

SECTION FIVE

INDUSTRIAL ZONE REQUIREMENTS¹

5-00 An industrial zoned district is an area for commercial operations and uses of a type which are not generally suitable or appropriate in retail sales areas. The uses allowed in this zone encompass a wide range of operations but some are limited to the Industrial-2 Zones or prohibited altogether in the interest of public welfare, and site preparation is strictly regulated for the purpose of environmental protection.

In an Industrial zone, no building or land shall be used and no building shall be erected or altered except in accordance with the permitted uses or special permit or special exception uses set forth in this section.

5-00.1 Automobile Parking

Automobile parking shall be provided in accordance with Section 12 of these regulations.

5-00.2 Preservation of Landscape – Site Preparation

The development of the site shall be engineered and developed so that the landscape will be preserved in its natural state insofar as practicable by minimizing soil and tree removal, and all grade changes shall be designed so that the finished levels and contours will blend harmoniously with the natural and undisturbed landscape. No steep slopes shall be created and all disturbed land shall be treated to encourage plant growth by the provision of topsoil and the planting of appropriate trees, shrubs and grass. Where necessary, measures shall be implemented to minimize soil erosion and to prevent the pollution of streams.

All plans of subdivision for industrial purposes shall be in accordance with this section.

5-00.3 Screening of Residential Zones or Residential Developments

- a) Developed industrial premises shall screen abutting residential zones or abutting residential developments by a landscaped border of not less than 35 feet wide in an Industrial 1 zone and not less than 50 feet wide in an Industrial 2 zone or a 30' wide landscaped berm if it complies with Sec. 5-00.13.² Along all parking areas and drives adjacent to residential zones or residential developments the landscaped border must include a fully landscaped berm at least four (4) feet in height in order to screen these facilities from view and to prevent automobile headlights from causing a nuisance to adjoining residents. Slopes associated with such berms shall not exceed 3:1. The area of landscaped berm for parking lot screening shall not be counted towards the landscape area required in Section 12.

¹ Revised effective 5/23/07

² Revised effective 6/1/21

Such border shall provide a year round effect through which the developed site is obscured from view from abutting residential property or uses. Appropriate evergreen species shall be planted at least five (5) feet in height at a separation distance which provides for the growth of the planting and complete visual screening. The landscaped border shall also include a mixture of deciduous trees and shrubs to provide a variety of species, avoid visual monotony and provide varied habitat value.

Fencing in connection with planting may be permitted or required when the bermed landscape border cannot provide the required screening due to topography, preservation of specimen trees or other important natural features, avoidance of wetlands or other similar features. Fence material and height shall be approved by the Town Planner. The Town Planner may refer any request or requirement regarding fencing to the Planning and Zoning Commission for action.

- b) The Planning and Zoning Commission may waive all or any requirements in 5-00.3 or modify such requirements if it finds that existing foliage or natural conditions are sufficient to constitute a screen for the protection of adjacent residential premises, or for any other good reason. This action shall require a 2/3 vote by the Commission.

5-00.4 All plots and buildings shall conform with the following performance standards:

- A. No offensive odors or noxious, toxic or corrosive fumes or gas shall be emitted into the air;
- B. Noise Abatement: No noise which is objectionable due to volume, intermittence, beat, frequency or shrillness shall be transmitted beyond the property from which it originates. All machinery and devices such as ventilation fans, drying fans, air compressors, air-conditioning units, etc. shall be shielded and insulated in such a manner which shall deaden noise and deflect sound waves away from abutting properties; and
- C. Yard and Building Lighting: All types of lighting which are intended to illuminate the building or yards shall be arranged so that the lights will not shine into the eyes of any person external to the premises, or cause a nuisance from excessive glare. Full cutoff fixtures with recessed lenses shall be required.

5-00.5 Compliance with Zoning

No industrial enterprise shall be commenced or changed in character, and no building or structure shall be built or altered or land used for any purpose until the owner, proprietor, developer or builder has obtained verification from the zoning enforcement officer or town planner that the use or structure is lawful.

Building Permits

No building permit shall be issued until the zoning enforcement officer has approved the permit for zoning compliance.

5-00.6 Provision of Public Improvements

When a site is developed for industrial use the developer shall construct sidewalks and curb to town standards along all sides of the developed site which abut a public highway, unless such requirements are waived by a 2/3 affirmative vote of the Planning and Zoning Commission.

5-00.7 In the event that drainage of the premises requires the provision of off-site drainage improvements the developer shall install and pay for such improvements as required by the Town Engineer.

5-00.8 Access to Premises

Access to premises shall be from existing public streets which abut the premises or from streets which have been developed in accordance with the Subdivision Regulations to serve the industrial area, and no ingress or egress through residentially zoned land shall be used.

Where a building is located behind a building on the same lot, parcel, site or tract, the rear building shall be accessible from the highway by way of a properly constructed driveway of not less than 24 feet in width. Provision shall be made for turnabout of emergency vehicles.

5-00.9 The outside displaying of commercial products and/or materials may be allowed in the Commercial and Industrial Zones with the approval of the Planning and Zoning Commission and subject to the following:

- A. In the opinion of the Commission, the outside display nature, size and location along with consideration of the subject site shall be in harmony with the surrounding area and not be detrimental by reasons of vehicular traffic, pedestrian access, dust, noise, odor, fumes or glare.
- B. Only sites for which a site plan has been approved by the Commission may qualify for consideration.
- C. The area designated for such use shall not reduce the number of parking spaces or aisles beyond what is required by the regulations.
- D. The hours of operation shall be normal business hours.

- E. There shall be no distractions to traffic, i.e., loud noises, flashing lights or moving objects of a carnival-like nature.
- F. There shall be no additional signage, other than what is allowed by the regulations.
- G. The Commission may limit the number of items for display to limit the congestion and overcrowding.
- H. There shall be no items on outside display located more than twenty (20) feet from the building and no less than forty (40) feet off the road. This provision shall not apply to the display of new or used automobiles, trucks, trailers or similar vehicles which are displayed in conjunction with a lawfully established business.
- I. The Commission may require other limitations based on the unique aspects of the subject site.

5-00.10 An industrial business may operate a showroom for purposes of displaying or selling products which are either manufactured on-site or warehoused on the premises. Such operations shall be conducted in accordance with the following provisions:

- A. Use of industrial property for the purposes described above shall be subject to the submittal and approval of a site plan in accordance with Section 9 of these regulations.
- B. The area allocated for retail sales or display shall be ancillary in nature and shall not occupy more than 20% of the gross floor area of an industrial building or 2,500 square feet; whichever is less.
- C. The retailing of products and goods which are accessory to an industrial business shall be conducted within the principal building.
- D. On-site parking shall be calculated and provided in accordance with retail parking standards as outlined in Section 12-01.1 of these regulations.

5-00.11 Area, Height & Bulk of Principal Buildings and Structures

Zone District	MINIMUM LOT SIZE		MINIMUM YARDS (Feet)				Maximum (%)	Maximum Height	
	Lot Area (s.f)	Lot Width (ft)	Front	Side	Side (Total)	Rear	Lot Coverage	Stories***	Feet***
I-1	40,000 (E)	200 (E)	40	20 (E)		30 (E)	35	3#	55
I-1	Executive Park							6	65
I-2 ¹	80,000 (E)	200 (E)	30 (E)	30 (E)	50 (min. of 30 on one side) (E)	30 (E)	50	3##	65
I-2	Executive Park							6	65

(E) If both public water and sewer are available see Section 5-00.13

Allowable height may increase to a maximum of 4 stories, provided the building is setback an additional distance of 100 feet from all property lines. Such setback requirement shall be in addition to underlying setback requirements.

Allowable height may increase to a maximum of 5 stories, provided building is setback a minimum distance of 100 feet for each additional level above three stories. Such setback requirement shall be measured from all property lines and shall be in addition to underlying setback requirements.

5-00.12 (reserved)

5-00.13 If both water and sewer utilities are available to an I-1 & I-2² zoned parcel, and will be incorporated into the development of the property, the applicable schedule of area, height and bulk is as follows:

- Minimum Lot Area (s.f.) = 20,000
- Minimum Lot Width (feet) = 100
- Minimum Side Yard (feet) = 15
- Minimum Rear Yard (feet) = 20

5-00.14 New commercial structures shall not be attached to, or located on the same lot as, a residential wood-frame structure.³

¹ Revised, ZA #610, effective 6.1.21

² Revised, ZA #610, effective 6.1.21

³ New, ZA #586, effective 8.8.15

5-01 INDUSTRIAL ZONE I-1

5-01.1 The following uses shall be considered permitted uses in Industrial Zones I-1, subject to the provisions of Section 9:

- A. The manufacture, processing or assembly of goods which, by the nature of their operation, do not produce objectionable noise, glare, air pollution, fire hazard or safety hazard.
- B. Farm or construction equipment sales and services
- C. Greenhouses and nurseries
- D. Research laboratories
- E. Warehouses for finished goods as will carry out the purpose and intent of these regulations as expressed in Section 1-01, herein
- F. Other uses which, in the opinion of the Commission, are of the same general character as those listed as permitted uses and which will not, in the opinion of the Commission, be detrimental to the zone.
- G. Accessory uses in accordance with the provisions of Section 2-01.A
- H. Health clubs and gymnasiums
- I. Scientific research, manufacture of bio-medical products
- J. Communication industry
- K. Manufacturing and/or assembly of electronic, computer or robotic goods
- L. Business and professional offices
- N. Hotels which may include an ancillary restaurant and a separate restaurant building on the site provided said restaurant building does not exceed 3000 square feet provided the property has 200 feet of frontage on a state highway and the property is located within 1500' of an interstate highway interchange.¹

5-01.2 Special Permit Uses

Uses or additions thereto set forth in 5-01.2 shall require approval from the Planning and Zoning Commission after a public hearing subject to the provisions of Section 8 hereof:

- A. Any building or use allowed by special permit, Section 3-01.2 A.
- B. Conference Center

¹ revised, ZA #570, effective 2.2.13

1. Such facilities shall meet the provisions outlined in Section 2-03 C of these Regulations.
2. A conference center shall be located within 3,000 feet of access to an interstate highway.
3. A conference center shall be located on a parcel of not less than (6) six acres and shall have legal frontage on a state designated highway.
4. Vehicular access and egress to and from a conference center shall be by means of a state designated highway.

C. Professional Offices

1. Allowable businesses shall be limited to those businesses defined in Section 2-16 P of these regulations.

D. Executive Park, as defined in Section 2-05 E, subject to the following conditions and safeguards:

1. Application for Special Permit: An application shall be made for a Special Permit Use, per Section 8, and accompanied by a conceptual development plan including an A-2 survey, topography, location, type and extent of proposed structures, primary and accessory uses of the entire park, vehicular and pedestrian circulation and heliport. The granting of the Special Permit Use shall preclude development and use of any building within the boundaries of said park from any use that is not so provided for by this section (Executive Park). The granting of the Special Permit Use shall not constitute Site Plan approval (Section 9) with respect to any of the buildings proposed to be constructed within the Executive Park unless the SPU approval shall so specify. The PZC shall retain continuing Site Plan approval powers with respect to the Executive Park until all construction phases are completed. Site Plan approval requirements, as set forth in Section 9 of the Southington Zoning Regulations, are applicable.
2. The site for an Executive Park must be a minimum of 40 contiguous acres.
3. Park shall have 500 feet frontage on a state or interstate highway or improved Town road.

5-01.2.D.

4. A 50 foot landscaped buffer must be provided and maintained, around the entire perimeter of the park.
5. Rear lots and outside storage is specifically prohibited within the Executive Park.
6. Bulk and lot requirements within the Executive Park shall be as follows:

USE (A)	Lot Area (Sq. Ft.)	Lot Width (Ft.)	Front Yard (B)	Side Yard (B)	Rear Yard (B)	Max Bldg Hght (Stories/Ft)	Max Lot Coverage (%)
Executive Office	80,000	100	40	20*	40*	6 / 65	25
Conference Center	150,000	250	50	30*	50*	6 / 65	25
Colleges, Universities or other Post-Secondary Schools	150,000	250	50	30*	50*	6 / 65	25
Hospitals, Medical Clinics & Medical Offices	150,000	250	50	30*	50*	6 / 65	25
Light Industry/Warehousing	80,000	100	40	20*	40*	3 / 40	25
Accessory	80,000	100	40	20*	40*	2/ 28	25

- (A) Based on principal utilization of building involved. Accessory uses subject to requirements pertaining to principal use in building and as otherwise provided herein.
- (B) Where the site boundary line coincides with the boundary line of the Executive Park, the minimum yard shall be not less than two times the height of the building measured from the average grade to finish roof level.
- * Increase by 50% where adjoining a residential zone.

5-01.2.D.

7. All industrial/warehouse buildings shall be located to the rear of the Executive Park and are absolutely prohibited within 800' of the street line of which the Executive Park fronts on.
8. Interior Roadways: All interior roadways shall be built to Town standards and shall be subject to a continuing offer of dedication of the same to the Town as public roads acceptable at any time at the sole option of the Town.

9. The following provisions shall be applicable with respect to the Conference Center within the Executive Park.
 - a. A conference center shall be operated in accordance with Section 2-03-C of these regulations.
 - b. Frontage and access to such Conference Center shall be limited to the internal road network of the Executive Park.
 - c. Off-street parking for the Conference Center shall be provided in accordance with the provisions outlined in Section 12.

10. Accessory Uses, per Section 2-01.A D, within the Executive Park shall be governed by the following provisions:
 - a. The aggregate of all space, including the space in the Conference Center, devoted to accessory uses shall not exceed 1,000 sq.ft. for each whole acre of land within an Executive Park.
 - b. Buildings exclusively devoted to accessory uses are limited to 50% of the permitted aggregate area for accessory uses (a. above), provided that not more than 25% of the aggregate area which may be devoted to accessory uses may be located in any one separate building. Frontage and access to such accessory building is limited to the internal road network of the Executive Park.
 - c. Accessory uses are limited to buildings devoted exclusively to accessory uses or on the ground floor of a building devoted principally to office use or Conference Center, in which case access to the accessory area shall be had only through the regular lobby or access area of the building.

11. Off-street parking and loading facilities, as defined by Section 12, shall be provided for each building in the Executive Park and shall be located on the same site as such building, except that the Planning and Zoning Commission may permit that not more than one-half of the off-street parking spaces required for a building may be located outside the boundaries of the site on which the building is located, but within the boundaries of the Executive Park, separately or in common with parking spaces for any other building or buildings in the Executive Park, upon a specific finding by the Commission that such an arrangement of parking spaces will result in better utilization of the land and will provide a safer and more efficient traffic pattern. The Commission may waive the parking provisions for the accessory uses and restaurant when such uses are part of the Conference Center.

12. Miscellaneous Provisions:

- a. Nothing set forth herein shall preclude the subdivision of an Executive Park into legally separate lots or parcels, provided that all requirements otherwise pertaining to subdivisions shall be applicable and further provided that by means of a recorded declaration of restrictive covenants or written notations to the subdivision map or plat, it shall be provided that all lots or parcels in the subdivided Executive Park shall remain subject to all the terms and provisions previously required by the Planning and Zoning Commission in the course of overall development or site plan approvals.
- b. The Planning and Zoning Commission may permit the establishment of one or more helipads or a heliport in an Executive Park, provided that the same complies with all Federal and State requirements.

E. Dinner Theaters as defined in Section 2-04 D and Movie Houses providing that the Commission finds the proposed use is in harmony with the surrounding area and future traffic to and from the site can be properly serviced by the State/Local road network and will not be hazardous or inconvenient to the general flow of traffic, and subject to the following conditions and safeguards.

1. Application for Special Permit: An application shall be made for a Special Permit Use, per Section 8, and accompanied by a conceptual development plan including an A-2 survey, topography and location of all the proposed structures of the entire complex and the vehicular and pedestrian circulation.
2. The site for a Dinner Theater or Movie House must contain a minimum of 10 acres of land and be within 1600 feet radially from the center of an interchange between an interstate, appropriate state highways or public town roads.
3. The site shall be serviced by public water and sewer facilities.
4. A traffic report shall be submitted by a licensed professional engineer, registered in the State of Connecticut, providing, inter alia, traffic projections and estimates of traffic flow, and impact on the local and regional road network, and recommended improvements where required.
5. The use shall be subject to the same conditions and standards applicable to other sections of the regulations herein.
6. The intent of the allowance of said uses within an industrial zone is based upon the Commission's recognition that there is limited space available in a business zone of the size and conditions specified herein and serviced by public water and sewer facilities; that traffic generated from the proposed use is similar to industrial uses permitted and/or industrial park uses; and that to allow such type of use is beneficial for the entertainment needs of the general public.

- F. The purpose of this regulation is to encourage the appropriate development of land previously designated and/or used primarily for industrial use and which area currently contains industrial buildings in existence prior to 1957 which are or may be functionally obsolete. It is felt that it is in the Town's best interest to permit the flexibility necessary to provide for the mixed uses in said buildings and land associated therewith as described below. The requirements in this section provide for the conversion of existing buildings being used or formerly used as industrial buildings to a mixed use of manufacturing, retail, services, offices and multi-family uses as defined and allowed in these regulations, and other uses acceptable to the Commission subject to the following:
1. All buildings to be converted shall have been in existence prior to May 20, 1957.
 2. All proposed uses shall be of lesser objectionable character than those presently allowed in that zone or as formerly used in said structure.
 3. That the Commission specifically find that the list of proposed mixed uses are in harmony with each other.
 4. That the Commission may, in its discretion, and if necessary due to site limitations, waive up to twenty-five (25%) percent of the parking requirements required by Section 12, provided that no additions to the structure are proposed and that there is no other available land for parking on such site.
 5. That the uses in any building constructed after May 20, 1957, shall be those allowed in that zone.
 6. That in all other aspects the requirements of Section 8 and 9 shall be met.
- G. All development involving an area 4 acres or larger in size, and/or requiring in excess of sixty (60) parking spaces.
- H. Outdoor storage. Plans must clearly show the extent of the outdoor storage proposed, as well as screening with a lightproof fence. Said storage may not encroach into the landscaped buffer. Applicant must demonstrate that the proposed storage will not have a negative impact on abutting uses.
- I. Offices for the practice of veterinary medicine and/or animal hospitals and kennels, providing said kennel use is located in a soundproof building and has any outdoor dog facilities more than 500 feet away from a residential zone or use¹.
- J. Medical marijuana production facilities in accordance with the provisions of Sections 8, 9 and 11-23.²

5-01.3 Special Exception

¹ Revised, ZA #592, effective 5.20.17

² New, ZA #565, effective 10.6.12

The Zoning Board of Appeals may after public hearing and subject to appropriate safeguards in harmony with the general purposes of these regulations, and conditional to compliance with the provisions of Section 9, grant a special exception for the following uses:

- A. Public garages in accordance with the provisions of Sections 11-03 and 2-01.A C.

5-02 INDUSTRIAL ZONE I-2

5-02.1 Permitted Uses

The following uses shall be considered permitted uses in Industrial Zones I-2, subject to the provisions of Section 9:

- A. Any building or use permitted in Section 5-01.1
- B. Building materials, sales and storage yards and buildings.
- C. Storage of construction materials, including pipe
- D. Storage and repair of construction equipment
- E. Storage of well drilling equipment
- F. Trucking terminals
- G. Other uses which, in the opinion of the Commission, are of the same general character as those listed as permitted uses and which will not, in the opinion of the Commission, be detrimental to the zone.
- H. Accessory uses in accordance with the provisions of Section 2-01 A
- I. Industrial Park¹

Purpose – to allow the creation of a master planned industrial park on land zoned I-2 intended to incorporate big box development and smaller lots supported by an integrated and park-wide approach to landscaping, resource protection, buffering of neighboring uses, and stormwater management.

In this master planned development not more than 50 % of the developable acreage may be proposed with lots less than two acres but larger than ½ acre, providing the topography and screening adequately protects the adjacent uses, that the stormwater requirements are addressed within the industrial park as a whole, and no lots between ½ acre and 2 acres in size shall abut the interstate highway.

¹ new, ZA #549, effective 6/6/09

The Commission may, by supermajority vote of the entire Commission, approve an Industrial Park on land currently zoned I-2 providing the site meets the specific criteria, as follows:

1. Parcel or parcels comprising the proposed industrial park shall total not less than 60 gross acres in size and MUST have frontage of at least 1,000 feet on an interstate highway.
2. All lots to be created must have access and frontage on a town right of way and must have public water and sewer.
3. Master plan for industrial park must meet the stormwater management needs and landscaped buffer needs for any parcels created that are smaller in area than allowed in the underlying zone, if those requirements are not met on the individual parcels.
4. All lots (between .5 and 1.99 acres in size) intended primarily for outside storage shall have the accessory building situated along road frontage and the frontage shall be heavily landscaped to help reduce the view of the storage from the road and the sides and rear of the lots shall be fenced in with lightproof fence.
5. Natural areas in the industrial park shall not be fenced in to allow wildlife to use these areas for habitat and corridors.
6. Requirements for the screening and buffering of outside storage on smaller lots can be provided by the overall site providing that the landscaped screen is not less than 50' as required by the underlying zone, and that the applicant demonstrates it meets the intent of the regulations.
7. Individual site plans may require oil/water separators or impervious surfaces for the storage of certain types of materials.
8. Applicant must demonstrate that development is designed in concert with or enhancing existing topography to reduce views of and impacts from outside storage uses in relation to adjacent development.

5-02.2 Special Permit Use

Uses or additions thereto set forth in 5-01.2 shall require approval from the Planning and Zoning Commission after a public hearing subject to the provisions of Section 8 hereof:

- A. Any building or use allowed by special permit, Section 3-01.2 A.
- B. Any building or use allowed by special permit, Section 5-01.2 D. herein
- C. Blasting Services Business, as defined in Section 2-02 B. subject to the following conditions and safeguards:

1. The applicant shall be governed by all applicable provisions of the Connecticut General Statutes and all Federal laws, as amended. In any case where there is a conflict, whichever imposes the more stringent restriction shall prevail.
2. In addition to the requirements of Section 8 herein, application for a special permit shall include submission of a site plan, in compliance with a Class A-2 survey, depicting the location of all magazines and the distances between said magazines with each other, the closest inhabited/uninhabited buildings, public highways, and passenger railways. In addition thereto, the applicant shall submit a copy of the written application required for submission to the Town Fire Marshall for a permit to keep, store, sell, or deal in explosives.
3. The location and permissive capacity of any and all magazines proposed shall be governed by the American Table of Distances, Sec. 29-89-341 of the General Statutes, as amended. Notwithstanding the provisions of said table, the Commission may restrict the maximum quantity of explosives and/or blasting agents that can be stored at a particular site if, in the opinion of the Commission, such storage, handling or transportation constitutes an undue hazard to life or property. Any proposed alteration to increase the storage capacity of a magazine or magazines shall be made to the Commission, subject to the provisions of Section 5-02.2 C. herein.
4. The parcel and/or magazine(s) shall be surrounded by a natural or artificial buffer as prescribed as being proper in Title 27, Part 55, Subpart B of the Code of Federal Regulations for Commerce in Explosives.
5. In deciding upon any application, the Commission shall be governed by the following, in addition to the provisions of Section 8:
 - a. The size, configuration, topography and environmental limitations of the parcel in relation to the volume and location of the storage proposed and its relationship to surrounding zoning, existing land uses, future land development capabilities, public highways, and public buildings.
 - b. A report from the Town and, if necessary, the State Fire Marshall regarding the application for permit to keep, store, sell, or deal in explosives.
 - c. Probable traffic routes to and from the proposed site in relation to known or projected traffic volumes, traffic congestion, the configuration and safety factors of surrounding streets, and adjacent population densities from existing and potential development under present zoning.

- D. The purpose of this regulation is to encourage the appropriate development of land previously designated and/or used primarily for industrial use and which area currently contains industrial buildings in existence prior to 1957 which are or may be functionally obsolete. It is felt that it is in the Town's best interest to permit the flexibility necessary to provide for the mixed uses in said buildings and land associated therewith as described below. The requirements in this section provide for the conversion of existing buildings being used or formerly used as industrial buildings to a mixed use of manufacturing, retail, services, offices and multi-family uses as defined and allowed in these regulations, and other uses acceptable to the Commission subject to the following:
1. All buildings to be converted shall have been in existence prior to May 20, 1957.
 2. All proposed uses shall be of lesser objectionable character than those presently allowed in that zone or as formerly used in said structure.
 3. That the Commission specifically find that the list of proposed mixed uses are in harmony with each other.
 4. That the Commission may, in its discretion, and if necessary due to site limitations, waive up to twenty-five (25%) percent of the parking requirements required by Section 12, provided that no additions to the structure are proposed and that there is no other available land for parking on such site.
 5. That the uses in any building constructed after May 20, 1957, shall be those allowed in that zone.
 6. That in all other aspects the requirements of Section 8 and 9 shall be met.
- E. The following uses are those industrial operations which normally produce noise, glare, air pollution, fire hazards or safety hazards; such uses may only be permitted upon the granting of a special permit by the Planning and Zoning Commission, subject to such standards or conditions as are imposed by said Board and conditional to compliance with the provisions of Section 9:
1. Plants generating power, disposing of sewage and/or garbage
 2. The production, processing and storage of coal, coal tar, petroleum and asphalt products including, but not limited to, coke manufacture, illuminating gas production, petroleum refining, bulk gasoline and petroleum products storage, asphalt products, linoleum manufacture, oil cloth manufacture, roofing material manufacture
 3. The processing or washing of earth materials including batching plants

4. The use of hammer mills, ball mills, rolling mills, or drop forges in any industrial process
 5. Accessory uses in accordance with the provisions of Section 2-01 A
- F. Private or public playfields that promote retention of open space including playgrounds, golf courses, driving ranges, ski areas, riding academies and similar recreational areas operated on either a profit or non-profit basis.
- G. Truck service centers as defined in Section 2-20 T subject to the following conditions and safeguards:
1. No building or premises shall be used for a truck service center if any part of such building or premises is located within 500 feet of:
 - a. Any residential dwelling;
 - b. Any public or private school, child daycare center, church or other religious facility;
 - c. Any public park or place of public assembly including but not limited to a theater, auditorium, gymnasium, etc.;
 - d. Any other truck service center.
 2. Any building and/or premise used as a truck service center shall be located no further than 500 feet from an interchange roadway providing legal access to or from an interstate highway.
 3. A truck service center shall not be allowed as part of an approved executive park nor shall vehicle access be provided by internal roadways serving an executive park.
 4. The applicant shall provide the Commission with an environmental report, certified by a professional engineer, detailing provisions for the containment of fuel spillage and/or tank leakage.
 5. A study addressing appropriate measures for the amelioration of light spillage and glare shall be provided to the Commission. Site illumination, as measured at any property line of the subject premises, shall not exceed a level of one (1) foot candle.
 6. Fueling operations, weigh stations, and truck parking areas, shall be located a minimum of 300 feet from any front lot line.

7. A landscaped buffer, consisting of a mix of evergreen and deciduous trees and measuring not less than 100 feet in depth, shall be either maintained or planted along all side and rear property lines. Such landscaped buffer shall be designed to adequately screen operations from adjoining properties and ameliorate conditions associated with noise and air emissions.
 8. The applicant shall provide the Commission with a comprehensive security plan which shall include 24 hour per day monitoring of the premises.
 9. A truck service center shall be located on a parcel of not less than twenty-five (25) acres.
 10. The establishment of any truck service center shall be subject to the special permit use and site plan review requirements provided in Sections 8 and 9 of these regulations.
 11. Any truck service center involving the sale of gasoline shall be subject to the provisions of Section 11-03 of these regulations.
- H. All development involving an area 4 acres or larger in size, and/or requiring in excess of sixty (60) parking spaces.
 - I. Medical marijuana production facilities in accordance with the provisions of Sections 8, 9 and 11-23.¹
 - J. Any drive-thru and expansion to an existing nonconforming gas station/ convenience store within 1,500 feet of an interstate highway interchange ramp terminus.²

5-02.3 Special Exception

The Zoning Board of Appeals may after public hearing and subject to appropriate safeguards in harmony with the general purposes of these regulations, and conditional to compliance with the provisions of Section 9, grant a special exception for the following uses:

- A. Public garages in accordance with the provisions of Section 11-03 and 2-01 A-C. except that no sale, dispensing or distribution of gasoline and petroleum products intended for motor vehicle use and no sale or display for sale of any type of motor vehicle shall be permitted.

¹ New, ZA #565, effective 10/6/12

² New, ZA #602, effective 12/4/19

5-03 INDUSTRIAL ZONE I-3¹

5-03.1 Purpose: To allow the creation of small lots for outside storage of equipment, construction materials and other items as the principal use without the requirement for a structure.

5-03.2 Process: The Commission may rezone land to I-3 through a supermajority vote of the entire Commission, providing the applicant provides a conceptual development plan that demonstrates the suitability of the site for intensive heavy industrial use and outside storage with very little screening, utilities or structures associated with it, meeting the criteria in 5-03.3. This zone may be considered more appropriate on property that is heavily impacted by other environmental or locational influences, and as such is less desirable as a location for other uses.

5-03.3 The Commission may, by supermajority vote of the entire Commission, approve an Industrial Park or development on land or a parcel currently zoned I-3 subject to Special Permit Use and Site Plan applications are submitted that demonstrates the site meets the specific criteria, as follows:

1. Parcel or parcels comprising the proposed industrial park shall have access from a public right of way and may not be accessed over land used or zoned for residential or business purposes.
2. All lots to be created must have existing or proposed topography such that neighboring uses will not be able to see the proposed use.
3. Access and frontage on a town right of way and must have public water for fire protection.
4. Plan for industrial park or parcel must meet the stormwater management requirements.
5. Individual site plans may require oil/water separators or impervious surfaces for the storage of certain types of materials.
6. Applicant must demonstrate that development is designed in concert with or enhancing existing topography to reduce views of and impacts from outside storage uses in relation to adjacent development.
7. Any proposed assemblage of two or more acres of land zoned I-3 must also meet I-2 regulations and have a principal structure.

¹ New, ZA #555, effective 10/9/10

8. A dedicated fuel storage area shall be called out on individual lots within the industrial park. Fuel containers shall be stored in a manner consistent with dumpster enclosure requirements including a locking gate and poured concrete pad with a 3-sided 4" containment edge.

5-03.4

Uses

All proposed development in this zone is required to make application for a Special Permit Use and Site Plan approval in accordance with Sections 8 & 9 of the Zoning Regulations.