

**PETITION OF MAX'S PLACE LLC., FOR CHANGE IN**  
**ZONING REGULATIONS**  
**AMENDMENT APPROVED 3/20/06, EFFECTIVE 4/10/06**

Add to Section 9 "Definition" the following additional definition:

"Pedestrian node". Any portion of land lying within the Business Districts (B-1, B-2, B-3 and B-4) and within fifteen hundred (1500') lineal feet, measured along the street line in all directions from any of the following intersections: Boston Post Road and Spencer Plain Road; Boston Post Road and School House Road; and any portion of land lying within the Business Districts (B-1, B-2, B-3 and B-4) and within fifteen hundred (1500') lineal feet, measured along the street line in all directions from any intersection along the entire Boston Post Road from where it crosses the Oyster River to North Main Street.

Add to the "Special Exception Uses" section in each Business District (B-1, B-2, B-3 and B-4) the following additional numbered subparagraph:

"Any non-residential use, building, or structure in this District which is located, in whole or in part, within a *Pedestrian Node*, shall require a Special Exception."

Add a new Section 8.23.

Section 8.23. Reduction of Setbacks in Pedestrian Node areas of Business Districts

It is the purpose of this Section to maintain or recreate, as the case may be, a streetscape in the pedestrian node areas of the Business Districts which is a more pedestrian-friendly, street-oriented, mixed-use environment with movement between shopping destinations; which reflects the pattern and intimacy of traditional New England village commercial areas; which reduces the visual dominance of parking lots on the streetscape; and which recognizes that Old Saybrook's commercial corridors are characterized by "nodes" of pedestrian activity at certain identified intersections; all of which purposes should be reinforced both visually and functionally. Therefore, in the pedestrian node areas of the B-1, B-2, B-3 and B-4 Districts the Commission may allow, or may require, as part of the Special Exception that any non-residential use, building or structure be set back no less than 10 feet from the street line. In allowing or requiring such reduced setback, the Commission may consider and may require one or more of the following to accomplish the purposes of this section:

A. That the lot coverage of paved areas for parking and access to parking within the reduced street line setback under this Section shall not exceed the building/structure coverage in the same reduced setback area.

B. That each principal building and each individual building occupant on the street side of the building have a public entrance or shared public entrance vestibule on the street side of the building, or on the side of such building readily accessible by pedestrians from public sidewalks along the street. No building or individual building occupant should have its only public entrance located farther than 300 feet from the Street line, measured along the route of pedestrian access from the street sidewalk.

C. That any wall facing a street or parking area shall have no more lineal feet of uninterrupted blank wall in any horizontal direction than the greatest vertical height of the same wall of the building, but not to exceed 20 feet of uninterrupted blank wall in any horizontal direction. Uninterrupted means without windows, doors, changes in wall plane, surface ornamentation, or other treatments that cause building facades to be treated as fronts that are related to the street frontage. Services, such as loading docks, trash receptacles, and the like shall be appropriately screened from public view with an architectural treatment. "architectural treatment" for the purposes of this section shall mean walls, fencing or landscaping that is compatible with the buildings and the visual streetscape purposes of Section 8.23.

D. That any parking area shall be located at least 10 feet farther from the street line than that portion of the principal building that is closest to the street.

E. That within the pedestrian node, there shall be no parking area or access driveway to, or connecting parking areas located between, a non-residential building and the street line.

F. In determining the minimum and maximum setback for buildings under this Section, the Commission shall consider the setbacks for existing or proposed buildings in the immediate area of the proposed development which reflect the essential and traditional character of that portion of the streetscape and with which the Commission seeks to harmonize in the setback distances.

G. In applying this Section to any proposed Special Exception use, building or structure, the Commission should consider each of the following:

1. The recommendations of the Plan of Conservation and Development;
2. Any Town sponsored corridor study that addresses the area of the proposed development;
3. The width of the Street right of way;
4. The distance between any proposed use, building or structure and the paved portion of the street;
5. The location of physical features such as existing sidewalks, trees, landscaping and above-ground utility lines; and
6. Sight line distances in accordance with Section 62.8.4 of these Regulations.

H. The Commission need not impose any of the requirements of this Section where topography, existing structures or other physical features or characteristics of the site, or established patterns of development in the immediate vicinity of the site make the imposition of a requirement not conducive to achieving the stated purposes hereof.

Other applicable Setbacks may also be reduced, or may be required to be reduced, by the Commission, consistent with achieving the stated purposes hereof, and in accordance with the above standards for reduction of street line setbacks where applicable, but no less than:

From Rear Property Line	10 feet
From Other Property Line	10 feet
Minor Accessory Buildings and Structures	10 feet
Section 7.4.2 Projections into Setbacks (except open fire escapes)	1 1/2 feet

The minimum Front Landscaped Area under Section 63.4 shall be reduced to the extent occupied by buildings and structures approved under this Section, but the total Landscaped Area shall not be reduced.

**OLD SAYBROOK ZONING COMMISSION: PROPOSED AMENDMENTS TO  
AUTOMOTIVE USES AND CONVERSION OF DWELLINGS TO TWO FAMILIES**

*The purpose of the proposed amendments is to transfer Special Exception reviews from the Zoning Board of Appeals to the Zoning Commission.*

**APPROVED AT 3.20.06 PUBLIC HEARING, AMENDED EFFECTIVE 4.20.06**

Existing text in normal lettering

New text in double underlined lettering

Deleted text in ~~striketrough~~ lettering

Existing Section 53 Special Exception (Zoning Board of Appeals) to be deleted in its entirety.

Proposed Amended to Section 52 Special Exception (Zoning Commission) Section 52.1 General (Amended effective \*\*\*\*\*)

## 52.1 GENERAL

In accordance with the procedures, standards and conditions hereinafter specified, the Zoning Commission may approve a Special Exception in a *district* where the uses are listed, ~~except the Special Exception uses as are subject to the approval of the Board of Appeals under Section 53.~~ All requirements of this Section are in addition to other requirements applicable in the *district* in which the Special Exception *use* is to be located.

### Proposed New Sections

Section 52.7.17 **Conversion of Dwellings.** (Amended effective \*\*\*\*\*) The *dwelling* to be converted to contain two (2) *families* will be a single-family detached *dwelling* for one (1) *family* and will conform to the following Special Standards:

- A. Such *dwelling* will have been in existence on January 1, 1944, will contain not less than 2,000 square feet of enclosed floor space, and, upon conversion, neither of the two (2) *dwelling* units will contain less than 800 square feet of enclosed floor space.
- B. The *dwelling* will be located on a *lot* having a minimum area of 25,000 square feet if served by public water supply or having a minimum of 40,000 square feet if not so served.
- C. In making changes to the exterior of the *dwelling*, the appearance and character of a single-family house will be preserved, and no structural changes will be made other than to provide the necessary means of egress for each *dwelling* unit.

- D. Stairways leading to the second and any higher floor will be located within the walls of the dwelling.
- E. Sewage disposal facilities will be designed and constructed in accordance with applicable State and Town codes and regulations.

Section 52.7.18 Automotive Uses. (Amended effective \*\*\*\*\*)

Motor vehicle service stations, and the additional automotive uses specified in Paragraph 34.2.1 and 32.3.2 will conform to the following Special Standards:

- A. No building or structure used for a motor vehicle service station or other automotive use, and no land used for such purposes, shall extend within 100 feet from a Residential District boundary line. In addition, no motor vehicle service station or other automotive uses shall have any entrance or exit for motor vehicles at the street line within a radius of 500 feet of any entrance or exit at the street line of any public or private school grounds, library, church or other place of worship, park, playground or institution for sick or dependent or for children under 16 years of age.
- B. No pump or other fuel-filling devices for the retail sale of gasoline or other motor vehicle fuel on any lot will be located within less than 25 feet of any street line or property line or within a radius of 1,000 feet of any pump or device on any other lot.
- C. There will be no repair work, except of a minor or emergency nature, performed out of doors.
- D. Except with respect to automotive uses specified under Paragraphs 32.3.1 and 32.3.2, in Business B-2 Districts, and outside storage areas as set forth in paragraph E, below, no more than five (5) undamaged motor vehicles awaiting repair will be stored or parked out of doors. (Note, the existing text erroneously refers to Sections 32.2.1 and 32.2.2)
- E. More than five (5) vehicles, including damaged vehicles, may be stored or parked outdoors if located in an enclosed outside storage area. Said outside storage areas shall be enclosed by buildings or fences, walls, embankments, or evergreen shrubs or trees so as to screen the storage area from view from any other lot or from any street, but shall be allowed necessary access drives.
- F. The requirements of this Section 52.7.18 shall be in addition to, not in lieu of, the requirements set forth in Conn. Gen. Stats. §§ 14-54, 14-67i, and 14-321, as the same may be amended.