-made change or improvements, including but not limited to landscaping, construction, building, enlargement or extension of buildings, utilities, parking areas, on-site traffic circulation areas/ driveways and impervious surfaces.

Fire Suppression System: a mechanical system designed and equipped to detect a fire, actuate an alarm and suppress or control a fire (usually in a multi-residential or non-residential structure)

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Fixture, Full Cut-Off: A luminaire or light fixture that does not allow any light dispersion or direct glare to shine above a 90-degree, horizontal position as designed.

Floating Zone: An unmapped zoning district where all the zone requirements are contained in the regulation and the zone is fixed on the map only after a zone change is approved.

Flood Hazard Area: Per CGS 8 – 2L as may be amended, the floodplain consisting of the floodway and the flood fringe area.

Floodlighting: Artificial light directed or diffused up or to the side so as to give an intense illumination over a rather large given area. (This term does not mean a single bulb, commonly referred to as a ‘floodlight’).

Floor area, Gross: the sum of the gross horizontal areas of all enclosed floors of a building, including cellars, basements, mezzanines, penthouses, corridors, and lobbies from the exterior face of exterior walls, or from the centerline of a common wall separating two buildings, but excluding any space with a floor-to-ceiling height of less than six feet six inches.

Floor area, Net: The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when these are used or intended to be used for human habitation or service to the public

Footcandle: A unit of illuminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

Fully Shielded Light: Any light fixture that allows control of light beams in any direction.

G

Gas Station: Any lot, building or part thereof, used for the sale of vehicular fuels and accessories and which may include facilities for lubrication, washing and the servicing of vehicles as permitted by a limited repairers license as defined in Chapter 246 of the CGS as may be amended.

Glare: Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

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Geographic Information System (GIS): a computer generated mapping system for collecting, storing, analyzing, and integrating information about physical and man-made features on a map.

Grandfathering: In instances where legally existing uses would become nonconforming as a result of changes in the Zoning Regulations, a use or structure may be allowed to continue as a conforming use through special provisions of the Regulations.

Green Requirements: Those Regulations (open space, impervious surface limitations, screening and landscaping requirements) that mandate that the land have some vegetative cover versus some impervious manmade covering (buildings, asphalt, cement, etc.).

Greenway: a continuous tract of open space set aside for recreation and natural resource management purposes, particularly along Critical Watershed lands and the adjacent steep slopes

Guest house: A detached accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises; such quarters having no kitchen facilities and are not rented to the general public or otherwise used as a separate dwelling.

Guidelines for Soil Erosion and Sedimentation Control, 2002 Connecticut: a document (DEP Bulletin ISBN 0-942085-10-8) prepared and amended by the Connecticut Council on Soil and Water Conservation in cooperation with the Connecticut Department of Environmental Protection.

H

Historic District: a geographically defined area which, while not a zone identified on the Woodstock Zoning map, is seen as possessing a significant concentration or continuity of landmarks, improvements, or landscape features united by historic events or physical development, and which area has been designated as an historic district; the district may have within its boundaries noncontributing buildings and other structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual character of the district. The Historic District Commission will be called upon for review of activity within its boundaries and to issue a Certificate of Appropriateness as per CGS as may be

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amended.

Home Occupation: the use of a property including a portion of a dwelling (or a building accessory thereto) for home-based business purposes by a resident of that dwelling.

Homeowner's Association: a formally constituted non-profit association or corporation made up of the property owners and/or residents of a fixed area which is responsible, through the sharing of costs, for owning, maintaining, and overseeing a common facility, common areas and open space

Horizontal Illuminance: The measurement of brightness from a light source usually measured in lumens, which is taken through a light meter's sensor at a horizontal position.

I

Illuminance, Horizontal: The measurement of brightness from a light source usually measured in lumens per square foot (footcandles), which is taken through a light meter's sensor at a horizontal position and varies with distance from the source.

Illuminate: to supply with or brighten with light; to cause an object to glow.

Illumination, Indirect: Illumination by reflected or diffused light.

Illumination, Internal: refers to the illumination of a sign by electronic means wholly contained within the sign.

Impervious/ impermeable materials: any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. See Porous Materials, and Permeable Materials

Impervious Surfaces: surfaces covered with a layer of material that does not allow the infiltration of rainfall, including, pavement, sidewalks, driveways or other surfaces that may become impermeable over time due to compaction.

Improvement: any alteration to the existing conditions of a parcel for the purpose of rendering the site more suitable for development and/or habitation. As used in these Regulations, improvements include but are not limited to construction and installation of roadways, curbs, gutters, utilities, street signs, monuments, shade trees, drainage

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facilities, **permanent** erosion and sedimentation control measures, structures, earth filling or removal, seeding and grading. See also Land Development Activities

Indirect Light: Illumination by reflected or diffused light.

Interior /Rear/Flag Lot: A lot having less than the minimum lot frontage required under these Regulations.

Inland Wetlands and Watercourses Agency (IWWA) or Agent: The municipal agency or authorized agent charged with implementing the Inland Wetlands and Watercourses Act (C.G.S. Sections 22a-36 through 22a-45) and Woodstock's Ordinance Concerning Inland Wetlands and Watercourses.

Internal Illumination: refers to the illumination of a sign by electronic means wholly contained within the sign.

J

Junk: dilapidated, scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, motor vehicles and parts thereof and other waste material that has been abandoned from its original use but which might be used again in its present or in a new form (as compared to trash).

Junkyard: As defined in CGS 13a-123c. as may be amended.

K

Kennel, Commercial: An establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained or sold, all for a fee or other form of compensation.

Kennel, Private: The keeping, breeding, raising, showing or training of four or more dogs over six months of age for the personal enjoyment of the owner or occupant of the property.

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L

Land Development Activities: Any man-made change or improvements to real estate, including but not limited to landscaping, construction, building, enlargement or extension of buildings, installation of utilities, parking areas, on-site traffic circulation areas/driveways, impervious surfaces, earth disturbance including grading, filling and excavation, installation of storm drainage and erosion and sediment control measures.

Landscaping: changing, rearranging or adding to the original vegetation or scenery of a property to produce an aesthetic or screening effect appropriate to the use to which the land is being put. It may include reshaping the land by grading, as well as preserving the original natural vegetation or adding vegetation.

Lawfully Existing/Legally Existing: Existing in accordance with any and all laws at or prior to a specific point in time, as capable of being substantiated by written documentation, such as assessor's records, Building Permits, Certificates of Occupancy, or health permits.

Light Industrial/Manufacturing Uses: Any of the following uses: research laboratories; manufacturing, processing, packaging or assembly of components or goods; warehouses; distribution centers; plumbing, heating, electrical, mechanical and general contracting establishments; and truck and freight terminals; and associated offices

Lighting, Outdoor: The night-time illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

Lighting Plan: a plan showing the location, height above grade, type of illumination, type of fixture, the source of lumens, and the luminous area for each source of light proposed

Light Pollution: Stray or reflected light that is emitted into the atmosphere, beyond the 90-degree horizontal plane. Dust, vapor and other pollutants reflect this light causing unwanted skyglow.

Light Trespass: Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.

Limits of Clearing: The boundaries of that area of land where some trees and other vegetation are proposed to be cleared in conjunction with a proposed development or land use

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Public Hearing to be held on: July 20, 2017 at 7:45 p.m.

Local Nonprofit Organization: a nonprofit corporation that exists solely to provide programs and services for the residents of Woodstock or persons seeking assistance from such organization located within the Town of Woodstock.

Lot: A designated parcel, tract, or area of land established by plat, subdivision, or as permitted by law, to be separately owned, used, developed, or built upon.

Lot, Corner: A lot having frontage on two intersecting streets.

Lot Depth: The mean distance from the street line of the lot to its rear line measured in the average direction parallel to the side lines of the lot.

Lot Line, Front: The line separating the lot from a public street right-of-way.

Lot Frontage: The length of the front lot line. In the case of corner lots, lot frontage shall be measured along both streets. For purposes of computing minimum lot frontage, the primary frontage must meet the minimum required.

Lot Line, Side: Any property boundary line that is not a front lot line or rear lot line. Where two lot lines extending from the front lot line intersect, both shall be considered side lot lines. In the case of a corner lot, all lot lines extending from the front lot line shall be deemed to be side lot lines.

Lot Line, Rear: The property boundary line that extends from the side lot lines and is generally opposite (farthest from) the front lot line. Corner lots may have two side lot lines and no rear lot line.

Low Impact Development: a site design strategy intended to maintain or replicate predevelopment hydrology through includes a suite of landscaping and site design techniques especially including the use of small-scale controls integrated throughout the site to manage runoff as close to its source as possible

Lumen: A unit of luminous flux. One foot candle is one lumen per square foot. For the purposes of this Regulation, the lumen output values shall be the initial lumen output ratings of a lamp.

Lumens, Exit: The net light output from a luminaire (light fixture) as measured in Lumens (supplied by manufacturer).

Luminaire: A complete lighting unit consisting of a light source, pole, and all mounting brackets, if appropriate, and all necessary mechanical, electrical, and decorative parts.

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Luminaire, Height of: The vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

M

N

Nature Center: An educational facility where the public may study plant and animal life by direct observation.

NRCS Soil Survey Maps: soils studies conducted and data compiled by soils scientists in the Natural Resources Conservation Service, under the auspices of the US Dept. of Agriculture.

NDDH: Northeast District Department of Health

Natural Resource Inventory: a survey of existing natural elements, including land, water, air, plant and animal life, and the interrelationship of these elements.

Nonconforming Development Standard: The dimensions of a lot, or a building, structure, or other lot feature (such as, but not limited to, parking, lot coverage, green space, etc.) located on the lot that was lawful when established but no longer conforms to the requirements of the zone in which it is located as set forth in the Zoning Regulation, because of adoption of a zoning amendment. The term “nonconforming development standard” is a broad category and can apply to

1. a nonconforming lot,
2. a nonconforming structure, and
3. a nonconforming lot feature. There are particular considerations with regard to each type of development standards.

Nonconforming Use: A continuous use of land or a structure which is currently not a permitted use in the district in which it is located, but which either legally existed at the time these regulations were first established, or which was a permitted use under these Regulations prior to their being amended. A use which is permitted by variance shall be deemed to be a non-conforming use.

Nonresidential Use: Uses other than single family, and multiple family dwellings,

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including but not limited to industrial, commercial, municipal and institutional uses.

Notable Stone: a large stone deposited in place by glacial activity, or an outcrop.

Nursery, Retail: an agricultural use and/or associated retail operation where the primary activity is growing, transplanting, storage, development of, and/or sale, either retail or wholesale, of flowers, plants, trees, or shrubs. This use may also include the sale of garden supplies, fertilizers and associated items.

O

Office, Business and Professional: space used primarily for conducting the affairs of a business, profession, service, industry, government, or like activity; it may include space used for services to office workers.

Off-Seasonal Use: Use between November 30 through and including March 31 of the following calendar year.

Open Space: A generic term for areas of land generally without human-built structures, including land in its natural or undeveloped state, land used for agriculture, and courtyards, plazas, and parks. Depending on the context and usage “open space” may have a more narrow or specific meaning. Open space is not necessarily accessible to the public.

Open Space, Protected: Areas of legally protected or conserved land on which land development activities are prohibited, including Conservation Land approved by the Commission under the provisions of the Woodstock Subdivision Regulations.

Open Space, PA-490: Areas of land granted current use tax treatment under the Connecticut land use value assessment law, Public Act 63-490 (“PA-490”), Connecticut General Statutes Sections 12-107 and 12-504. These lands are not necessarily protected open space or accessible to the public.

Outdoor Lighting: The night-time illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

Outdoor storage: the keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours.

Outdoor wood-burning furnace: an accessory structure or appliance designed to be

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located outside living space ordinarily used for human habitation and designed to transfer or provide heat, via liquid or other means, through the burning of wood or solid waste, for heating spaces other than where such structure or appliance is located, any other structure or appliance on the premises, or for heating domestic swimming pool, hot tub or jacuzzi water. "Outdoor wood-burning furnace" does not include a fire pit, wood-fired barbecue or chiminea.

P

Parcel: a piece or area of land normally described and recorded with the block and lot numbers, by metes and bounds, by ownership, or in such a manner as to specifically identify the dimensions and boundaries.

Parking Space: a space for the parking of a motor vehicle within a public or private area.

Penal institutions: A prison, penitentiary, or correctional facility; a place in which individuals are physically confined or interned and usually deprived of a range of personal freedoms.

Permeable/Porous Paving Materials: materials which are alternatives to conventional pavement surfaces and that are designed to increase infiltration and reduce stormwater runoff and pollutant loads. Alternative materials include modular concrete paving blocks, modular concrete or plastic lattice, cast-in-place concrete grids, and soil enhancement technologies. Stone, gravel and other low-tech materials can also be used as alternatives for low-traffic applications such as driveways, haul roads and access roads. Porous Pavement: similar to conventional asphalt or concrete but is formulated to have more void space for greater water passage through the material. See also Impervious/ Impermeable Materials/Surfaces

Permitted Use: any use allowed in a zoning district and subject to the restrictions applicable to the zoning district.

Phase/Phased Development: a portion of a development, divided for construction purposes into cohesive sections, such that all buildings, clusters of buildings, and their supporting improvements are capable of complete and self-sufficient existence under these Regulations, without the completion of subsequent phases

~~Plan of Conservation and Development (POCD): a document prepared by the Woodstock Planning and Zoning Commission in accordance with Section 8-23 of the Connecticut General Statutes, that establishes goals and priorities for growth and~~

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Public Hearing to be held on: July 20, 2017 at 7:45 p.m.

~~preservation in the Town of Woodstock, and which may be amended from time to time.~~

Plan of Conservation and Development (POCD): Document prepared by the Woodstock Planning and Zoning Commission that establishes goals and priorities for growth and preservation in the Town of Woodstock, updated in 2002 and as may be amended from time to time.

Plan of Open Space and Conservation, A (APOSC): a document prepared by the Woodstock Conservation Commission, as may be amended from time to time, delineating the conservation priorities of the Town of Woodstock.

Plan and Profile: the drawing(s) depicting respectively the horizontal and vertical design for street construction and drainage, and containing all information required to be submitted for approval as part of an Application

~~**Preliminary Plan /Preliminary Proposal:** a plan presented in advance of a formal application, as authorized by General Statutes 7-159b as amended. The presentation of the preliminary plan shall not constitute a "formal" application. The Commission's review of said preliminary plan and its comments, if any, shall not be binding or deemed to be the official "action" or "decision."~~

Preliminary Proposal: The preliminary map, drawing(s) and supporting data recommended by ~~Chapter III of~~ these Regulations, indicating the proposed layout of the subdivision.

Premises: A lot, plot or parcel of land including the buildings, structures and uses thereon.

Private Lane/Road: A street, road or other private way providing vehicular access which has not been accepted as a Town road. All maintenance, repair and legal liability for these roads are privately managed and not the responsibility of the Town.

Private Way: A lane, alley, discontinued street, abandoned street, farm road, woods road, historic cart path, trail or other unimproved way not generally providing vehicle access, excluding a Street or Private Road.

Purchase of Development Rights (PDR): the right to develop a property is severed from the ownership of the land when purchased for agriculture or conservation. This severance is a perpetual deed restriction required to be held up by future owners.

Q

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Public Hearing to be held on: July 20, 2017 at 7:45 p.m.

Quarry: a place where stone is excavated for use or sale; excavation frequently involves blasting or cutting.

R

Rain Garden: functional landscape elements that consist of shallow depressions planted with a selection of species that can withstand both drought and flooded conditions whereby the runoff is pooled for a few hours while the garden serves as a filter to treat the water by the absorptive action of the plants and recharges the groundwater in the process.

Reclamation: the restoration to conditions similar to what existed prior to the operation or that will be compatible with what existed prior to the operation on the area of land affected by mining under a reclamation plan. This may include but is not limited to, grading and shaping of the land, the planting of trees and shrubs, the seeding of grasses, legumes, or crops for harvest, or the enhancement of wildlife and aquatic resources.

Regulations: the Zoning and Subdivision Regulations, including amendments thereto, of the Town of Woodstock, Connecticut, together with the Zoning Map, Appendices and other documents which are integral to the documents.

Residential Building Lot: Any parcel which, in conformity with these Regulations, contains or may contain a dwelling (and may also contain a permitted accessory apartment or home occupation), and which does not contain and has not been approved for a nonresidential use.

Restoration: to bring the site to conditions similar to what existed prior to the operation or that will be compatible with what existed prior to the operation on the area of land affected by the earth and gravel operations under a Restoration Plan. This may include but is not limited to, grading and shaping of the land, planting of trees and shrubs, seeding of grasses, legumes, or crops for harvest, or the enhancement of wildlife and aquatic resources.

Restoration Plan: a plan which depicts how the project area will be restored, or altered for the productive use of the land, after the approved earth and gravel operation is complete.

Restricted Land: Property subject to a conservation easement; agricultural easement; conservation or preservation restrictions as defined by Connecticut General Statute 47-42(a); land legally dedicated for Open Space or land having

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Public Hearing to be held on: July 20, 2017 at 7:45 p.m.

other use restrictions legally limiting or preventing development.

Resubdivision: A change in a map of an approved or recorded subdivision or resubdivision if such change: (a) affects any street layout shown on such map; (b) affects any area reserved thereon for public use; or (c) diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or ~~of~~ recording of such map.

~~Resubdivision: as defined in CGS 8-18 and as may be amended.~~

Retail Commercial Use: Activity involving the sale or rental of goods, merchandise, or related services to the direct consumer; including buying and selling in person and online, and may include the assembly of such goods which is incidental or subordinate to the selling activities.

Retail Warehouse/Manufacturer's Outlet: a retail use operating from within a warehouse as an accessory use to the principle warehouse use or from a manufacturing facility as an accessory use to the principle manufacturing use.

Ridge Line (building): the intersection of two roof surfaces forming the highest horizontal line of the roof

~~Ridgeline (topographical): the highest elevation of a mountain chain or a line of hills~~

Right-of-Way: Any strip of land acquired by reservation, dedication, prescription or condemnation and used or intended to be used by specific persons or the public for a specific purpose or purposes. "Right-of-way" includes any public ways.

S

Scenic Road, Woodstock: a town-approved road that has been given official scenic designation through the process detailed by Woodstock Town Ordinance, effective May 15, 1986 and as may be amended from time to time, or similar designation by State or Federal agencies.

School Bus Shelter: a small, roofed structure, usually having three walls, located near a street and designed primarily for the protection and convenience of school bus passengers.

Seasonal Cottage Resort: A business consisting of a minimum of two-hundred and fifty (250) acres as part of a comprehensively planned and designed development

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operated by an identified management group. The seasonal cottage units may be occupied for a time period of up to seven (7) months between April 1 and November 30. Such a resort would also typically have associated guest amenities including, but not limited to, a community center, swimming pool facilities, convenience store and active and/or passive recreational facilities. The resort's management group would be responsible for operating and maintaining the complex, including providing year 'round maintenance and on-site security.

Seasonal Use: Use between April 1 through and including November 30 of the same calendar year.

Senior Residence Development (SRD): multi-family dwelling containing dwelling units *in which, each unit* is occupied by at least one person 55 years of age or older and none below the age of 16 years and in the case of municipal elderly housing by at least one person meeting the definition of "Elderly Persons" as set forth in Section 8-113a(m) of the Connecticut General Statutes as may from time to time be revised or amended.

Service Establishment: Any building or structure that is used for the performance of a lawful business or personal service,

Setback: The minimum required horizontal distance from any street line or lot line to the closest point of the building, structure or structural projection and measured in a straight line, most perpendicular to such street line or lot line.

Sign: any device or visual communication that is used for the purpose of bringing the subject thereof to the attention of the public.

Sign, Animated: any sign or part thereof that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation

Sign Area: the entire area within a contiguous perimeter, enclosing the extreme limits of sign display, including any frame, trim, molding or border, but not including the supporting structure. Curved, spherical, or any other shaped sign face shall be computed on the basis of the actual surface area. The calculation of a double-sided sign shall be the area of one face only. Double-faced signs shall be so constructed that the perimeters of both faces coincide and are parallel, and are not more than 24 inches apart.

Sign, Awning/canopy: a sign painted, stamped, perforated, or stitched, or otherwise applied on the valance of an awning.

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Public Hearing to be held on: July 20, 2017 at 7:45 p.m.

Sign, Billboard: A surface/sign whereon advertising matter of a commercial or non-commercial nature is set in view conspicuously and which advertising of the activity, the service rendered or the commodity sold does not apply to the premises or any use of the premises whereupon it is displayed or posted.

Sign, Bulletin Board: a sign that identifies an institution or organization on whose premises the sign is located and that contains the name of the organization as well as changeable announcements of events or activities at the institution

Sign, Directory: a business sign listing the tenants or occupants of a building along with their professions or business activities

Sign, Electronic Message Board: any sign that uses changing lights to form messages wherein the sequence of the messages and the rate of change is electronically programmed and can be modified by electronic process.

Sign Enhancement Features: any portion of a sign or structure intended to improve the physical appearance of a sign or to cause it appear larger in mass, including roofs, moldings, railroad ties, lattice, or other decorative features. For the purposes of these Regulations, all sign enhancement features will be included in the square foot calculation used to determine sign sizes and limitations.

Sign, Flashing: any sign which, by any method or manner of illumination either direct or indirect, flashes on or off, winks, or blinks with a variety of light intensity, shows motion, or creates the illusion of motion or revolves in a manner to create the illusion of being on or off.

Sign: Illuminated (external): shielded light sources, which are mounted as to illuminate the face(s) of the sign.

Sign: Illuminated (internal): refers to the illumination of a sign by electronic means wholly contained within the sign.

Sign: Indirect Lighting: Illumination by reflected or diffused light.

Sign, Non-conforming: a sign lawfully erected prior to the adoption of the current Zoning Regulations that does not conform to the requirements of the current Regulations.

Sign, Marquee: any sign made a part of a marquee and designed to have changeable copy, either manually or electronically

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Signs, On-site Informational: a sign commonly associated with information and directions necessary or convenient for visitors coming on the property, including those which mark entrances and exits, parking areas, circulation areas, restrooms, and pickup/delivery areas.

Signs, Portable: any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including but not limited to signs to be transported on wheels, sandwich board signs, and signs on balloons or table umbrellas.

Sign, Private Sale or Event: a temporary sign advertising private sales of personal property, such as a home, garage sale, rummage sale, yard sale and similar events, or private not-for-profit events such as a picnic, carnival, bazaar, art show, craft show or holiday sales event

Sign, Roof-mounted: a sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top edge or of the roof line of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof, or the deck line of a building with a mansard roof.

Sign, Searchlight: any use of lighting intended to attract the general public by the waving or moving of beams of light

Sign, Scoreboard: material on which a large area is used to post a score and other details of an athletic activity, the space being so designed as to allow for advertising or messages by entities other than the home sports team.

Sign, Vending Machine: any sign, display, or other graphic attached to or a part of a cash-operated or debit-card operated machine which dispenses food, beverages or other products

Sign, Window: a permanent sign that is painted or mounted onto a windowpane, or is hung directly inside a window solely for the purpose or effect of identifying any premises from the sidewalk or street; or a temporary sign advertising special sales, events or products

Site Plan: a physical plan showing the layout and design of the proposed use on a particular site together with the information the Regulations require for that use.

Slope: A measured vertical rise divided by a measured horizontal run.

Slope, Steep: A slope greater than ~~25%~~ **30% (thirty percent).**

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Soil Erosion and Sedimentation: involves a three-stage process: detachment, transport and deposition. Soil erosion is the wearing away of the surface of the land by the action of wind, water, ice, gravity and by mechanical means. The detached soil particles are transported and deposited elsewhere resulting in sedimentation.

Special Permit: a permit that, upon approval by the Commission, allows a property owner to put a property to a use which the Town Regulations expressly permit, under conditions specified in these Regulations.

Special Permit, Change of Use: applies to a change of use of a pre-existing non-residential use to another non-residential Special Permit use as defined by the Woodstock Zoning Regulations, but without alteration to the building/structure or parking lot.

Staff: town employees and designated contractual agents of the Town directly involved in the review, evaluation or processing of land use applications.

State Fee: as required under Connecticut PA 92-235 and amended by PA 03-06 and PA 04-144, and as may be further amended from time to time, a fee that shall be collected by the Town from any person, firm or corporation, other than a municipality, for any approval required by CGS Chapters 124 (Zoning), 126 (Municipal Planning Commission), 440 (Wetlands and Watercourses), or 444 (Coastal Management) as may be amended.

Storage Facility, Self: A building or group of buildings containing separate, individual, and private storage spaces of varying sizes available for lease or rent for varying periods of time.

Stormwater Pollution, Erosion & Sediment Control Plan: a plan which shows the control of stormwater pollution, erosion and sedimentation during construction of a site and afterwards.

Street: any public or private vehicular way, laid out and maintained in accordance with the laws of the State of Connecticut and the Regulations and ordinances of the Town, used for the travel of vehicles, which has been accepted at town meeting and actively maintained by the Town or has been approved by the Commission as part of an approved subdivision; including the street Right-of-Way (whether improved or not).

Street Line: The limit of the street or highway right-of-way; however, where such street line has not been established, it is deemed for the purposes of these Regulations to be a line parallel to and 25 feet distant from the center line of the travelled way or existing pavement.

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Public Hearing to be held on: July 20, 2017 at 7:45 p.m.

Structure: Anything constructed, erected or assembled that requires a location on, above or below the ground, or attachment to something having location on the ground.

Student: An individual who is enrolled or has made application and been accepted at an accredited secondary school located in the town of Woodstock and who is taking at least three courses per semester and whose primary occupation is as a student.

Student Housing: An existing dwelling unit occupied by Students and school personnel employed by the school in which the Students are enrolled or have been accepted.

Subdivision: As defined in CGS 8-18 and as may be amended. The division of a tract or parcel of land after the enactment of Woodstock Subdivision Regulations in August **31**, 1965.

Survey: Wherever, in these Regulations, references are made to types of surveys, e.g., Class A-2, C-1, or D, the classification definitions and standards of accuracy to be applied are the current definitions and standards adopted by the Connecticut Association of Land Surveyors, Inc. If any survey type or classification definition is eliminated from those definitions and standards, then the prevailing comparable survey type and classification definition shall apply.

T

Trash enclosure: an accessory structure where trash containers or recycling material containers or other type of waste or refuse containers are placed or stored, customarily located near the roadway of a residence, and utilized while awaiting commercial trash pick-up.

U

Underground Utilities: Phone, cable and all other services provided by means of wires placed in a trench or underground vault/conduit, which shall connect the street services to the buildings and structures on a parcel

Uplighting: Any light source that distributes illumination above a 90-degree horizontal plane.

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Use, Conforming:

- 1) Any use that is permitted by and complies with all of the requirements of these Regulations, including but not limited to the requirement for a Zoning Permit, Site Plan Review, or Special Permit;
- 2) any use or activity that has been issued a use variance by the Zoning Board of Appeals; and
- 3) any use that was lawfully in existence on the effective date of these Regulations, and that is listed as a permitted use or Special Permit use within its respective Zoning District under Article V of these Regulations.

Use, Nonconforming: Any use that does not meet the definition of a conforming use.

Use: The purpose or activity for which land or buildings are designed, arranged, intended or for which land or buildings are occupied or maintained

V

Vegetated Buffer: an area or strip of land designated as permanent undisturbed vegetation adjacent to a water body or other resource, building or structure, designed to protect resources from adjacent development during construction and after development by filtering pollutants from runoff, protecting water quality and temperature, providing wildlife habitat, screening structures and enhancing aesthetics, and in some situations, providing access for recreation.

Village Green Plan of Development: a site plan depicting the proposed activity within a Village Green Development, including the phases and construction details as listed in the application requirements

W

Waste: Solid waste, ash, refuse, and/or radioactive or hazardous waste, other than any Town of Woodstock solid waste disposal or transfer facility.

Watercourse: As defined in General Statutes Section 22a-38(16) as may be amended.

Water Table: the location beneath the ground where water-saturated rock or sediment

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Public Hearing to be held on: July 20, 2017 at 7:45 p.m.

is first encountered.

Wetlands: Land, including submerged land, as defined in this section, not regulated pursuant to sections 22a-28 through 22a-35, inclusive, of the Connecticut General Statutes, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and floodplain by the National Cooperative Soils Survey, as it may be amended from time to time, of the Natural Resources Conservation Service of the U.S. Department of Agriculture (USDA). Such areas may include filled, graded, or excavated sites which possess an aquic (saturated) soil moisture regime as defined by the USDA Cooperative Soil Survey.

Wildlife Sanctuary and/or Preserve: A reservation where animals including those that are considered exotic species as defined by the State of Connecticut, are sheltered and kept and may not be hunted or trapped.

Wireless Telecommunication Facility: The equipment and structures involved in receiving or transmitting electromagnetic waves associated with wireless telecommunication services.

Wireless Telecommunication Services: Services associated with the transmission and/or reception of wireless telecommunications. These services may include, but are not limited to cellular, personal communication services, specialized mobilized radio, and paging.

X

Y

Z

ZBA: Zoning Board of Appeals

ZEO: Zoning Enforcement Officer

Zoning Permit: A written approval from the ZEO or the Commission indicating an existing or proposed building, structure, or use is in compliance with these Regulations.

Zoning Regulations: The Zoning Regulations of the Town of Woodstock, Connecticut,

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which shall include the Zoning Map and all appendices

Zoo: A collection of wild animals, or a place where wild animals are kept for public showing, regardless of whether an admission fee is collected.