

PROPOSED ZONING REGULATION AMENDMENTS
Revised March 11, 2016

Section 3.15 Special Exceptions Permitted in B-BT Business Berlin Turnpike Zone

The following uses are declared to possess such special characteristics that each must be considered a special exception. They may be permitted by the Commission subject to the following conditions and the provisions of Section 5.2 and 5.3. All such uses must be included within a building or structure or accessory to a permitted principal use.

- 3.15.8 Auto-related uses in accordance with Section 6.11 and Sections 5.2 and 5.3 of the Zoning Regulations.

Section 3.17 Special Exceptions Permitted in I Industrial Zones

- 3.17.8 Auto-related uses in accordance with Section 6.11 and Sections 5.2 and 5.3 of the Zoning Regulations.
- 3.17.9 Leasing or renting motor vehicles under the provisions of Section 14-15(a) of the Connecticut General Statutes.
- 3.17.10 The sale of used motor vehicles under the provisions of Section 14-51(a)(2) of the Connecticut General Statutes.

Section 6.11 Auto-Related Uses

For the purpose of this section, "auto-related uses" are those listed in Section 14-51 of the Connecticut General Statutes; and the sale of gasoline or any other product under the provision of Section 14-319 of the Connecticut General Statutes. "Auto-related uses" does not include leasing or renting motor vehicles under the provisions of Section 14-15(a) of the Connecticut General Statutes, nor the sale of used motor vehicles under the provisions of Section 14-51(a)(2) of the Connecticut General Statutes.

- 6.11.1 Any validly-approved auto-related use in existence and commercial operation as of _____, 2016 [effective date of amended regulation] shall be deemed a conforming use, not subject to Section 5 of these Regulations, and any expansion, modification, or rehabilitation of the existing use shall require a special exception and site plan approval in accordance with Sections 5.2 and 5.3 of these Regulations.
- 6.11.2 Equipment used in an auto-related use, such as a fuel dispenser, shall be located at least 30 feet from any public or private street right-of-way.

- 6.11.3 No repairs or service conducted as part of an auto-related use shall occur within 200 feet of a residential zone or the property line of a lot that contains a structure used as a residential dwelling, unless such repairs or service are conducted entirely within the structure; the structure conforms to the setback requirement for the zone in which it is located; and the repairs or service as within the structure occur at least 30 feet from any public or private right-of-way.
- 6.11.4 Entrances and exits to or from a public or private street for an auto-related use shall be at least 100 feet from a school, religious use, hospital or residence.
- 6.11.5 Display, sale, or storage of any new motor vehicle shall be permitted except in any public or private street right-of-way.
- 6.11.6 All auto-related uses shall be operated at all times in compliance with the Town of Newington's noise ordinance. The Commission shall have the authority to impose approval conditions to ensure compliance with the noise ordinance.
- 6.11.7 Any new auto-related use approved subsequent to _____, 2016 [effective date of amended regulation] shall not have any overhead door facing either a public street, a structure used as a residential dwelling, or a residential zone. Any validly-approved auto-related use operating prior to _____, 2016 [effective date of amended regulation], and operating within 200 feet of a residential zone or property line of a structure used as a residential dwelling, and that has one or more existing overhead doors that do not meet this subsection, shall not be permitted to increase the number of overhead doors facing a public street, a structure used as a residence, or a residential zone, and shall equip and operate its overhead doors so that, except in an emergency, no more than one door may be open at one time, and only for the purpose of entering or exiting the service area.
- 6.11.9 The minimum lot area for a parcel containing an auto-related use shall be one (1) acre.
- 6.11.10 Pursuant to Section 14-321 of the Connecticut General Statutes, effective June 6, 2006 the Town Plan and Zoning Commission shall act as the local authority in approving Certificates of Location (Gasoline and Motor Oil Sales).
- 6.11.11 Pursuant to Section 14-54 and Section 14-55 of the Connecticut General Statutes, effective June 6, 2006 the Town Plan and Zoning Commission shall act as the local authority in approving Certificates of Location (Dealers and Repairers Licenses).