

SECTION 3 **DEFINITIONS**

- 3.1 Intent and General Rules of Construction. Except as defined below, the words used in these Regulations shall have the meaning commonly attributed to them. In the interests of clarity and brevity, the following terms shall, unless otherwise stated, have the meaning herein indicated for all purposes of these Regulations; however, terms which are not defined herein but only refer to other sections of these Regulations are so defined for the purposes of the referenced section only. Words used in the present tense shall include the future tense. When the context so requires, words in the masculine, feminine, or neuter gender shall include any gender, and words in the singular or plural shall include both singular and plural numbers. The underlined captions set forth in these Regulations are for convenience and reference only and shall not be deemed to define or limit the provisions hereof or to affect in any way their construction or application. [From former Section 9.1, Amended Effective 3-7-08]
- 3.2 Definitions.
1. Abutting. Separated by no intervening private property; properties separated by a public or private street shall be deemed to be Abutting. [added effective 3-7-08]
 2. Accessory Building or Structure. A Building or Structure, in addition to the Principal Building, which is clearly subordinate to, and customarily incidental to, and located upon the same Lot as the Principal Building, and which is in character with the neighborhood. Any Accessory Building physically attached to a Principal Building shall be deemed to be a part of such Principal Building in applying the Bulk Regulations to such Building. [From former Section 9.1, Amended Effective July 1, 1996; and also Effective 3-7-08]
 3. Accessory Apartment. A set of rooms which include a kitchen and bathroom that is accessory to a single detached Dwelling Unit and which meets the requirements of Section 7.8.2. See Section 7.8.2, (Accessory Apartments). Compare to “Guest House”. [From former Section 9.1, Amended Effective 6/1/98; and also effective 3-7-08]
 4. Accessory Use. A Use, in addition to the Principal Use, which is clearly subordinate to, and customarily incidental to, and located upon the same Lot as the Principal Use. [Added effective 3-7-08]
 5. Acre. An Acre shall be defined for these Regulations as an area of 43,560 continuous square feet of land. [Added effective 3-7-08]
 6. Actual Construction. See definition of “Nonconformity, Including Actual Construction” below. [Added effective 3-7-08]

7. Alcoholic Liquor and Permits. “Alcoholic Liquor” (alcohol, beer, spirits and wine) and the various types or classes of liquor permits referred to in this Section are as defined in Chapter 545 of the Connecticut General Statutes, as amended, known as the “Liquor Control Act”. [From former Section 45.1.1, Amended Effective 3-7-08] See Section 14.

8. Alcoholic Liquor Establishment. Any land, Building or other Structure or Premises where the sale of Alcoholic Liquor is authorized by a permit issued by the Liquor Control Commission of the State of Connecticut. [From former Section 45.1.2, Amended Effective 3-7-08]. See Section 14.

Alter, Alteration. As applied to a Building or Structure, means a change or rearrangement in the structural parts thereof, the movement of all or any part thereof, or the substantial reconstruction thereof, so as to produce a substantial change in appearance, character, or construction; also means an enlargement, whether by increasing in height, coverage, volume or floor area. As applied to a Use, means a change or enlargement in the character, area occupied by, intensity, or scope of the use, including, but not limited to, the extension of hours of operation, the addition of other activities, equipment, functions, or processes, or the extension into additional land or Building area. This also includes the extension of a nonconforming use of a Building or other Structure to occupy land outside such Building or other Structure or space in another Building or Structure. [From former Section 8.7.2, Amended Effective 3-7-08, **Amended Effective 9-16-11 deletion of reference to seasonal use**]

9. Alternate Energy System. Consists of the following:

Solar Energy Collector. A device that when attached to a Building as an architectural component or as an Accessory Structure transfers direct solar energy into thermal, chemical or electrical energy that contributes to the energy supply for the Building.

Wind Turbine. A device which converts wind energy by means of a rotor to mechanical or electrical energy. [From former Section 9.1]

10. Aquifers. A geologic formation or deposit that contains a considerable amount of obtainable groundwater, in particular, stratified drift areas having a saturated thickness greater than ten (10') feet which are located near large surface water bodies capable of supplying water to the Aquifer by induced filtration. [Added effective 3-7-08]

11. Area, Location and Bulk. See Section 8 (Bulk Requirements) for the following:

Building Coverage, Measurement of (Section 8.1);

Height, Measurement of (Section 8.2);

Minimum Area of Buildable Land (Section 8.4);

Minimum Floor Area – Dwelling Unit (Section 8.2);

Stories, Count of (Section 8.8, 8.9, and 5.13.8);

Total Ground Coverage, Measurement of (Section 8.1);

Total Floor Area, Measurement of (Section 8.1).

Within the Conservation Zone, see Section 4.10.

[From former Section 9.1, Amended 3.2.12 Effective 4-1-09]

12. Attic. The space between the top surface of the ceiling beams of the top Story and the bottom surface of the roof rafters, which space is not finished or otherwise capable of being Used as habitable space. An attic may constitute a Story or a Half Story. Compare to “Story, Half” and “Story”. [From former Section 9.1, Amended Effective 3-7-08, Amended Effective 4-1-09]
13. Awning. A roof-like cover that is temporary and collapsible in nature and that projects from the wall of a Building for the purpose of shielding a deck, doorway or window from the elements. [Added effective 3-7-08]
14. Basement. That portion of a Building having its floor level partly or wholly below Grade, but, which has, at any point, floor-level access to Grade and at least six (6) contiguous lineal feet of floor level at or above Grade. Any floor level of a Building which is below Grade and is not a “Basement” shall be a “Cellar”. Compare to “Cellar”. [Added effective 3-7-08]
15. Bed and Breakfast. A Building, or group of Buildings, a portion of which is occupied by the owner thereof as a permanent residence and which Building(s) is/are designed or used for the short-term rental of up to four (4) rooms to transients and capable of including, as an Accessory Use, the serving of meals exclusively to overnight guests of the facility. See Section 7.8.4, (Bed & Breakfast) and Section 11.29, Special Regulations. Compare to “Boarding House”, “Hotel”, and “Inn”. [Added effective 3-7-08]
16. Billboard. See "Sign, Advertising". [Added effective 3-7-08]
17. Board. Wherever the term "Board" shall appear in these Regulations, it shall refer to the Old Lyme Zoning Board of Appeals. [Added effective 3-7-08]

18. Boarding House. A Building where lodging and/or meals are provided to long-term (i.e., non-Transient) residents only, for compensation, utilizing one central kitchen facility and expressly excluding cooking facilities in any guest room. A Boarding House shall be occupied by the owner of the Building as a permanent residence and all elements of the Boarding House use shall be confined to the Principal Building on the Lot. Compare to “Bed and Breakfast”, “Hotel or Motel” and “Inn”. [Added effective 3-7-08]
19. Building. Any Structure having a roof and intended for the shelter, housing or enclosure of persons, animals or materials. The connection of two (2) or more Buildings by means of a porch, breezeway, passageway, carport, or other such roofed Structure shall be deemed to make them one Building. [From former Section 9.1, Amended Effective 3-7-08]
20. Building, Accessory. See “Accessory Building”. [Added effective 3-7-08]
21. Building, Height. See Section 8 (Bulk Requirements).
22. Building Official. The Building Official, also known as the Building Inspector, of the Town of Old Lyme, or his/her designee. [Added effective 3-7-08]
23. Building Permit. A permit for construction issued by the Building Official pursuant to these Regulations and the Old Lyme Building Code. [Added effective 3-7-08]
24. Building, Principal. See "Principal Building". [Added effective 3-7-08]
25. Bulk. The size and shape of Buildings, Structures, and Uses of land and the physical relationships of their exterior walls or limits of Use to Lot Lines, the exterior wall of other Buildings, Structures or Uses, and the Open Spaces required by these Regulations. Bulk includes regulations dealing with floor area ratio, Floor Area, Building Height, Lot area, Lot Coverage, Lot Lines, Minimum Dimension Square, or other similar regulations of volume, dimension, special relationship, or location. See Section 8, (Bulk Requirements). [Added effective 3-7-08]
26. Business Service Establishment. An establishment which is not a Home Occupation where a commercial service is provided either on or off-site, including but not limited to, landscaping service, telephone answering service, secretarial service, but excluding motor vehicle service and/or repair. [From former Section 9.1, Amended Effective December 1, 1996]. See Section 5 (Use Regulations).
27. Cattery, Commercial. A facility maintained for the boarding of one (1) of more domestic cats for a fee. Compare to “Kennel, Commercial” and “Kennel, Private Dog”. [From former Section 9.1]

28. Cellar. That portion of a Building having its floor level partly or wholly below Grade, and, which has, at no point, more than six (6) contiguous lineal feet of floor level at or above Grade and has no floor-level access at Grade. Compare to "Basement". [Added effective 3-7-08]
29. Cemetery. Land used for the burial of the dead and dedicated for cemetery purposes, excluding columbariums, crematories, mausoleums and mortuaries, established and operated by an ecclesiastical society or cemetery association. [Added effective 3-7-08]
30. Child Day Care Center/Services. See "Day Care Center", "Group Day Care Home", and "Family Day Care Home". [Added effective 3-7-08]
31. Club. Land, Buildings and facilities owned or operated by a non-profit entity for a recreational, social, patriotic, political, benevolent or athletic purpose, but not for pecuniary gain, nor to render a service which is customarily carried on as a business. A "Club" shall cater only to its members or guests accompanying them. A "member of a Club" shall be a Person who, whether as a charter member or admitted in accordance with the by-laws of the Club, has become a bona-fide member thereof, who maintains his/her membership by the payment of his/her dues in accordance with such by-laws and whose name and address are entered on the list of membership of the Club. [Added effective 3-7-08]
32. Commercial Livery and Boarding Stables; Riding Academies. The feeding, housing, exercising, and training of horses, including horses not owned by the owner of the Lot, and where the owner may receive compensation for such Use. The Use may include the giving of lessons for horses and their riders in the equestrian arts. See Section 11.17, Special Regulations. See also Section 7.8.5, Accessory Uses. [Added effective 3-7-08]
33. Commission. The Zoning Commission of the Town of Old Lyme. See "Board" and "Planning Commission". [Added effective 3-7-08]
34. Community Residence for Mentally Ill Adults. See the definition set forth in Connecticut General Statutes Section 19a-507a, as the same may be amended from time to time. [Added effective 3-7-08]
35. Community Residence for Mentally Retarded Adults. See the definition set forth in Connecticut General Statutes Section 19a-464c(e), as the same may be amended from time to time. [Added effective 3-7-08]
36. Convalescent Home. A medical institution providing shelter, clothing and food to resident patients and meeting the definition of a Skilled Nursing Facility as that term is defined in applicable State and Federal law. "Convalescent Home" does not include "Rest Home". [Added effective 3-7-08]

37. Country Club. A recreational facility, usually restricted to members and their guests, which includes a clubhouse, dining and eating establishments and recreational facilities such as golf course(s), tennis courts, and swimming pools. See “Golf Course”.
38. County Soil and Water Conservation District. See Section 16, Erosion and Sedimentation Control. [Added effective 3-7-08]
39. Coverage, Measurement of. See Section 8 (Bulk Requirements). [Added effective 3-7-08]
40. Cutting and Removal of Forest Tree Species. See Section 11.23 for the following:

Commercial Cutting;
Commercial Cutting Plan;
Non-Commercial Cutting;
Non-Commercial Cutting Plan.

[From former Section 9.1, Amended Effective 3-7-08]

41. Day Care Center. A Use which offers or provides a program of supplementary care for compensation to more than twelve (12) related or unrelated children or any number of adults outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week. "Day Care Center" does not include services which are: (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188; (2) recreation operations such as, but not limited to, boys' and girls' clubs, church-related activities, scouting, camping or community-youth programs; (3) informal arrangements among neighbors or relatives in their own homes; (4) drop-in supplementary child care operations where parents are on the premises for educational or recreational purposes and the child receives such care infrequently. "Day Care Center" includes "Child Day Care Center" as defined in Section 19a-77 of the Connecticut General Statutes but does not include a "Family Day Care Home" or "Group Day Care Home" as defined in said Section. [Added effective 3-7-08]
42. Deck. An Accessory Structure consisting of one or more horizontal surfaces attached to and extending from the Dwelling and used for Accessory residential uses and which exceeds a height of 12 inches above the adjacent grade of the land at any point, such grade to be measured at the existing natural Grade prior to site grading. A Deck may not be covered by any roof, Awning, or other surface, nor shall it be enclosed in any manner. For Decks relative to required Setbacks/Yards in all Districts, see Section 7.4 (Accessory Uses, Buildings and Structures); for Decks relative to Building Coverage, see Section 8.1 (Bulk Requirements). Compare to definition of “Terrace”. [Added effective 3-7-08]

43. Development. See Section 16, Erosion and Sedimentation Control. [Added effective 3-7-08]
44. District. An area within which certain Uses are permitted, certain others are prohibited, and certain others are designated as uses requiring a Special Permit from the Commission, the Planning Commission, or the Board; Yards and other Open Spaces are required; Lot Areas, Building Height limits, and other requirements are established; all of the foregoing being identical for all property located within the area to which they apply. Compare to definition of "Zone". [Added effective 3-7-08]
45. Disturbed Area. See Section 16, Erosion and Sedimentation Control. [Added effective 3-7-08]
46. Dog Training Facility. A commercial Use where dogs are trained for a fee and which facility is separate from the residence of the operator and from any facility at which dogs are housed on a temporary or permanent basis. Compare to "Commercial Kennel". [Added effective 9/1/99; amended effective 3-7-08]
47. Drive-In. A Use, or an establishment designed or operated for such Use, where a patron is served while seated in a motor vehicle located in a Driveway, Parking Area, or similar area but excluding motor vehicle fuel sales. [Added effective 3-7-08]
48. Driveway. Any access from a Street used, designed, or intended to be used for vehicular ingress and egress to any Building, Structure, Use or Lot. [Added effective 3-7-08]
49. Driveway, Common. A Driveway serving more than one (1) Lot. [Added effective 3-7-08]
50. Driveway, Loop. A Driveway intersecting the Street at two (2) or more points. [Added effective 3-7-08]
51. Dustless Surface. Adequately covered with concrete, asphalt, or bituminous products, paver blocks or grass areas having subsurface structural support designed for motor vehicles (often referred to generically as "grassphalt"). See Section 18, Off-Street Parking and Truck Loading. [Added effective 3-7-08]
52. Dwelling. A Building containing one (1) or more "Dwelling Units"; one (1) or more Buildings may be considered to be a "Dwelling" if designed for occupancy and so occupied by one (1) Family. [From former Section 9.1]
53. Dwelling Unit. One (1) or more rooms providing complete living facilities for one (1) Family, including equipment for cooking or provisions for same, including room or rooms for living, sleeping and eating, and having its own

separate entrance. [From former Section 9.1, Amended Effective July 3, 1995; and Amended Effective 3-7-08]

54. Dwelling, Two Family. A single detached Dwelling on one (1) Lot used for residential purposes designed and/or used for occupancy by two (2) Families living independently of each other having separate or joint entrances, services and facilities but not including Accessory Apartments per Section 7.8.2. [Added effective 3-7-08]
55. Dwelling, Multiple Family. A single detached Dwelling on one (1) Lot used for residential purposes designed and/or used for occupancy by three (3) or more Families living independently of each other having separate or joint entrances, services and facilities. [Added effective 3-7-08]
56. Easement. A right, established in Deed or other legal means, of one party to use a designated portion of a second party's land for a specific limited purpose. [Added effective 3-7-08]
57. Enlargement or to Enlarge. Any addition to the Floor Area or volume of an existing Building, an increase in the size of any other Structure, or an increase in that portion of a tract of land occupied by an existing Use. "To enlarge" is to make an Enlargement. See Section 9, (Nonconforming Lots, Uses, Buildings, and/or Structures). [From former Section 8.7.1, Amended Effective 3-7-08]
58. Erosion. See Section 16, Erosion and Sedimentation Control. [Added effective 3-7-08]
59. Excavation, Removal or Deposit. See Section 15 for the following:

 Material;
 Affected Area;
 Site.
- [From former Section 9.1, Amended Effective 3-7-08]
60. Extension or to Extend. An increase or amplification of an existing Building, Structure, or Use. "Extension" shall be deemed to include any increase in the normal days or hours of operation or any increase in the scope of services offered of any non-conforming, non-residential use of land, Buildings, or Structures. "To Extend" is to make an Extension. See Section 9 (Nonconforming Lots, Uses, Buildings, and/or Structures). [From former Section 8.7.1, Amended Effective 3-7-08, **Amended Effective 9-16-11 deletion of reference to seasonal use**]
61. Family. An individual, any number of individuals related by blood, marriage, or adoption and living together as a single housekeeping unit or a group of not more than six (6) People who need not be so related, living together as a single housekeeping unit; a roomer or boarder authorized under these Regulations and

the bona-fide domestic servants and temporary guests of the “Family” shall not be considered a member of the “Family” for the purpose of this definition.

[From former Section 9.1, Amended Effective 3-7-08]

62. Family Day Care Home. A dwelling in which care is provided for compensation to not more than six (6) children, including the provider's own children not in school full-time, where the children are cared for not less than three (3) nor more than twelve (12) hours during a twenty-four (24) hour period and where care is given on a regularly recurring basis. "Family Day Care Home" does not include services which are: (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188; (2) recreation operations such as, but not limited to, boys' and girls' clubs, church-related activities, scouting, camping or community-youth programs; (3) informal arrangements among neighbors or relatives in their own homes; (4) drop-in supplementary child care operations where parents are on the premises for educational or recreational purposes and the child receives such care infrequently. "Family Day Care Home" includes "Family Day Care Home" as defined in Section 19a-77 of the Connecticut General Statutes but does not include "Group Day Care Home" or "Child Day Care Center" as defined in said Section. See, the definition of "Home Occupation". [Added effective 3-7-08]
63. Farm. Any tract of land for which the Principal Use is dairying or the raising of agricultural products, forest products, livestock, or poultry, and any uses accessory thereto, but excluding: Commercial Kennel; Commercial Cattery; commercial propagation and growing of flowers, plants, nursery stock, and berries, when combined with on-site sales to the general public; commercial greenhouses; commercial livery and boarding stables; commercial veterinary hospitals; cattle feed lots; and, rendering plants. [Added effective 3-7-08]
64. Farm Building. A Building principally used for agricultural purposes. [From former Section 9.1 Amended Effective December 1, 1996]
65. Fence. A Structure for enclosure or screening, including a wall. [Added effective 3-7-08]
66. Fire Marshal. The legally designated Fire Marshal of the Town of Old Lyme or his/her authorized representative(s). [Added effective 3-7-08]
67. Fire Chief. The legally elected Fire Chief of the Town of Old Lyme or his/her authorized representative(s). [Added effective 3-7-08]
68. Flea Market. The Use for the commercial sale of new or used products by one or more vendors on a continuous, regular, or intermittent basis. A Flea Market shall be deemed to be a commercial activity and shall comply with all provisions of these Regulations applicable to such uses. The isolated sale by the occupants of one or more dwellings, or by Clubs, non-profit religious, educational, charitable,

and other similar organizations, of used household articles, baked goods, household crafts, and similar items, shall not be considered a "Flea Market", provided such activity complies with the definition of "Accessory Use" contained in these Regulations. Compare to "Tag Sale". [Added effective 3-7-08]

69. Flood Plain District. See Section 4.4 for the following:

Base Flood;
Base Flood Elevation;
Breakaway Wall;
Coastal High Hazard Area;
Development;
Flood or Flooding;
Floodproofing;
Floodway;
Lowest Floor;
Manufactured Home;
Manufactured Home Park/Subdivision;
Mean Sea Level
National Geodetic Vertical Datum (NGVD);
New Construction;
Special Flood Hazard Area;
Start of Construction;
Substantial Damage;
Substantial Improvement.

[From former Section 9.1, Amended Effective 3-7-08]

70. Floor Area. Any covered space of a Building or other Structure, whether enclosed by walls or not, which has ceiling height of six (6) feet or greater. See Section 8 (Bulk Requirements).

[Added effective 3-7-08, changed effective 6-1-11]

71. Floor Area, Minimum for Dwelling Unit and Total, Measurement of. See Section 8 (Bulk Requirements).

[Added effective 3-7-08, change effective 6-1-11]

72. Frontage. See "Lot, Frontage".

73. Gateway. See Section 4.10 of these Regulations.

74. Golf Course. A tract of land laid out for at least nine holes for playing the game of golf that may include, as Accessory Uses, a clubhouse, swimming pools, tennis courts, dining and snack bars, pro shop, or practice facilities. See "Country Club." [Added effective 3-7-08 .]

75. Governmental Services. Any Use, carried out by a public agency or its duly authorized agents, such as police stations, refuse disposal areas, schools, pollution control plants, highway garages, town halls, town office buildings, fire departments, non-commercial ambulance and other emergency services, and other similar Uses. Compare to “Public”. [Added effective 3-7-08]
76. Grade. The ground level adjoining the base of all exterior walls of a Building or Structure and any related earth retaining Structure.
[From former Section 9.1]
77. Grading. See Section 16, Erosion and Sedimentation Control.
[Added effective 3-7-08]
78. Greenhouse, Commercial. A Use consisting of a Structure in which plants, vegetables, flowers, and similar materials are grown for sale on the Premises. Includes the phrase, “Commercial Propagation and Growing of Flowers, Plants, Nursery Stock and Berries.” [Added effective 3-7-08]
79. Group Day Care Home. A Use which offers or provides a program of supplementary care for compensation to not less than seven (7) nor more than twelve (12) related or unrelated children outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week; "Group Day Care Home" does not include services which are: (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188; (2) recreation operations such as, but not limited to, boys' and girls' clubs, church-related activities, scouting, camping or community-youth programs; (3) informal arrangements among neighbors or relatives in their own homes; (4) drop-in supplementary child care operations where parents are on the premises for educational or recreational purposes and the child receives such care infrequently. "Group Day Care Home" includes "Group Day Care Home" as defined in Section 19a-77 of the Connecticut General Statutes but does not include "Family Day Care Home" or "Child Day Care Center" as defined in said Section. [Added effective 3-7-08]
80. Guest House. A Building Accessory to a Single Family Dwelling designed to house, without compensation, occasional guests of the occupants of the Principal Use, such Building containing no facilities for cooking. A “Guest House” shall not include an “Accessory Apartment”. Compare to “Bed and Breakfast” and “Inn”. See Section 7.3 (Accessory Buildings - Specific Types). [Added effective 3-7-08]
81. Hazardous Material. See Section 17, Aquifer Protection Regulations.
[From former Section 9.1 , Amended Effective 3-7-08]
82. Health Officer. The legally designated health authority of the Town of Old Lyme or his/her authorized representative(s). [Added effective 3-7-08]

83. Height, Building. See Section 8 (Bulk Requirements).
84. High Tide Line (HTL). A line or mark left upon tide flats, beaches, or along shore objects that indicates the intersection of the land with the water's surface at the maximum height reached by a high tide. The mark may be determined by: (1) line of oil or scum along shore objects; (2) a more or less continuous deposit of fine shell or debris on the foreshore or berm; (3) physical markings or characteristics, vegetation lines, tidal gauge; or, (4) by any other suitable means delineating the general height reached by a rising tide. The term includes spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.
[From former Section 9.1, amended Effective 3-7-08]
85. Historic Structure. The term "Historic Structure" includes historic building and means any Structure or Building that is in any of the following categories:
- a. listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting requirements for individual listing on the National Register;
 - b. certified or preliminarily determined by such Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - c. listed individually on the Connecticut State Inventory of Historic Places; and/or
 - d. listed individually as contributing to an historic district or as constituting an historic property, as established by ordinance of the Town of Old Lyme under the provisions of Chapter 97a of the Connecticut General Statutes.
[From former Section 9.1]
86. Helistop. A landing and take-off pad for the pickup and discharge of passengers by helicopter for the exclusive use of the owner of the Lot upon which the Helistop is located and excluding passenger service to the general public. A Helistop shall be accessory to the Principal Use of the Lot or Building upon which it is located. See, Section 6.1.25 (Helistops). [Added effective 3-7-08]
87. Home for the Aged. See "Rest Home". [Added effective 3-7-08]

88. Home Occupation, Customary. Accessory Uses conducted for compensation by the occupant(s) of a residential Building or Lot which complies with the provisions of Section 7.8.1 (Accessory Uses, Buildings, and Structures) of these Regulations. Home Occupations shall not include: Restaurants, tea rooms, or other eating or drinking places; Commercial Dog Kennels; Commercial Catteries; Veterinary Hospitals or Veterinary Outpatient Clinics; barber shop or beauty parlor having more than one (1) sink with one chair for cutting hair; doctors, dentists, lawyers or other professional Persons (See “Professional or Business Office Accessory to Dwelling Unit”); automotive service, supply sales or repairs, except for vehicles registered in the name of family members residing in the dwelling; or, the use or repair of internal combustion engines at the workshop. Home Occupations include, but are not limited to: The preparation and sale of those products customarily produced in the home or garden and actually produced in the subject home or garden, such as baking and home preserves; the preparation and sale of the products of arts and crafts actually prepared on the subject premises, such as sewing, painting, wood carving, cabinet making, ceramics, writing, sculpture, ornamental glass and metal working; the workshops of skilled craftsmen such as watchmakers, plumbers, electricians, carpenters, watchmakers, house painters, paperhangers, cybernetics, and radio and television repairmen; and, Group Day Care Homes. See, Section 7.8 (Accessory Uses, Buildings, and Structures). Compare to definition of “Professional or Business Office Accessory to Dwelling Unit”. [From former Section 21.2.2 , Amended Effective 3-7-08]
89. Hotel or Motel. See “Inn”. [From former Section 32.5.2, amended effective 3/5/05; further amended effective 3-7-08.]
90. Human Occupancy. The use of an enclosed space having means of egress, light, ventilation and access to sanitary facilities by any person or persons for the purpose of living, working or playing. [From former Section 9.1]
91. Illegal Use of Land, Building or Structure. Any Use, or the erection of any Building or Structure, in/on which a violation of any provision of these Regulations has been committed or shall exist, or which use is not specifically listed as permitted in these Regulations. Such violation shall be determined as of the date of establishment of such use, as nearly as the same may be determined. [Added effective 3-7-08]
92. Inland Wetland. Those areas designated and defined as inland wetlands by the Old Lyme Inland Wetlands and Watercourses Agency, pursuant to its Regulations, as the same may be amended from time to time. [Added effective 3-7-08]
93. Inn. A Building or group of Buildings, which Building(s) is/are designed or used for the short-term rental of more than four (4), but no more than forty (40) rooms, to transients, and capable of including, as an Accessory Use, the serving of meals to both persons occupying the facility and the general public. See

Sections 11.6 and 11.29, Special Regulations. Compare to “Bed and Breakfast”, “Boarding House” and “Hotel or Motel”. [Added effective 3-7-08]

94. Junk Yard. An area of land, with or without Buildings, used either as a Principal or Accessory Use or occupied by the outdoor storage of used or discarded materials such as waste paper, rags, scrap metal, building materials, house furnishings, machinery, vehicles, or parts thereof, with or without dismantling, processing salvage, sale or other use or disposition of the same. Except as provided in connection with a licensed motor vehicle repair garage or a Farm, the deposit or the outdoor storage on a Lot of more than one (1) unregistered vehicle or vehicles otherwise not in a condition for legal use on public highways or parts of one (1) or more such vehicles shall be deemed a Junk Yard. [From former Sections 6.3.2 and 6.3.5, Amended Effective 3-7-08]
95. Kenel, Commercial. Three (3) or more dogs, age six (6) months or older, kept on a lot and bred for show, sports or sale; or, a building, structure or facility for boarding, grooming or training of one (1) or more dogs for a fee. Compare to “Kenel, Private Dog” and “Cattery, Commercial” and “Dog Training Facility”. [From former Section 9.1, Amended Effective 3-7-08]
96. Kenel, Private Dog. A Structure, open or enclosed, in which a total of no more than three (3) or more dogs are kept for pleasure or non-commercial breeding. [Added effective 3-7-08]
97. Livestock. Includes such domestic animals as horses, cows, goats and sheep, or the like, but excluding mink and garbage-fed swine. [Added effective 3-7-08]
98. Impervious. See Section 17, Aquifer Protection Regulations. [From former Section 9.1, Amended Effective 3-7-08]
99. Inspection. See Section 16, Erosion and Sedimentation Control. [Added effective 3-7-08]
100. Liquor Establishment. See Section 14, Alcoholic Liquor. [Added effective 3-7-08]
101. Liquor Permit Premises. That portion of any Building that has been, or is capable of being, granted a liquor permit by the State Liquor Control Commission. See Section 14 (Alcoholic Liquor). [Added effective 3-7-08]
102. Lot. 1) a parcel of land meeting the requirements of these Regulations; 2) a parcel of land which is owned separately from any adjoining Lot or Lots as evidenced by deed or deeds recorded in the Land Records of the Town of Old Lyme; or, 3) a building lot shown on a subdivision map approved by the Old Lyme Planning Commission and filed in the land Records of the Town of Old Lyme. In the case of Multiple or Two-family Dwellings, a group of Buildings under the same ownership shall be considered as occupying the same lot. The term "Lot"

includes the terms "Plot" and "Parcel", but those terms do not include the term "Lot". See Section 9.1, Non-Conforming Lots. [From former Section 9.1, Amended Effective 3-7-08]

103. Lot Area. The area of a horizontal plane bounded by all Lot Lines. See, Section 8 (Bulk Requirements). [Added effective 3-7-08]
104. Lot Coverage. See "Building Coverage" and "Total Ground Coverage" in Section 8.1 (Bulk Requirements). [Added effective 3-7-08, Amended effective 4-1-09]
105. Lot Frontage. The width of a Lot measured along the Front Lot Line. See Section 8.2 (Bulk Requirements). [Added effective 3-7-08]
106. Lot Line. Any boundary line of a Lot. [Added effective 3-7-08]
107. Lot Line, Front. That Lot Line being along the Street Line which that Lot abuts. [Added effective 3-7-08]
108. Lot Line, Rear. The shortest single straight Lot Line which is roughly opposite of, and farthest from, the Front Lot Line. [Added effective 3-7-08]
109. Lot Line, Side. Any Lot Line not a Front Lot Line or a Rear Lot Line extending directly or indirectly from the Front Lot Line. [Added effective 3-7-08]
110. Lot, Non-Conforming. See "Non-Conforming Lot". [Added effective 3-7-08]
111. Lot of Record. A Lot for which a Deed has been recorded in the Office of the Town Clerk of the Town of Old Lyme which Lot met the requirements of these Regulations and of the Old Lyme Subdivision Regulations, if any, as the same were in force at the time of such recording. See definition of "Non-Conforming Lot" and Section 9.1 (Existing Non-Conforming Lots). [Added effective 3-7-08]
112. Lot, Minimum Area of Buildable Land. See Section 8.4. [Added effective 3-7-08]
113. Lot, Minimum Dimension of Square. All Lots shall be capable of containing completely within the Lot Lines of said Lot, a square having no side less than the minimum dimension set forth for the subject District by Section 8, Schedules A-2 and B-2 of these Regulations. [Added effective 3-7-08]
114. Manufacturing. Any process whereby the nature, size, or shape of articles is changed or where articles are assembled or packaged in quantity. [Added effective 3-7-08]
115. Marine Facility. A dock, wharf, slip, basin or similar landing facility for waterborne vessels and/or an open yard for the building, storing, repairing, servicing or refueling of such vessels, together with any Accessory Buildings or other Structures necessary for the operation of the foregoing. [From former Section 9.1]

116. Memorial Garden. A Principal Use when a Governmental Service, or an Accessory Use when not a Governmental Service, which consists of landscaping, Terraces, benches, fountains, or other outdoor decorative amenities intended to memorialize the life of a departed person or persons and to facilitate quiet contemplation and reflection. "Memorial Garden" does not include "Cemetery", columbarium, crematory, mausoleum, or mortuary but may be an Accessory Use to such Uses, if and where permitted by these Regulations. [Added effective 3-7-08]
117. Mobile Home. See "Trailer". [Added effective 3-7-08]
118. Motel. See "Hotel or Motel". [Added effective 3-7-08]
119. Multiple Dwelling. See, "Dwelling, Multiple Family".
120. Multiple Dwelling Project. Two (2) or more Multiple Dwellings located on one (1) Lot. [From former Section 9.1]
121. Nonconformity, including Actual Construction. Nonconformity: A nonconforming use, Building or other Structure, Lot or site development, or part thereof, is one which existed lawfully, whether by variance or otherwise, on the date these Regulations or any amendment hereto became effective and which fails to conform to one or more of the provisions of these Regulations or such amendment hereto. No nonconforming use, Building or other Structure, Lot or site development shall be deemed to have existed on the effective date of these Regulations unless: a) it was actually in existence on a continuous basis on such date, clearly established, and observable or discoverable; or, b) any required ZONING PERMIT and/or Building Permit therefor had been lawfully issued and "actual construction" lawfully begun prior to such date; and, c) if such nonconformity is a use, such use had not been abandoned within the meaning of Section 9. "Actual construction" means the placing of construction materials in a permanent position in accordance with the approved plans for the Building or other Structure or site development and with intent to complete the construction in an expeditious manner. See Section 9, Non-Conforming Lots, Uses, Buildings, and/or Structures. [From former Section 8.1.1, Amended Effective 3-7-08]
122. Non-Conforming Lot. A Lot of Record which does not currently conform to these Regulations and is subject to the requirements of Section 9.1 of these Regulations. [Added effective 3-7-08]
123. Non-Conforming Use. The actual Use of land, Buildings, or Premises which is not a Use permitted by these Regulations for the District or Zone in which such Use is occurring but which was legally existing and conformed to all requirements of the Regulations then in force, if any, on the effective date of these Regulations or on the effective date of any amendment hereto which caused the Use to cease to meet the requirements of these Regulations. See, Section 9.2 (Non-Conforming Uses).

124. Non-Profit Corporation. A Connecticut corporation organized and existing under the provisions of Title 33, Chapter 598, for “Religious Corporations and Societies” and Chapter 598a for “Charitable Corporations and Societies” of the General Statutes of Connecticut as amended (non-stock corporations) **provided** that such corporation or trust shall also be classified and approved as a tax-exempt, charitable corporation or trust under the provisions of the Federal Internal Code and as may be amended from time to time. [From former Section 9.1 , Amended Effective 3-7-08]
125. Non-Profit Elderly Housing. Rental housing which is owned and operated by a Non-Profit Corporation organized for purposes of providing such housing and in which dwelling units shall be occupied by no more than two persons, at least one of whom is 62 years of age or older. [From former Section 9.1]
126. Nursery Schools. See "Day Care Center". [Added effective 3-7-08]
127. Nursing Home. An establishment which is licensed by the Department of Health Services pursuant to Chapter 368v of the Connecticut General Statutes and which furnishes food and shelter to two or more Persons unrelated to the proprietor, and, in addition, provides services which meet a need beyond the basic provisions of food, shelter and laundry, such services including, but not limited to, assistance in personal hygiene, nutrition, exercise, recreation, and health maintenance. "Nursing Home" includes "Home for the Aged" and "Rest Home" but does not include "Convalescent Home" or "Skilled Nursing Facility". [Added effective 3-7-08]
128. Occupy. To take possession or enter upon for the purpose of using. When applied to a Dwelling Unit, see the definition of “Human Occupancy”. [Added effective 3-7-08]
129. Open Space (as applied to Bulk Requirements). An unoccupied space open to the sky on the same Lot as the subject Building or Structure. See “Bulk, “Yard,” and Section 8. [Added effective 3-7-08]
130. Open Space (as applied to Use of land for public benefit). Any Parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for non-commercial public use or enjoyment or for the non-commercial use and enjoyment of owners, occupants, and their guests of land adjoining or neighboring such open space. “Open Space” may also include land improved for non-commercial active recreational activities open to the general public or for the use and enjoyment of owners, occupants, and their guests of land adjoining or neighboring such open space. “Open Space” shall not include land Used for active recreational activities carried on for profit or functionally equivalent to such activities customarily carried on for profit, such as golf courses, tennis clubs, riding stables, and the like. [Added effective 3-7-08]

131. Parcel. Any contiguous piece of land, including one or more contiguous Lots of Record, unified under the same ownership, whether or not every said piece of land was acquired at the same time, excluding, however, any parcel which is a "Lot" as that term is defined in these Regulations. [Added effective 3-7-08]
132. Park. An area set apart for recreation of the general public to promote its health and enjoyment and owned and operated by a Non-Profit Corporation or as a Governmental Service. [Added effective 3-7-08]
133. Parking, Off-Street. Parking space(s) as required by these Regulations which is/are located outside a Street right-of-way. See Section 18, (Off-Street Parking and Truck Loading). [Added effective 3-7-08]
134. Parking Space. The Accessory Use of an area delineated in a Parking Lot or in a Parking Garage for the temporary accommodation of a single motor vehicle by the patron of, or visitor to, a Use located on the Lot and conforming to the requirements of these Regulations. See, Section 18 (Off-Street Parking and Truck Loading). [Added effective 3-7-08]
135. Paved Area. An area covered with a Surface to be used for the storage, passage, or conveyance of motor vehicles or pedestrians, including, but not limited to, Streets, Parking Lots, Driveways, loading areas, sidewalks, or impervious surface drainage swales. [Added effective 3-7-08]
136. Plan of Conservation and Development: That document or documents adopted by the Planning Commission [or Planning and Zoning Commission] under the authority of Conn. Gen. Stats. §8-23, as the same may be amended from time and including, but not limited to, the Town's Municipal Coastal Program.
[Added effective 3-7-08]
137. Person. An individual, firm, partnership, joint venture, association, Club, corporation, estate, trust, receiver, syndicate, or other entity or combination thereof. [Added effective 3-7-08]
138. Plan of Conservation and Development. The document or documents adopted by the Old Lyme Planning Commission means the Plan of Development of the Town including, but not limited to, the Town's Municipal Coastal Program.
139. Planned Residential Conservation Development. (Formerly known as "Planned Residential Cluster Development"). See Section 12 for the following:

Net Buildable Area;
Planned Residential Conservation Development.

[From former Section 9.1, Amended Effective 3-7-08]

140. Planning Commission. The Planning Commission of the Town of Old Lyme, having all of the powers sets forth in Chapter 126 of the Connecticut General Statutes. [Added effective 3-7-08]
141. Poultry. Chickens, turkeys, pheasants, ducks, and other birds customarily raised for their meat or eggs. [Added effective 3-7-08]
142. Premises. A Lot or Parcel and all Buildings, Uses and Structures located thereon. [Added effective 3-7-08]
143. Premises, Liquor Permit. See “Liquor Permit Premises”.
144. Principal Building. That single Building, or inter-related group of Buildings, in which is conducted the Principal Use of the Lot on which the Building is situated. [Added effective 3-7-08]
145. Principal Use. The primary purpose or function for which a Lot is Used. [Added effective 3-7-08]
146. Professional and Business Office Accessory to Dwelling Unit. Accessory Uses conducted for compensation by the occupant(s) of a residential Building or Lot which complies with the provisions of Section 7.8.1 (Accessory Uses, Buildings, and Structures) of these Regulations. Professional and Business Office shall include, for example, the offices of doctors, dentists, lawyers, architects, accountants, engineers, psychotherapists, real estate and insurance agents, and other recognized professionals for whom a license to practice is required by applicable laws of the State of Connecticut. Compare to “Home Occupation, Customary”. [From former Section 21.2.1, Amended Effective 3-7-08]
147. Property Line, Rear. See “Lot Line, Rear”.
148. Property Line, Side. See “Lot Line, Side”.
149. Public. Available for use by, or for the benefit of, the general public, whether upon payment of a fee or otherwise and regardless of the ownership or control thereof. Compare to the definition of “Governmental Service”. [Added effective 3-7-08]
150. Public Parking Garage. A Principal Use of a Building used for the parking, standing, or storage of more than three (3) registered motor vehicles owned by Persons other than the owner or occupants of the Premises and offered for use to the general public upon payment of a fee. [Added effective 3-7-08]
151. Public Parking Lot. A Principal Use of a Lot, or portion thereof, used for the parking, standing, or storage of more than three (3) registered motor vehicles owned by Persons other than the owner or occupants of the Premises and offered for use to

the general public upon payment of a fee. [From former Section 9.1, Added Effective 6/1/99; and Amended Effective 3-7-08.]

152. Refuse. Waste, junk, garbage, debris, rubbish or trash, but not including sewage collected or disposed of in lawful facilities. [From former Section 9.1]
153. Restaurant, “Fast Food”. The retail sale of food to the general public for consumption on the Premises or where a significant portion of the consumption takes place or is designed to take place outside the confines of the Building occupied by such Use and which is characterized by high volume of patronage, the promise of rapid service of meals and a resulting short duration of stay and rapid turnover, and expressly excluding Drive-In or curb service as an Accessory Use. See Section 6, Prohibited Uses. [Added effective 3-7-08]
154. Restaurant, Full Service. The retail sale of food to the general public for consumption on the Premises, with food service primarily to customers seated at tables or at counters in an enclosed Building. See Section 11.12, Special Regulations. [Added effective 3-7-08]
155. Restaurant, Take-out. The retail sale of food to the general public where all or a significant portion of the consumption takes place or is designed to take place outside the confines of the Building occupied by such Use. See Section 11.12, Special Regulations. [Added effective 3-7-08]
156. Rest Home. See “Nursing Home”.
157. Right-of-Way. A servitude imposed by law or by convention and by which one has a right to pass through the real property of another. [Added effective 3-7-08]
158. Sediment. Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion. See Section 16, Erosion and Sedimentation Control. [From former Section 47.2.8]
159. Septage Storage and Transfer Facility. A facility in which sludge, waste, water or other products removed from onsite effluent disposal systems, septic tanks, and similar systems for the storage and treatment of human wastes are collected, stored and then transferred in bulk to wastewater treatment plants for processing. “Septage Storage and Transfer Facility” shall not include any facility for the storage, treatment or handling of hazardous substances as defined in Conn. Gen. Stats. 21-a-335; hazardous chemicals, as defined in Conn. Gen. Stats. 29-336; hazardous waste as defined in Conn. Gen. Stats. 22a-115; radioactive material regulated pursuant to Conn. Gen. Stats. 22a-148; or petroleum products. [From former Section , Amended Effective June 1 , 1998]
160. Shoreline Flood and Erosion Control Structures. Any Structure, or effect of, which is to control flooding or erosion from tidal, coastal or navigable waters and includes breakwaters, bulkheads, groins, jetties, revetments, riprap, seawalls and

the placement of concrete, rocks or other significant barriers to the flow of flood waters or the movement of Sediments along the shoreline. The term shall not include any addition, reconstruction, change or adjustment to any walled and roofed Building which is necessary for such Building to comply with the requirements of the Code of Federal Regulation, Title 44, Part 50, and any municipal regulations adopted thereunder. [From former Section 9.1]

161. 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. See Section 19 (Signs). [From former Section 42.3.1, Amended Effective 3-7-08]
162. Sign, Advertising. A Sign, including that type of Sign commonly known as a "Billboard", which directs the attention of the viewer to a business, commodity, service, entertainment, or other Use which is conducted, sold, offered, or occurring, either presently or in the future, at a location different from the Lot upon which such Sign is displayed or only incidentally occurring upon such Lot. [Added effective 3-7-08]
163. 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. See Section 19 (Signs). [Added effective 3-7-08]
164. Sign, Directional. A Sign on a Premises indicating location of the Use or purpose of a Building, Lot, or portion thereof located elsewhere in such Building or on such Lot but containing no other information. See Section 19 (Signs). [Added effective 3-7-08]
165. Sign, Directory. A Sign which sets forth only the names of occupants of space within a Building or group of Buildings. See Section 19 (Signs).

[From former Section 42.3.2., Amended Effective 3-7-08]

166. 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. See Section 19 (Signs). [Added effective 3-7-08]
167. Sign, Exempt. A Sign which is exempt from regulation in accordance with Section 19 of these Regulations. [From former Section 42.3.3, Amended Effective 3-7-08]
168. Sign, Ground. See definition of “Sign, Free-Standing”. [Added effective 3-7-08]
169. Sign, Identification. A Sign on a Premises bearing the name or similar identification of the Use or occupant of a Building, Lot or portion thereof, or a Sign indicating danger or whether a facility is open for business but containing no other information. See Section 19 (Signs). [Added effective 3-7-08]
170. Sign, Illuminated. A Sign which is artificially lighted. See Definition of “Sign, Directly Illuminated” and “Sign, Indirectly Illuminated”. See, also, Section 19 (Signs). [From former Section 42.3.4 , Amended Effective 3-7-08]
171. Sign, Indirectly Illuminated. A Sign illuminated: (a) 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; or, (b) Opaque letters or symbols silhouetted against a luminous background. See Section 19 (Signs). [From former Section 42.4.5, amended effective 3-7-08].
172. Sign, Flashing. Any Sign in which or upon which artificial light is not maintained stationary and constant in intensity and color at all times [, excluding time or temperature signs approved in accordance with Section 19 of these Regulations?]. See Section 19 (Signs). [Added effective 3-7-08]
173. Sign, Moving. Any Sign, or any portion of any Sign, which is capable of any movement whatsoever; excluding barber poles and clocks. Compare definition of “Sign, Portable”. See Section 19 (Signs). [Added effective 3-7-08]
174. Sign, Outdoor Advertising and/or Off-Premises. See "Sign, Advertising". See Section 19 (Signs). [Added effective 3-7-08]
175. Sign, Overhanging. Any Sign extending at an angle from a Building which is its sole or principal support. See Section 19 (Signs). [Added effective 3-7-08]
176. Sign, Pole. See "Sign, Free-Standing". See Section 19 (Signs). [Added effective 3-7-08]

177. Sign, Portable. Any Sign which is not anchored to the ground or to a Structure in some permanent way and is capable of movement. “Sign, Portable” shall include, but not be limited to, so-called “sandwich” or “A” Signs or Signs on easels or stands. For Signs painted on or affixed to vehicles, carts, or other mobile devices, see Section 19.3 (Prohibited Signs). [From former Sections 42.3.7 and 42.3.8, Amended Effective 3-7-08]
178. Sign, Roof. Any Sign erected, constructed, or maintained upon the roof of a Building or painted upon a roof or created by the use of contrasting colors of roofing materials. See Section 19 (Signs). [From former Section 42.4.11(b), Amended Effective 3-7-08]
179. Sign, Sky. Any Sign suspended in the air by any means, including Signs painted on, affixed to, or suspended by, balloons, kites, or similar airborne devices. [Added effective 3-7-08]
180. Sign, Temporary. Any Sign which is intended to advertise community or civil projects, construction projects, real estate for sale or lease, or other special events of a temporary nature, and erected on a temporary basis. See Section 19 (Signs). [From former Section 42.3.7, Amended Effective 3-7-08]
181. Sign, Wall. Any Sign painted, posted, or otherwise affixed to any portion of a vertical surface or plane that forms the wall of a Building. See Section 19 (Signs). [Added effective 3-7-08]
182. Soil. Any unconsolidated mineral or organic material of any origin. See Section 16, Erosion and Sedimentation Control. [From former Section 47.2.9]
183. Soil Erosion and Sediment Control Plan. A scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative. See Section 16, Erosion and Sedimentation Control. [From former Section 47.2.10]
184. Story. That part of a Building other than a Basement or Cellar included between the surface of any floor and the floor above it or if there is no floor above it, then the space between the floor and the ceiling next above it. A Story for which the Floor Area has a ceiling Height of six (6') feet or greater over an area greater than 50 (50%) percent of the Floor Area of the Story directly below it shall be a “Story.” [From former Section 9.1, Amended effective 4-1-09]
185. Story, Half. That Story having its floor joists at the level of the roof eave and for which the Floor Area has a ceiling height of six (6') feet or greater over an area less than 50% of the Floor Area of the Story directly below it. Compare to “Attic” and “Story.” [Added effective 3-7-08, Amended effective 4-1-09]

186. Street. 1) Any Town or State highway, except limited access State or Interstate highways; 2) any public or private street shown on a subdivision plan approved by the Old Lyme Planning Commission and filed in the Land Records of the Town of Old Lyme, which approval has not lapsed in accordance with Conn. Gen. Stats. § 8-26c; or, 3) any street owned and maintained by a legally constituted association. [From former Section 9.1, Amended Effective 4/ 3/95; and 3-7-08]
187. Street Line. The right-of-way or taking line of any Street as defined above. [From former Section 9.1, Amended Effective 3/3/95 and 3-7-08]
188. Street, Traveled Way. “That part of the Street used for the movement of vehicles.” [Added effective 3-7-08]
189. Structure. Anything which is constructed or erected and the use of which requires more or less permanent location on ground or water areas or attachment to something having permanent location on ground or water areas, not, however, including wheels; an edifice or a Building of any kind; any production or piece of work, artificially built up or composed of parts and joined together in some definite manner, including Signs, vending machines, Fences or walls over six (6') feet in height, a wharf or dock, an above-ground tank, or a detached solar panel or satellite dish. This definition includes “manufactured homes”. A Structure shall not include a flagpole or an ornamental well. [From former Section 9.1, Amended Effective 4/3/95 and 3-7-08]
190. Subdivision. The definition of the term "Subdivision" as used in these Regulations shall be the same as that term is defined in the Old Lyme Subdivision Regulations. [Added effective 3-7-08]
191. Subsidized Elderly Housing. Rental housing in which Dwelling Units shall be occupied by no more than two Persons, at least one of which is either sixty-two (62) years of age or older and is receiving or will be receiving financial assistance under any governmental program in accordance with Chapter 138a of the Connecticut General Statutes or Section 1437f of Title 42 of the United States Code and/or is assisted housing as defined by Section 8-30g(a)(1)(8) of the Connecticut General Statutes. Information as to the nature of the assistance, the duration of the assistance, and the number of units receiving such assistance shall be provided to the Planning Commission. [From former Section 9.1, Amended Effective 3-7-08]
192. Supervised Group Quarters. A Dwelling Unit which houses a group of Persons during a period in which such Persons are undertaking a program of vocational training, counseling, social rehabilitation or other similar programs, such as children’s homes or group homes. “Supervised Group Quarters” shall not include Boarding House, Day Care Center, Rest Home, Convalescent Home,

Community Residence for Mentally Retarded Adults or Community Residence for Mentally Ill Adults. [Added effective 3-7-08]

193. Tag Sale. The temporary use of land or the Buildings thereon for the purpose of the public sale of personal household goods by the owner or resident thereof in conjunction with the cleaning-out or vacating of residential Premises. In no way does the term "Tag Sale" encompass the sale of any goods brought to the Premises for the purpose of public sale except where more than one (1) Family may cooperatively enter into such a sale at one (1) location. The term "Tag Sale" shall include garage sale, yard sale, barn sale, attic sale, and any similar term or activity. [Added effective 3-7-08]
194. Telecommunications Tower. A Structure that is intended to support equipment used to transmit and/or receive telecommunications signals. Examples of such Structures include monopoles and lattice construction steel structures. [From former Section 9.1, Amended Effective 3/3/97]
195. Telecommunications Antenna. A device used to collect or transmit telecommunications or radio signals; examples are panels, microwave dishes, and single poles known as whips. [From former Section 9.1, Amended Effective 3/3/97]
196. Telecommunications Equipment Building. A Building, Accessory to a Telecommunications Tower, in which the electronic receiving and relay equipment in support of a telecommunications device is housed. [From former Section 9.1, Amended Effective 3/3/97]
197. Terrace. A surfaced area adjacent to a Building which serves as an outdoor extension of the Use of that Building, which is open both vertically and horizontally, and which does not exceed a height of 12 inches above the adjacent grade of the land. Compare to "Deck". [From former Section 9.1 , Amended Effective 1/1/96]
198. Town. The Town of Old Lyme, a municipal corporation having its territorial limits within the Town of Old Lyme, County of New London, and State of Connecticut. [Added effective 3-7-08]
199. Trailer. A trailer coach or mobile home, either on or off wheels but not permanently affixed to a foundation or otherwise capable of relocation or transport. Any mobile Building shall be included within this definition regardless of whether it contains cooking, bathing, and/or toilet facilities, as long as it is capable of being connected to a water supply and to a sewerage disposal system (including internal water tanks and/or sewerage holding tanks) and is designed for human occupancy on a temporary or permanent basis, including recreational use or is used for storage or for office Uses. See Section 11.18 (Trailers). [From former Section 9.1, Amended Effective 3/3/95 and 3-7-08]

200. Trailer, Permanent Storage. Vehicle, container or object, excluding Buildings used for storage of goods or materials which is designed to be moved on its own wheels, flatbed or other Trailer. Any Trailer located on the same Lot for more than ninety (90) days during any calendar year shall be considered a “Permanent Storage Trailer”. See Section 11.18 (Trailers). [From former Section 49.2, Amended Effective April 3, 1995 and Amended Effective 3-7-08]
201. Trailer, Recreational. A Trailer used for vacation travel, camping, or similar recreational uses. See Section 11.18 (Trailers). [Added effective 3-7-08]
202. Trailer, Temporary Storage. Vehicle, container or object, excluding Buildings used for storage of goods or materials, which is designed to be moved on its own wheels, flatbed or other trailer, and which Trailer is located on the same Lot for no more than ninety (90) days during any calendar year. See Section 11.18 (Trailers). [From former Section 49.3, Amended Effective April 3, 1995 and Amended Effective 3-7-08]
203. Trailer, Temporary Construction Storage/Office. Vehicle, container or object, excluding Buildings used for storage of goods or materials to be utilized in the construction of Building(s), Structure(s), or Use(s) on the Lot upon which such Trailer is located or the housing of field offices for such construction on such Lot, which Trailer is designed to be moved on its own wheels, flatbed or other trailer. See Section 11.18 (Trailers). [From former Section 49.4, Amended Effective April 3, 1995 and Amended Effective 3-7-08]
204. Transient. A Person who is not a permanent resident of the Town but is visiting for personal or business reasons. See Section 11.6, Inn.
205. Use. Any purpose for which a Building, Structure, or Premises may be designed, arranged, intended, maintained, or occupied, or, any activity, occupation, business, or operation actually carried on in a Building or other Structure or on a Lot or Parcel. [Added effective 3-7-08]
206. Use, Non-Conforming. See "Non-Conforming Use". [Added effective 3-7-08]
207. Veterinary Hospital. Any Use where animals are given medical or surgical treatment and are boarded or cared for overnight but which does not meet the definition or requirements of Veterinary Outpatient Clinic. See Section 11.16, (Commercial Cattery, Dog Kennel, Veterinary Hospitals, & Veterinary Outpatient Clinics). [From former Section 32.5.2, Amended Effective 3-7-08]
208. Veterinary Outpatient Clinic. A Use where small animals or pets are given medical or surgical treatment. Such Clinic shall be located within a completely enclosed Building, soundproofed and mechanically ventilated so as to prevent the emission of objectionable noise and with no outside facilities or Accessory Structures for animals. Such Clinic shall provide no boarding of animals except as required for

medical treatment. Such boarding shall be accessory to the principal Veterinary Outpatient Clinic use and shall occupy no more than twenty (20%) percent of the total use floor area and shall provide space for no more than fourteen (14) animals. No Structure or use of land shall be considered a "Veterinary Outpatient Clinic" if it has obtained a commercial kennel license from the Connecticut Commissioner of Agriculture in accordance with Chapter 435 of the Connecticut General Statutes. See Section 11.16, (Commercial Cattery, Commercial Dog Kennel, Veterinary Hospitals, & Veterinary Outpatient Clinics). [From former Section 32.5.8, Amended Effective 3-7-08]

209. Water-Dependent Use. Those Uses and facilities which: a) require direct access to or location in marine or tidal waters, and, which, therefore, cannot be located inland; and, b) uses which provide general public access to marine and tidal waters. [From former Section 9.1]

210. Wetlands and Watercourses. Defined in the Connecticut General Statutes as follows:

<u>Inland Wetlands</u>	Section 22a-38(15)
<u>Watercourses</u>	Section 22a-38(16)
<u>Tidal Wetlands</u>	Section 22a-29(2)

211. Yacht Club. A Club, as defined in these Regulations, the primary focus of which is on social, educational, and recreational activities related to boating and the sea. Such activities may include yacht design and racing, sailing, seamanship, navigation, and safety education, inter-club regattas, group (fleet) cruises, social and dining opportunities, aquatic sports or programs to preserve the marine environment, any of which activities may be open to club members or the general public. Accessory uses may include dining rooms, meeting rooms, sailing classes, sailing races and educational programs. [Added effective 3-7-08]

212. Yard, Required. The minimum unoccupied space open to the sky on the same Lot as the subject Building or Structure (“Open Space”) having those minimum dimensions prescribed by these Regulations. See “Bulk Requirements” and “Open Space”.

213. Yard, Minimum Required Front. A Yard between any Principal Building and the Lot Frontage Line extending the full width of the Lot between the Lot Side Lines measured by the minimum horizontal distance between any such Building and the Lot Frontage Line; or, in the case of a Corner Lot, a similar Yard extending along all streets. At no point shall the required Front Yard be less than the Lot Width required for the subject zone. See Section 8 (Bulk Requirements). See, also, Section 7 (Accessory Uses, Buildings and Structures).

214. Yard, Minimum Required Rear. A Yard between any Principal Building and Rear Lot Line extending the full width of the Lot between the Lot Side Lines measured by the minimum horizontal distance between any such Building and the Rear Lot

Line; or, in the case of a Corner Lot, a similar Yard extending across the side of the Lot opposite the Street on which the Principal Building has its street address or is otherwise the designated front of the Lot. See Section 8 (Bulk Requirements). See, also, Section 7 (Accessory Uses, Buildings and Structures).

215. Yard, Minimum Required Side. A Yard between the Side Lot Line and any Principal Building extending on both sides of the Lot from the Front Lot Line to the Rear Lot Line; or, in the case of a Corner Lot, a similar Yard extending across the side of the Lot opposite the Street on which such Building does not have its street address or is otherwise not the designated front of the Lot. Any Yard not a Rear Yard or a Front Yard shall be deemed to be a Side Yard. See Section 8 (Bulk Requirements). See, also, Section 7 (Accessory Uses, Buildings and Structures).

216. Zone. An area overlaying a District and applying standards, requirements, and procedures which relate to the particular nature and purpose of that Zone, such as groundwater protection, coastal area management, flood plain protection, or protection of the Connecticut River Valley. Compare to “District”.

[Added effective 3-7-08]

[Amended to delete former number 159 and 160 to delete definition of seasonal dwelling and seasonal use effective 9-16-11]