

---

## SECTION 7

# Area, Location and Bulk Standards

### 7.0 [RESERVED]

### 7.1 GENERAL

The following regulations will apply to the area, shape and *frontage* of *lots* and the location and *bulk* of *buildings* or other *structures* in each district under Articles II, III and IV. Additional regulations relating to area, location and *bulk* standards apply to *lots* within special floating or overlay *zones*, as prescribed in Article V.

### 7.2 LOT AREA, SHAPE, FRONTAGE AND MINIMUM AREA OF BUILDABLE LAND

Each *lot* will have at least the minimum area as specified in the *district*. Each *lot* to be used for a *dwelling* will have at least the minimum area as specified in the *district*, and each *lot* to be used for a *dwelling* containing more than one (1) *dwelling unit* will have at least the minimum additional area for each *dwelling unit* in the *dwelling* in excess of one (1) specified in the *district*. Each *lot* will be of the shape that a square with a minimum dimension specified in the *district* will fit on the *lot* and, in Residence Districts, will also have the minimum width along the *building* line specified in the *district*. Each *lot* will have the minimum *frontage* on a *street* specified in the *district*.

7.2.1 **Minimum Area of Buildable Land.** In addition to other requirements, every new *lot* created subsequent to April 13, 1995, which is to be used for *building* purposes, will contain within its boundaries a minimum area of buildable land (MABL), with the following characteristics:

- A. Such MABL will include a contiguous area of not less than fifteen thousand square feet (15,000 s.f.);
- B. The MABL will be of the shape as to be capable of containing a square of not less than one hundred feet (100') on a side;
- C. The MABL will not include any land determined to be *inland wetlands* or *tidal wetlands*, as defined by the Connecticut General Statutes, nor any land delineated as a *Special Flood Hazard Area*;
- D. No more than twenty percent of the area designated as MABL will have naturally occurring topography exceeding twenty percent slope in grade as measured in forty foot (40') increments throughout the parcel;
- E. No land will be included in the MABL which is identified as having ground water higher than eighteen inches (18") below the naturally occurring surface, or ledge at a depth of less than four feet (4') below the natural ground surface as observed by soil testing; unless an area of suitable size and location has been identified through *soil* testing which demonstrates the suitability of soil in that area for the sewage system

placement in accordance with the requirements of the Connecticut Public Health Code in effect at the time of the testing. The *soil* testing required will be witnessed by the Town's registered sanitarian or *designee*, unless otherwise approved by the registered sanitarian. The Connecticut River Area Health District will determine the number and location of the tests required to demonstrate the suitability of the *soil* for sewage placement and will certify compliance of the *soil* testing requirements of these regulations. No fewer than three (3) test holes, which have been observed by the Health District, will be provided and will be conducted such that both the primary and reserve system are investigated.

- F. No more than ten percent of the MABL will be encumbered by easements, including easements for drainage, utilities or vehicular access, excluding conservation easements.
  - G. Any proposed *building lot* for which the Subdivision Regulations require an application for subdivision or resubdivision of land will include a MABL that complies with this section. The Planning Commission will determine compliance with the MABL requirement for subdivision *lots*.
  - H. Any division of land for *building* purposes, which does not require approval under the Subdivision Regulations, will meet the MABL requirements of this section. Prior to the division of property, a site plan meeting the requirements of Section 8 will be submitted to the Enforcement Officer for review, which demonstrates that the MABL has been met for both the proposed new *lot* and the original *lot*. No *lot* will be transferred by deed and no *building* permit will be issued for the *lot* until the approval has been obtained from the Enforcement Officer.
- 7.2.2 **Exceptions.** The *lot* area, shape and *frontage* requirements will not be construed to prohibit condominium ownership of a *building* or *buildings* on a *lot* meeting the requirements specified in the *district*; the *lot* area, shape and *frontage* requirements will not be construed to prohibit other forms of ownership of a portion of a *building* and its related *lot* provided that the Commission has approved a Special Exception use or the Planning Commission has approved a subdivision map in accordance with the standards of the Subdivision Regulations and filed in the Office of the Town Clerk.

### 7.3 SETBACKS

No *building* or *structure* will extend within less than the minimum distances of any *street line*, *rear property line*, other property line or Residence District boundary line as specified in the *district*, subject to the following exceptions and additional limitations:

- 7.3.1 **Signs.** Certain permitted *signs*, as specified in Section 62, may extend within lesser distances of a property or *street line*.
- 7.3.2 **Form of Ownership.** The *setback* requirements will not be construed to prohibit condominium ownership of a *building* or *buildings* which otherwise conform to the requirements; the *setback* requirements will not be construed to prohibit other forms of



ownership of a portion of a *building* and its related *lot* provided that a Special Exception use has been approved by the Commission in accordance with Section 52 and a subdivision map has been approved by the Planning Commission in accordance with the standards of the Subdivision Regulations and filed in the Office of the Town Clerk.

#### 7.4 MINIMUM ACCESS

No *dwelling* will be constructed, and no *building* will be changed in use for occupancy as a *dwelling*, unless located on a *lot* which has a *frontage* of not less than twenty feet (20') on a *street* or on a private right-of-way or exclusive access casement which is everywhere twenty feet (20') or more in width and connecting to a *street*.

#### 7.5 BUILDING BULK AND COVERAGE

For all stories of all *buildings* or *structures* on any *lot*, the *building/structure coverage*, the *gross floor area*, or the total *lot coverage* will not exceed the percentage of *lot area* as specified in the district.

7.5.1 **Form of Ownership.** The *floor area* and *coverage* requirements will not be construed to prohibit condominium ownership of a *building* or *buildings* which otherwise conform to the requirements; the *floor area* and *coverage* requirements will not be construed to prohibit other forms of ownership of a portion of a *building* and its related *lot* provided that a Special Exception has been approved by the Commission in accordance with Section 52 and a subdivision map has been approved by the Planning Commission in accordance with the standards of the Subdivision Regulations and filed in the Office of the Town Clerk.

#### 7.6 MINIMUM FLOOR ELEVATION

Within the Flood Plain Zone, any *building* or *structure* that is to be constructed, moved or substantially improved will have a lowest floor elevation, including basement, as specified in a certain ordinance, entitled "Flood Plain Management Ordinance, Town of Old Saybrook, Connecticut".

#### 7.7 MINIMUM BUILDING SIZE

Certain *buildings* will conform to minimum size requirements as follows:

7.7.1 All *dwelling*s in any *district*, where permitted, and other than *dwelling*s for elderly or handicapped persons approved as a Special Exception use as specified in Paragraph 52.7.10, will have a minimum of seven hundred fifty square feet (750 s.f.) of *gross floor area*.

7.7.2 All *principal building*s in Business, Marine, and Industrial Districts, other than *building*s accessory to permitted *dwelling*s, will have a minimum of seven hundred fifty square feet (750 s.f.) of *gross floor area*.

#### 7.8 DRAINAGE

Provision will be made for the collection and discharge of storm water on the *lot* in a manner as to assure the usability of off-street parking and loading spaces, to avoid hazards to pedestrian and

## AREA, LOCATION & BULK STANDARDS

---

vehicular traffic on the *lot* and on any *street*, to avoid storm water flow across sidewalks and other pedestrian ways and to protect streams and *wetlands* from pollution. Provision will also be made for the protection or improvement of existing *watercourses*, channels, and other drainage systems.

The following minimum criteria for design storms will be used in the analysis and design of storm drainage system and *structures*:

- A. Watershed drainage area of less than five hundred (500) acres and no established *watercourse* - 25-year frequency discharge.
- B. Watershed drainage area of less than one thousand (1,000) acres with an established *watercourse* - 50-year frequency discharge.
- C. Watershed drainage area of over one thousand (1,000) acres – 100-year frequency discharge.

In addition to these criteria, all drainage systems will be in accordance with sound design criteria and good engineering practice. (Former 8.15)

### 7.9 SANITATION

Proper provision will be made for the water supply and sewage disposal requirements of the proposed use. When public water supply or sewage disposal system are not to be used, the private systems, will be subsurface and designed and constructed in accordance with any applicable State or Town laws and the design will be approved by the Connecticut River Area Health District prior to approval of the proposed development. In addition, proper provision will be made for the collection, storage, and disposal of solid wastes accumulated in connection with the proposed use and for control of litter by means of receptacles, *fences*, or other means approved by the Commission.

### 7.10 SETBACK AREAS

The area required for *setback* from a *street line*, property line or Residence District boundary line will be limited in *use* as follows:

7.10.1 **Outside Storage.** No *outside storage* areas will be located in the area required for *setback* from a *street line* or Residence District boundary line; in the Industrial I-1 District, no *outside storage* area will be located in the area required for *setback* from a property line.

7.10.2 **Loading Spaces.** No off-street loading space will be located in the area required for *setback* from a *street line* or Residence District boundary line; in B-3 and I-1 Districts, no space will be located in the area required for *setback* from a property line.

7.10.3 **Parking Spaces.** Parking spaces and *driveways* will conform to the requirements of Section 62.

### 7.11 HANDICAPPED PERSONS

The plot plan will make proper provision for *buildings* and site development that are accessible to and usable by physically handicapped persons, such as by:



- 7.11.1 Provision of walks and ramps of suitable width and grade;
- 7.11.2 Inclined curb approaches or curbs cut flush with parking areas;
- 7.11.3 Reserved, wide parking spaces; and
- 7.11.4 Ground level *building* entrances.

**AREA, LOCATION & BULK STANDARDS**

---