

SECTION 6

PROHIBITED USES

6.1 Prohibited Uses: It is expressly understood that any use not listed and designated as permitted in the specified District in Section 5 of these Regulations is prohibited in such District. Nevertheless, due to their uniquely objectionable characteristics, certain uses are identified in this Section 6 for specific prohibition in any zone, as principal or accessory uses, and no use category set forth in Section 5 of these Regulations shall be deemed to include any use set forth herein. To assist in the interpretation of permitted uses, the following uses, the list of which is not intended to be exhaustive, are specifically prohibited:

- 6.1.1 No land in any district shall be used for a trailer, tent or similar structure to be occupied as a dwelling.
- 6.1.2 No land in any district shall be used for a junkyard or a junk business of any description and no rubbish, machinery, broken glass, stumps, roots, garbage, trash, refuse, debris or junk motor vehicles shall be left or stored on any lot so as to be unsightly or detrimental to nearby property.
- 6.1.3 No land in any district shall be used as the location for a Quonset hut or similar structure to be used for any purpose.
- 6.1.4 No dumping or storage of refuse shall be permitted in the Conservation Zone other than the temporary dumping or storage of small amounts of such material for brief periods pending final lawful disposition, nor shall any new public solid waste disposal facility, excluding sewage treatment facilities, be established or an existing facility be expanded in the Conservation Zone.
- 6.1.5 Except as provided in connection with a licensed motor vehicle repair garage, not more than one currently unregistered motor vehicle shall be parked on any property, and said vehicle shall not at any time be in a state of major disassembly, disrepair, nor shall it be in the process of being stripped or dismantled.
- 6.1.6 No land in any district shall be used for any of the following purposes: new or used motor vehicle dealer's establishment for the sale or storage of automobiles or other motor vehicles, including trucks, trailers, buses and farm equipment, motorcycles, snowmobiles, jet skis, all terrain vehicles or other unregistered off-road vehicles. [From former Section 6.3.6, Amended Effective 3-7-08]
- 6.1.7 No commercial establishment may have more than two (2) pinball machines or other devices operated as a game of skill.
- 6.1.8 No dwelling containing more than one (1) dwelling unit shall be constructed on any lot except as permitted by these Regulations in Sections 7.8 (Accessory

Uses), and 13, and 11.28. [From former Section 6.3.8, Amended Effective 4/3/96 and 3-7-08]

6.1.9 Anything in these Regulations to the contrary notwithstanding, no lot, or portion thereof, shall be used as a Public Parking Lot, except for Public Parking Lots under the management, supervision, and control of the Town of Old Lyme. The inclusion of this prohibition is for clarity only and does not amend the pre-existing prohibition against Public Parking Lots which arose by virtue of Section 2.1 of these Regulations. See Section 3.2, Definition of "Public Parking Lot". [From former Section 6.3.9, added effective 6/1/99 and amended effective 3-7-08]

6.1.10 Abattoir; distillation of bones, offal or rendering or dumping of dead animals; stock yards. [Added effective 3-7-08]

6.1.11 Blast furnaces or smelting of copper, iron, lead, tin or zinc. [Added effective 3-7-08]

6.1.12 Potash, coal, coke, tar, oil or other petroleum product distillation, manufacture, or derivation of byproducts, including, but not limited to, refining or manufacture of products such as gasoline, lubricating oil, kerosene, naphtha, nitrates (natural and synthetic), synthetic resins, pyroxilin, rayon or nylon yard, and plastics. [Added effective 3-7-08]

6.1.13 Manufacturing uses involving the primary production of the following products from raw materials:

asphalt, rubber (natural and synthetic), cement, charcoal, charcoal fuel briquetting, lime, gypsum, or plaster of paris;

aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black, bone black, creosote, hydrogen, oxygen, soap, paper, industrial alcohol;

carbolic, phosphoric, hydrochloric, nitric, picric, or sulfuric acid; and

linoleum, oil cloth, matches, paint, varnishes, turpentine and other solvents.

[Added effective 3-7-08]

6.1.14 Manufacture or storage of explosives. [Added effective 3-7-08]

6.1.15 Fertilizer manufacture. [Added effective 3-7-08]

6.1.16 Fat rendering in the manufacture of tallow, grease, glue, gelatin and oil. [Added effective 3-7-08]

- 6.1.17 Refining and recovery of products from fish, wood or wood pulp or fiber, bones, fat and other animal refuse or offal. [Added effective 3-7-08]
- 6.1.18 Natural, propane, or other gas manufactured by other than a public utility, and natural, propane, or other gas storage as a principal use, except that the storage for distributing purposes and the distribution of liquified petroleum gas may be permitted as a permit by the Zoning Board of Appeals provided that there is compliance with all requirements of Connecticut General Statutes Chapter 541, Part II, and any regulations adopted pursuant thereto, as the same may be amended from time to time. This provision shall not be construed to prevent the storage for use on the premises of liquified petroleum gas when installed and used in accordance with applicable Connecticut State laws. [Added effective 3-7-08]
- 6.1.19 Bulk or wholesale storage of gasoline, fuel oil, and all other petroleum products above ground, excluding such storage for on-site consumption or otherwise accessory to the principal use of the property. [Added effective 3-7-08]
- 6.1.20 Operations involving the keeping, breeding and raising of mink or other raising fur-bearing animals other than rabbits; or primates for commercial or laboratory purposes; or the keeping, breeding and raising of pigs or swine as a principal use. [Added effective 3-7-08]
- 6.1.21 Any activities dealing with automobile racetracks, snowmobile racetracks, stock car racetracks, drag strips, off-road vehicle trail racing, and all other activities involving racing of, or competitions or spectacles involving, motorized vehicles of any kind. [Added effective 3-7-08]
- 6.1.22 Nitrating of cotton or other materials. [Added effective 3-7-08]
- 6.1.23 Itinerant peddling, sales or promotions conducted from vehicles or from any other mobile or portable facility, excluding: Vendors legally operating within a public highway right-of-way; and permitted accessory uses in Section 7 (Accessory Uses, Buildings and Structures) of these Regulations. [Added effective 3-7-08]
- 6.1.24 Similar uses to the above (items 1-15) which are dangerous by reason of fire or explosion, or injurious, noxious, or detrimental to the neighborhood because of emission of dust, fumes, odor, smoke, wastes, noise, vibrations or because of other objectionable features. [Added effective 3-7-08]
- 6.1.25 Helistops [D]. [Added effective 3-7-08]
- 6.1.26 Tea Rooms. [Added effective 3-7-08]
- 6.1.27 Billboards. Anything in these Regulations to the contrary notwithstanding, billboards shall be prohibited throughout the Town of Old Lyme. "Billboards"

shall include, but not be limited to, any sign greater than 32 square feet which is a free-standing structure or any sign greater than 60 square feet which is mounted upon the roof or wall of a building and is visible from any public street or highway. "Billboard" shall expressly include any sign which is visible from a street from which the property on which the sign is located does not have direct vehicular access. "Billboard" shall not include any sign(s) approved pursuant to Section 19 of these Regulations or approved as part of a Site Plan Review or Special Permit per Section 13 of these Regulations. [From former Section 10.1, added effective 8/1/01 and amended effective 3-7-08]

6.1.28 Fast Food Restaurants [D]. [Added effective 3-7-08]

6.1.29 Drive-through service to patrons in vehicles as either a Principal Use or as an Accessory Use to a Full Service Restaurant. [Added effective 3-7-08]

6.2 Pursuant to Connecticut General Statutes Section 8-6, as amended by Public Act 77-509, the Old Lyme Zoning Board of Appeals is prohibited from granting any variance which would permit any of the foregoing uses to be established, enlarged, extended, or intensified. [Added effective 3-7-08]

[Preceding from former Section 6, Amended Effective 3-7-08, except as otherwise noted]