

TRANSMITTAL

TO: Capital Regional Council of Governments

FROM: Jim Hallisey, Zoning Agent
Town of Andover

RE: Zoning Referral

DATE: 6.13.22

Please find the attached Zoning Referral Form for proposed amendments to the Andover Zoning Regulations along with a copy of the legal notice and the application for change with the proposed text. I am unable to provide the zoom call-in information at this time and, therefore, it is not included in the legal notice provided. It will be inserted prior to such time as the notice is duly advertised.

Should you have any questions please contact me at 860.742.4035.

ZONING REFERRAL FORM

FOR: NOTIFICATION OF REFERRALS BY ZONING COMMISSIONS Please fill in, save a copy for your records and send with appropriate attachments by certified mail or electronically to: zoningref@crcog.org		
FROM: <input type="checkbox"/> Zoning Commission <input checked="" type="checkbox"/> Planning and Zoning Commission <input type="checkbox"/> City or Town Council (acting as Zoning Commission)		Municipality: Town of Andover
TO: Capitol Region Council of Governments Policy Development & Planning Department 241 Main Street Hartford, CT 06106		Date of Referral: 06/13/2022
Pursuant to the provisions of Section 8-3b of the General Statutes of Connecticut, as amended, the following proposed zoning amendment is referred to the Capitol Region Council of Governments for comment:		
NATURE OF PROPOSED CHANGE:		
<input type="checkbox"/> Adoption of amendment of ZONING MAP for any area within 500 feet of another Capitol Region Municipality. Attach map showing proposed change.		<input checked="" type="checkbox"/> Adoption or amendment of ZONING REGULATIONS applying to any zone within 500 feet of another Capitol Region Municipality. Attach copy of proposed change in regulations.
THE CHANGE WAS REQUESTED BY: <input checked="" type="checkbox"/> Municipal Agency: <input type="checkbox"/> Petition		
DATE PUBLIC HEARING IS SCHEDULED FOR: 07/18/2022		
MATERIAL SUBMITTED HEREWITH:		
<input checked="" type="checkbox"/> Regulation Changes	<input type="checkbox"/> Map of Change	<input type="checkbox"/> Supporting Statements
<input checked="" type="checkbox"/> Public Notice	<input type="checkbox"/> Other (Specify):	
HAS THIS REFERRAL BEEN SUBMITTED PREVIOUSLY TO CRCOG? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO. IF YES, ON WHAT DATE:		
(FOR USE BY CRCOG)		Name: James Hallisey
Date Received:		Title: Zoning Agent
Sent certified/e-mail?		Address: 17 School Road, Andover, CT. 06232
File Number		Phone: 860-742-7305 Email: zoning@andoverct.org

BY LAW, THE ZONING COMMISSION SHALL GIVE WRITTEN NOTICE OF ITS PROPOSAL TO THE REGIONAL COUNCIL OF GOVERNMENTS
NOT LATER THAN THIRTY DAYS BEFORE THE PUBLIC HEARING TO BE HELD IN RELATION TO THE SUBJECT SUBDIVISION.
NOTICE SHALL BE MADE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED OR BY EMAIL TO zoningref@crcog.org.

CRCOG-2017

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Glastonbury / Granby / Hartford / Hebron / Manchester / Mansfield / Marlborough / New Britain / Newington / Plainville / Rocky Hill / Simsbury / Somers
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A voluntary Council of Governments formed to initiate and implement regional programs of benefit to the towns and the region

TOWN OF ANDOVER
LEGAL NOTICE
PLANNING AND ZONING COMMISSION

The Andover Planning & Zoning Commission will hold a Public Hearing at 7:00 p.m., July 18, 2022 to solicit input on proposed amendments to its Zoning Regulation; more particularly Section 15 (signs) in their entirety and Section 17 (Alcoholic Establishments. The later, as proposed, would address the location of establishments intended for the sale of cannabis products. The hearing will be held via Zoom utilizing the following:

ZOOM INFO TO BE INSERTED WHEN MADE AVAILABLE

Comments, concerns, and questions may be presented at the public hearing or be submitted to the Andover Building and Land-Use Office in writing a minimum of 48 hours prior to the time/date of the Public Hearing. Copies of the proposed changes are available for review on the Planning & Zoning Commission page of the town's web-site (andoverct.org) or at the Building and Land-use Office, 17 School Road.



Delete



Tags



Inspections



Comment



Tasking



Fees



Approve



Payment



History



Attach



Print



Town of Andover, CT
Andover Planning and Zoning Commission
17 School Road, Andover CT 06232
860-742-7305

06/07/2022

ZONE CHANGE APPLICATION

Applicant Information:

Name: Jed Larson Andover Planning and Zoning Commission
Address: 17 School Road
Phone: 860-742-7305 Fax: _____
Email: zoning@andoverct.org
Legal Interest: Planning and Zoning Commission acting on behalf of the town of Andover

Owner Information:

Name: ANDOVER TOWN OF
Address: 17 SCHOOL RD ANDOVER, CT 6232
Phone: 860-742-7305 Fax: _____
Email: _____
☐ Attached is documentation verifying ownership of the property. (Required)

Subject Parcel:

Address: _____
Size: _____ Map, Block and Lot #: _____
Is the subject parcel within 500 ft. of the Town boundary? ☒ yes ☐ no
Zone Change Requested from N/A text amendment to _____

Purpose of Request:

To amend sections 15 (signs) and 17 (alcoholic and cannabis establishments) of the zoning regulations in their entirety.

Fees:

Zone Change Fee = \$ _____ (Payable to the Town)
Amount includes 60.00 State Fee and 15.00 processing fee.

Signatures:

Signature of Owner(s) _____ Date: _____
Signature of Applicant(s) _____ Date: _____

REVIEW AND EDITS BY MARK BRANSE

COUNSEL TO THE COMMISSION

With Mark Branse comments of 1-24-19

Updated by Jed Larson on 3-3-22

SECTION 15 - SIGNS

15.0 INTENT

It is the intent of this section to provide for appropriately designed signs which are suitable to perform designated functions within a particular district, and which do not detract from property values or impair public health, safety and welfare, while ensuring the Constitutional right of free speech is protected.

15.1 SIGN FUNCTION-DEFINITIONS

15.1.1 Sign

Any structure, or part thereof, or any device attached to a building or structure or painted or represented thereon which displays or includes letters, words, symbols, trademarks or any other graphic representation which is in the nature of an announcement, direction, advertisement or other device used to attract the attention of the public for commercial purposes or otherwise; similarly, any natural object, such as a tree, stone, or the earth itself, which is painted or arranged so as to represent or display any of the aforesaid graphic representations; any building feature, including roof or other special illumination, special colors or effects, or building or roof lines which serve to identify the use or occupancy of any building or site through a recognized motif or symbol. The term "sign" shall include sculptures and similar works of art designed or intended to attract the attention of the general public to commercial or industrial premises.

15.1.2 Identification

A sign which identifies a business, commodity, service, public or quasi-public building, residential development, entertainment, or other use conducted, sold, or offered upon the premises where such sign is located, or to which it is affixed.

15.1.3 Billboard

A sign which directs attention to a business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the premises where such sign is located or to which it is affixed, or any sign having a sign face in excess of thirty-two (32) square feet.

15.1.4 Temporary

A sign erected on a site which is to be developed or is being developed; property being sold or rented; signs of a temporary nature associated with a political, educational, civic, religious, or similar activity or event, or other uses of land or buildings that are temporary.

15.1.5 Public Interest

Signs placed by the authority of a local, State, or Federal government agencies for public purposes.

15.1.6 Political Position Signs

Signs pertaining to public policy issues, excluding those for which an election or other date-certain event is involved (see following section).

15.1.7 Special Event and Election Temporary Signs

These are signs for public, charitable, educational, political, or religious events, or for public elections.

15.1.8 No Trespass Signs

Any sign on a Premises restricting the right to enter such Premises and indicating the private nature of such Premises.

15.2 SIGN CONSTRUCTION - DEFINITIONS

15.2.1 Banner Signs

Any sign constructed of flexible material, including a pennant that is mounted on a pole, rope, wire or similar material or is mounted on a building.

15.2.1 Canopy

A sign placed on the panels of a permanent canopy or erected above and supported by the canopy, and extending no higher than the eaves or the top of a parapet wall.

15.2.2 Flat

A sign placed on a wall or other exterior surface of a building, and extending no higher above roof level than the eaves or the top of a parapet wall.

15.2.3 Freestanding

A sign placed on the ground or supported by a structure placed in or upon the ground. The supporting structure or architectural feature of a freestanding sign shall not extend beyond one and a half feet beyond the side edge of any sign.

15.2.4 Mechanical

A sign which involves motion or rotation of any part; or which displays flashing lights, intermittent lights, or creates an illusion of movement; including through the use of forced air; and including any sign where artificial light is not maintained stationary and constant in intensity and color at all times, but not including signs that scroll, alternate, or otherwise move or change message using lighting, screens, or projections. See "Electronic Message Sign."

15.2.5 Projecting

A sign supported solely by a building and projecting more than 18 inches from the wall or surface upon which it is mounted.

15.2.6 Roof

A sign erected above roof level, but not including a sign which extends no higher than the eaves or the top of a parapet wall.

15.2.7 Sign, Electronic Message Sign

Any sign that contains or consists of patterns of illumination which form words, symbols, or other messages which are altered more than every five minutes.

15.2.8 Sign, Sky

Any Sign suspended in the air by means of a balloon or other lighter-than-air device.

15.2.9 Vehicular Signs

Any visual message or advertisement painted or placed on, or affixed to, a vehicle, parked trailer or other parked device capable of being towed.

15.2.10 Window Signs

A sign located inside of a building or structure but designed to be visible from the exterior by means of a window or other opening.

15.3 SIGN LIGHTING – DEFINITIONS

15.3.1 Natural Illumination

A sign depending only on natural light for illumination.

15.3.2 Artificial Illumination

A sign illuminated by devices which project artificial light upon it or which has characters, letters, figures, design or outline of artificial light provided as part of the sign.

a. Sign, Directly Illuminated. Any Sign designed to give forth any artificial light directly or indirectly through any transparent, reflective, translucent or similar material, from a source of light contained within, upon, or otherwise structurally integrated into such Sign; but not including a "channel" letter in which the light source is concealed within the rear

side of a hollow, opaque letter mounted on a wall, with the letter silhouetted against the halo of the reflected light.

b. Sign, Indirectly Illuminated. A Sign illuminated by a light source which is remote from the sign structure and so shielded that no direct rays therefrom are visible elsewhere than on the Sign Face, or the area immediately around it, but in no event visible off the Lot where said Sign is located. If such shielding is defective or fails to conform to the criteria of this definition, such Sign shall be deemed to be a Directly Illuminated Sign.

15.4 GENERAL REGULATIONS

In addition to the specific Sign Regulations as set forth in the following subsections, the following general requirements apply to all signs:

15.4.1 The following signs are prohibited:

- a. Mechanical signs
- b. Sky signs
- c. Roof signs
- d. Billboard signs
- e. Any vehicular or other signs on wheels, when repeatedly parked or displayed in a manner that may be in public view and not in the location which is used for transportation purposes which is customary for said vehicle.
- f. Banner signs over or across public roadways except temporary banner signs when explicitly authorized by the Board of Selectmen.
- g. No signage shall be at the Veterans Monument at the corner of Rt. 6 and Rt. 316 except town erected signage to identify the Veteran's Memorial.

15.4.2 Sign Area or Face.

The plane defined by one continuous perimeter of that rectangle, triangle, or circle having the smallest area which encompasses all the lettering, wording, design, or symbols together with any background different from the balance of the surface on which it is located, if such background is designed as an integral part of and related to the sign. Such perimeter, however, shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display. For the purposes of these Regulations, two-sided signs where the sides are back-to-back and located no more than eighteen (18") inches apart and parallel, shall be considered to have only one (1) sign face."

15.4.3 All signs or part thereof shall be clear of all street rights-of-way and no closer than 15 feet to lot line.

15.4.4 No sign shall be higher than 10 ft.

15.4.5 No signs will have letters taller than fifteen inches, and any insignia, logo, icon or picture will not be larger than four square feet; home occupation signs in residential districts will not have letters taller than five inches.

15.4.6 Signs shall not be designed, constructed, located or maintained in such a fashion that will obstruct or impair vision with the normal flow of traffic. No sign shall be permitted which is directly or indirectly illuminated in a manner which may create a traffic hazard or which may shine on adjacent, adjoining or nearby property in such a way so as to be a nuisance. Lighting shall comply with the requirements of section 4.21 of these regulations.

15.4.7 No temporary sign shall be displayed for a time period longer than 7 days after the event, property sale or lease or other purpose of the sign has concluded.

15.4.8 For signs requiring review by the Commission under Section 23 of these Regulations, signs shall be designed in harmony with the building and established surrounding development. All store units in the same building or in separate buildings on the same lot shall have a uniform design and placement of signs.

15.4.9 Non-compliance with any provisions of this section shall be construed as a zoning violation subject to the full penalties and fines as noted in Administration and Enforcement, Section 21 of the Zoning Regulations.

15.5 SIGNS PERMITTED IN ALL ZONES

15.5.1 The Town of Andover, acting by its Board of Selectmen or its designee, may erect Public Interest signs of a size, construction and lighting deemed appropriate for the purpose, but in no event larger than 16 square feet.

15.5.2 Temporary signs

- a. Real Estate Signs: One freestanding sign advertising the sale, lease, or rent of each premise not exceeding four square feet. Illumination shall be natural.
- b. Election Signs: Freestanding signs up to 32 square feet in the business or industrial zones and 16 square feet in residential zones. Multiple signs are permitted so long as the total square footage from all the signs does not exceed 50 square feet in the business or industrial zone and 32 square feet in residential zones. Illumination shall be natural.
- c. Special Event Signs: Freestanding signs up to 16 square feet. Illumination shall be natural.
- d. Construction Signs: One construction or project sign per lot not exceeding 16 square feet in residential areas or more than 32 square feet in business or industrial zones. In addition, one freestanding sign per subcontractor not exceeding 4 square feet is permitted. The illumination will be natural.

15.5.3 No Trespass signs: Signs not to exceed 2 square feet in size and illumination shall be natural. Where multiple signs are required, the signs shall be spaced at intervals no closer than 20 feet apart.

15.5.4 Political Position signs: Each lot may have one sign, maximum size of 16 square feet in residential zones and 32 square feet in the business and industrial zones. No political position sign shall be allowed on publicly owned property. Illumination shall be natural.

15.6 SIGNS PERMITTED IN ARD AND AL DISTRICTS IN ADDITION TO THOSE ALLOWED BY SECTION 15.5.

15.6.1 Identification signs for uses other than single family dwellings:

- a. One flat or freestanding sign not exceeding 16 square feet.
- b. Signs identifying the name of an apartment building or multiple-family complex may have one of the following:
 - (1) One freestanding sign for each major entrance to the complex.
 - (2) Area –16 square feet for each sign, and no more than 32 square feet total per property.
 - (3) Illumination - natural or artificial (not flashing).
 - (4) Special Permit required (see Section 23).
 - (5) Application (see Section 15.9).

15.6.2 Identification Signs for Single Family Dwellings

- a. No more than one flat sign, not to exceed two square feet.
- b. Home based business signs can have one freestanding sign not to exceed four square feet.
- c. Illumination shall be natural.

15.7 SIGNS PERMITTED IN THE BUSINESS (B) DISTRICT IN ADDITION TO THOSE ALLOWED BY SECTION 15.5.

15.7.1 Window signs including electronic messaging signs are permitted not to exceed 25% of the available business frontage window area to a maximum of 50 square feet. Illumination is natural or artificial, but not flashing.

15.7.2 Lots containing more than one business occupancy:

- a. Identification Sign for the property - shall not exceed the following:
 - (1) One freestanding sign solely to identify the property, not larger than 32 square feet in area.

- (2) Illumination – natural or artificial but not flashing.
- (3) A permit from the Zoning Enforcement Officer is required, unless the development received Special Permit or Site Plan approval pursuant to Section 23 of these Regulations, in which case approval of the Commission shall be required.

b. Signs identifying an individual business in a multi-occupancy development shall not exceed the following:

- (1) One flat or projecting sign not exceeding 32 square feet in size. Illumination may be natural or artificial but not flashing. A permit from the Zoning Enforcement Officer is required, unless the development received Special Permit or Site Plan approval pursuant to Section 23 of these Regulations, in which case approval of the Commission shall be required.

15.7.3 Single occupancy properties:

a. Signs identifying on-premises commercial and service establishments on single-occupancy lots or parcels shall not exceed the following:

- (1) Two signs, one freestanding and one flat, projecting, or canopy, with no single sign exceeding 32 square feet in area, (Combined area not to exceed 50 square feet). Illumination is natural or artificial but not flashing. A permit from the Zoning Enforcement Officer is required, unless the development received Special Permit or Site Plan approval pursuant to Section 23 of these Regulations, in which case approval of the Commission shall be required.

15.7.4 Gasoline Service Stations and Car Repair Facilities

a. Signs identifying a gasoline service station shall not exceed the following:

- (1) Three signs total:
- (2) One freestanding sign not exceeding 32 square feet.
- (3) Two of any combination of flat or canopy, not exceeding 32 square feet per sign.
- (4) Combined area of all three signs shall not exceed 50 square feet.
- (5) Illumination shall be natural or artificial but not flashing.
- (6) A permit from the Zoning Enforcement Officer is required, unless the development received Special Permit or Site Plan approval pursuant to Section 23 of these Regulations, in which case approval of the Commission shall be required.

b. Window signs including electronic messaging signs are permitted not to exceed 25% of the available business frontage window area to a maximum of 50 square feet. Illumination is natural or artificial but not flashing.

15.8 INDUSTRIAL (I) DISTRICT

15.8.1 Signs identifying on-premises industrial establishments shall not exceed the following:

- a. Two of any combination of freestanding, flat or projecting with a combined area not to exceed 50 square feet. Illumination shall be natural or artificial, but not flashing. A permit from the Zoning Enforcement Officer is required, unless the development received Special Permit or Site Plan approval pursuant to Section 23 of these Regulations, in which case approval of the Commission shall be required.
- b. Window signs including electronic messaging signs are permitted not to exceed 25% of the available business frontage window area to a maximum of 50 square feet. Illumination is natural or artificial but not flashing.

15.9 Permit Procedures

15.9.1 Application for a sign permit shall be made as follows:

- a. One hard copy of Planning & Zoning Application Form filled out, and one digital copy in a PDF or similar format
- b. One copy of deed (used for legal description of property).
- c. A list of property owners and addresses (Assessor's records) within 100 feet in all directions (including across street).
- d. A detailed drawing (size 24 X 36, 18 X 24, or 12 X 18) showing the following information:
 - (1) Location of building, land, or structure upon which the sign is to be erected or to which it is to be attached.
 - (2) Position in feet and inches to nearest building or structure, street or highway and to all property lines.
 - (3) Description of construction.
 - (4) Outside dimensions and height.
 - (5) Lettering width, height and area, and/or pictorial matter composing the sign.
 - (6) Position of lighting, including type, and other extraneous devices.

15.9.2 Issuance of Permit

Upon submitting application to Zoning Agent, the following procedures may be followed:

- a. Zoning Agent checks plans for correct information, visits site, makes sure sign conforms to regulations.
- b. If in compliance with Regulations, the Zoning Enforcement Officer approves application.
- c. After an approval has been granted, the Permit shall be issued.

SECTION 17 ALCOHOLIC /CANNABIS ESTABLISHMENTS

17.0 Bars, Nightclubs and Taverns

17.0.1 No building or premises shall be used, and no building shall be erected or altered for a restaurant, grill or tavern serving alcoholic liquor, as defined in the Liquor Control Act, for consumption on the premises if any part of said building or premises is situated within a radius of 500 feet from a church, elementary school, library, park, playground or lot having frontage in a Residential District.

17.0.2 No building or premises shall be used, and no building shall be erected or altered for a restaurant, grill or tavern serving alcoholic liquor, as defined in the Liquor Control Act, for consumption on the premises if any part of said building or a premise is situated within a radius of 200 feet from the Hop River State Park Trail.

17.1 Package/ Cannabis Stores

17.1.1 No building or premises shall be used as a package or cannabis store or establishment selling alcoholic liquor or cannabis as packaged merchandise and not for consumption on the premises, if any part of said building or premises is located within a radius of 500 feet from a church, elementary school, library, park or playground or a lot having frontage in a Residential District.

17.1.2 No building or premises shall be used as a package or cannabis store or establishment selling alcoholic liquor or cannabis as packaged merchandise and not for consumption on the premises, if any part of said building or premises is located within a radius of 200 feet from the Hop River State Park Trail.

For the purpose of this Section, "premises" shall mean only that fractional part of the building used for the sale, storage or consumption of alcoholic liquor, and shall not mean attached land or adjuncts.