

SECTION 2 - DEFINITIONS

For the purpose of these regulations, the following terms, phrases, words, and their derivations shall have the meaning given therein. When not inconsistent with the content, words used in the present tense include the future; words in the plural number include the singular number; and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Abutter - the owner of record of any property within 500 feet of the subject property of any application under these regulations.

Accessory Apartment - a subordinate apartment incidental to, and attached to, the principal dwelling on a lot.

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 or on a contiguous lot under the same ownership. 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.

Accessory Dwelling - a subordinate dwelling incidental to the principal dwelling on a lot.

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 or on a contiguous lot under the same ownership.

Access-way - a paved or unpaved surface intended for a small amount of vehicle usage; a driveway.

Affordable Dwelling - A housing unit that will be conveyed by deed containing covenants or restrictions which shall require that, for a 40-year period after the initial occupation of the unit, such unit shall be sold or rented at or below prices which will preserve the unit as housing for which persons and families pay 30% or less of their annual income, where such income is less than 80% of the Median Income. Median Income shall be defined as the lesser of the State Median Income, or the Area Median Income for Bolton as determined by the U.S. Department of Housing and Urban Development, after adjustment for family size.

Agriculture - as defined in the State of Connecticut General Statutes Section 1 - 1 (q) as amended from time to time.

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.

Aquifer - A porous water-bearing formation of permeable rock, sand or gravel capable of yielding economically significant quantities of groundwater.

Awning - A roof-like cover, often of fabric, metal, or glass, designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure over a window, walk, door, or the like.

Banners, pennants, and balloons - Any animated, rotating, fluttering or non-stationary device made of flexible materials designed to attract attention.

Basement - a portion of the building partially underground, but having less than half its average height below the grade plane (as opposed to "Cellar").

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 no more than six (6) rooms in a Business Zone and no more than three (3) room in a Residence Zone to transients, and capable of including, as an accessory use, the serving of breakfast only, and exclusively to persons occupying the facility.

Berm - an elevated strip consisting of earthen or other material, usually intended to serve as a buffer.

Best Management Practice (BMP) - A BMP is a technique, process, activity, or structure used to manage the volume and rate of discharge and reduce the pollutant content of a storm water discharge. BMPs include simple nonstructural methods, such as good housekeeping and preventive maintenance. BMPs may also include structural modifications, such as the installation of bioretention measures. BMPs are most effective when used in combination with each other, and customized to meet the specific needs (drainage, materials, activities, etc.) of a given operation.

Boarding House - a building in which the primary use is the rental of individual rooms, and the furnishing of meals, to tenants who use such building as their place of residence.

Buffer - an area of land which is provided for the purpose of mitigating visual, noise, and other negative impacts.

Buildable Area - the land remaining, after subtraction of regulated wetlands and regulated watercourses and their associated buffers, that is used for calculation of allowable construction area on a lot.

Building - any structure having a roof and intended for shelter, housing or enclosure of persons, animals, or materials; also, any other structure more than eight (8) feet high, excluding a public utility pole or flagpole.

Building Coverage Area/Building Coverage - The area of the ground beneath a building (i.e., dripline), including the area of all covered porches, eaves, and similar roofed portions of the building, but excluding awnings.

Building Line - An imaginary line which runs parallel to the property line at a distance equal to or greater than the minimum yard dimension for the required yard along that property line, delineating an area between the property line and the building line where no structure shall be located except as otherwise allowed by these regulations. The building line may also be called the set back line.

Building Height - the vertical distance from the average finished grade within ten (10) feet of the walls of the building to the highest point of flat or mansard roofs, including the top of a parapet or to the mean level between the eaves and ridge for gable, hip or gambrel roofs.

Bulk - The size and shape of buildings, structures and use areas and the physical relationships of their exterior walls or spatial limits with lot lines and other buildings, structures and uses; or with the other walls of the same building, or other portions of the same structure or use. Bulk also includes the relationship of buildings, structures and uses with all yards and open spaces required by these Regulations; and also includes any provisions of these Regulations dealing with floor area ratio, building height, lot area per dwelling unit, lot frontage, lot width, required yards, courts, usable open space, spacing between buildings on a single lot, length of building in a row, and all other similar provisions of these Regulations dealing with the relationship between land and the improvements or uses located, or to be located, thereon.

Canopy, Entrance - A roof-like covering over a door or an opening of a structure intended and used for the purpose of sheltering persons or inanimate objects from the rays of the sun and from precipitation. Entrance canopies shall be attached to the building and supported from the ground up.

Canopy, Structural - A rigid, multi-sided structure, either attached to a building, or freestanding, open on three or on all sides, and supported by columns or posts imbedded in the ground, such as a gasoline service station canopy.

Cellar - the portion of the building partially underground, having half, or more than half, of its average height below the grade plane (as opposed to "Basement").

Commission - The Bolton Planning and Zoning Commission.

Continuing Care Retirement Community - a development consisting of housing restricted to elderly residents, and containing separate living units but with additional common facilities such as a common dining room, recreation room, and medical and dental offices exclusively serving such residents.

Cul-de-sac Street - A permanent cul-de-sac street is a street closed at one end and that can not be extended. A temporary cul-de-sac street is a street closed at one end and that may be extended.

Day Care Home, Family - a facility within a private family dwelling in which care is provided for not more than six children, including the provider's own children not in school full time, where the children are cared for not less than three nor more than twelve hours during a twenty-four hour period and where care is given on a regularly recurring basis. During the regular school year, a maximum of three additional children who are in school full time, including the provider's own children, shall be permitted, except that if the provider has more than three children who are in school full time, all of the provider's children shall be permitted.

Day Care Home, Group - a facility which offers or provides a program of supplementary care to not less than seven nor more than twelve related or unrelated children on a regular basis for a part of the twenty-four hours in one or more days in the week.

Day Care Center - A use of land or buildings 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.

Deck - a flat, open structure mounted to the ground surface by vertical posts or pilings, and intended for recreational purposes.

Development - any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Disturbed Area - an area of land where the ground cover is destroyed or removed, leaving the land subject to accelerated erosion.

Dock - a flat, open structure anchored to a lake or pond bottom by vertical posts or pilings, having one end abutting the ground above the surface of the water, and intended for recreational purposes.

Duplex - Same as "Dwelling, Two-Family".

Dwelling - a building designed or used as the living quarters for one or more families.

Dwelling, Multiple or Multifamily - a residential building containing three or more dwelling units, including Townhouse Dwellings.

Dwelling, Single Family - a residential building containing only one dwelling unit.

Dwelling, Townhouse - A multifamily dwelling that contains three (3) or more dwelling units that are attached by a common or shared wall, and in which each dwelling unit extends from the foundation to the roof and has vacant land on at least two (2) sides.

Dwelling, Two Family - a residential building containing only two dwelling units.

Dwelling Complex, Multiple - one or more principal buildings designed for use as multiple dwellings, plus related facilities, all erected on a single tract of land.

Dwelling Unit - a building or portion thereof which is arranged to be occupied as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Enlargement, or to Enlarge - Any addition to the floor area 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.

Extend, or to Make an Extension - An increase or amplification, as distinguished from establishment or inception. "Extension" shall be deemed to include the expansion in the seasons or periods of use of a non-conforming seasonal use, or of a seasonal dwelling on a non-

conforming lot; and 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.

Excavation Operations - any operation involving excavating, grading, filling or removal of earth, sand, gravel, soil, minerals, loam, fill, clay, peat moss, and other earth products, and the transportation on land or roads, public or private, in the Town of Bolton of any such products from the site of such an operation.

Façade, Ground-floor - The façade measured from the finished ceiling height of the first floor, or 15 feet from natural grade, whichever is less.

Family - a person or a group of persons who live together as a single housekeeping unit.

Farm - an establishment where the primary activity is agriculture.

Farmer's Market - One or more vendors located on a common parcel of land for the purpose of selling agricultural products, including value-added farm goods such as jams, jellies, sauces and baked goods prepared in accordance with applicable state statutes and regulations, as well as hand-crafted items.

Farm Stand - A structure used for the sale of agricultural and homemade products which are produced substantially on the premises, as well as including value-added farm goods which shall not exceed 10% of sales. Such stand shall be set back a minimum of twenty (20) feet from the front lot line and fifty (50) feet from any street intersection, and shall not to exceed ten (10) feet in height unless part of an existing structure.

Flag, Noncommercial - Graphic devices designed to enhance the aesthetic appearance of a street or area and containing no advertising copy.

Flag, Public - A flag displaying the name, insignia, emblem, or logo of any nation, state, municipality, or noncommercial organization.

Flood, Base - the flood having a one percent chance of being equaled or exceeded in any given year; also, the "100 year flood," as portrayed on the Bolton Flood Insurance Rate Map, as amended.

Flood Insurance Rate Map (FIRM) - the map of the Town of Bolton on which the Federal Insurance Administration has delineated special flood hazard areas and risk premium zones, as amended.

Flood Insurance Study - an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, as prepared by the Federal Insurance Administration.

Floodway - the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood, as shown on the Floodway Map, as prepared and amended by the Federal Insurance Administration.

Floor Area - the area of lowest horizontal plane within the outer surface of the exterior walls of a building, room, etc.

Foundation - the basic support structure of a building or, for purposes of minimum area, the basic exterior dimensions of the building, excluding porches, overhangs, hatchways, etc.

Frontage - a continuous length of that portion of a lot abutting on a single street other than a State owned limited access highway.

Garage - a building or part thereof, accessory to a main building and providing for the storage of vehicles.

Government Agency Facility - Any use of land or building by a department, commission, independent agency, regional water or sewer authority or district, or other instrumentality of the United States, the State of Connecticut, the Town of Bolton, or any regional agency of which the Town of Bolton is a current member.

Groundwater Recharge / Infiltration - The process by which water enters the ground, eventually replenishing groundwater aquifers and surface waters such as lakes, streams, and the oceans. This process helps maintain water flow in streams and wetlands and preserves water table levels that support drinking water supplies.

Home Occupation - any occupation which is customarily or may properly be carried on for compensation entirely within a dwelling, by the residential occupant thereof.

Hotel - a building designed and used primarily for occupancy of transients which provides or offers accommodations for seven (7) or more persons, exclusive of employees living on the premises, and which provides rooms for public assembly, and may include serving of food.

Impervious Coverage - any material which reduces surface storage and infiltration of water, and increases the volume of storm water runoff, including but not limited to buildings and all equipment pads and platforms, etc., except that all walkways, parking areas and driveways, and patios constructed of pervious materials approved by the ZEO shall not be counted in the impervious coverage calculation. (effective 02/15/14)

Inland Wetland - See "Wetland" and "Watercourse," below.

Interior Lot - a lot in an Open Space Conservation Development (OSCD) that has less than the required frontage on a public street but has at least 50 feet of lot frontage and is located immediately behind a lot or lots that comply with the zoning dimensional requirements, including lot frontage, and has a corridor at least 50 feet wide to the street. (effective 11/01/17)

Junk Yard - except for the specific exceptions noted below, the use of any area of any lot, whether inside or outside a building for any of the following purposes:

- A. the commercial storage, keeping or abandonment of junk, scrap or discarded materials or equipment, including old cordage or other waste or discarded or secondhand materials; or
- B. the commercial dismantling, demolition or abandonment of automobiles, other vehicles, machinery, equipment or parts thereof; or
- C. any other place of storage or deposit, including any business, which has stored or deposited two or more unregistered motor vehicles or used parts of motor vehicles or other waste or discarded or secondhand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles.

As specific exceptions, the following shall not be considered a junk yard:

1. the display of unregistered vehicles for the specific purpose of sale in association with an authorized and licensed automotive dealership;
2. the accessory storage of unregistered vehicles, equipment or parts associated with a permitted or proposed business, provided said storage has been specifically approved by the Zoning Commission;
3. the parking of unregistered farm vehicles and associated equipment and parts for use on site in association with an active farm;
4. the interior storage of unregistered vehicles as per the accessory use provisions of Section 3Q. of these Regulations;
5. the non-commercial storage, keeping or abandonment of junk, scrap or discarded materials or equipment, provided that any materials or waste classified as hazardous by the State of Connecticut are stored and disposed of as required by the Connecticut Department of Environmental Protection;
6. Recycling collection facilities for glass, paper, aluminum and/or plastic items.

Livestock - horses, cattle, sheep, or similar animals.

Living Area - the area of the lowest horizontal plane within the interior walls of a building, room, etc.

Lot - a parcel of land on which a principal building (or buildings) and its accessories are placed or may be placed together with the required open spaces.

Lot of Record - A lot for which a Deed has been recorded in the Office of the Town Clerk of the Town of Bolton, which lot met the requirements of these Regulations and of the Bolton Subdivision Regulations, as the same were in force at the time of such recording. See Section 3.A.3 of these Regulations.

Low Impact Development (LID) - Low Impact Development is a site design strategy intended to maintain or replicate predevelopment hydrology through the use of small-scale controls integrated throughout the site to manage runoff as close to its source as possible. See Section 16A.2.1

Manufacturing, Light - The manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic industrial processing and manufacturing from extracted or raw materials into finished products. (effective 05/13/12)

Mixed Use - Allowance for more than one type of permitted use on a single property, within a single building, or multiple properties, within a Unified Village-style Development within the GMUIZ and RMUZ zones.

Motel - See "Hotel/Motel".

Non-Conforming Building or Structure - A building or structure legally existing on the effective date of these Regulations, which met all requirements of the Zoning Regulations then in force, if any there were, on said effective date, but does not meet the current requirements of these Regulations; or a building or structure legally existing on the effective date of any amendment hereto which caused such building or structure to cease to meet the requirements of these

Regulations. See, Section 3A.3 of these Regulations. [from former definition of “Non-Conforming Use”]

Non-Conforming Lot - A Lot of Record, subject to the requirements of Section 3.A.3 of these Regulations.

Non-Conforming Use - The actual use of land, buildings, or premises which is not a use permitted by these Regulations for the 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 3.A.3 of these Regulations.

Office - a room or business within a building, for the purpose of conducting a professional service, excluding retail, manufacturing, and warehousing operations.

Open Lot Sales - The term Open Lot Sales refers to a principal use for the sale of any items from a location outside of a building. The term Open Lot Sales does not include outdoor sales for business or industrial uses that are depicted on an approved site plan review or special permit plan; nor does it include tag sales, non-profit rummage sales, or other occasional outdoor sales accessory to a permitted principal use.

Open Space - any land, the preservation or restriction of the use of which would: 1) maintain and enhance the conservation of natural or scenic resources; 2) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open spaces; 3) enhance public recreation opportunities; 4) preserve historic sites; 5) promote connections between natural or manmade corridors (“greenways”); or 6) promote the orderly development of the Town of Bolton; such lands may include but are not limited to: a) land left in its natural, undisturbed state; b) agricultural land; c) forests and d) areas used for passive or active recreation.

Parking Area - an area of land containing parking and/or loading spaces, drive aisles directly serving such spaces, and any required landscaping island, lighting fixtures, and traffic control signage.

Pervious Material - Any ground cover or material through which water can penetrate at a rate comparable to that of water through undisturbed soils. (effective 02/15/14)

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.

Principal Use - The primary purpose or function for which a premises is used, designed, or intended to be used.

Produce - fruits and vegetables.

Public - A use of land or buildings, excluding a government agency facility, which is open to the general public, with or without the payment of a fee.

Rear Lot - A lot in an R-1 Zone which contains less frontage and more acreage than normally required in that zone and complies with Section 11.F of these Regulations. (effective 11/01/17)

Recyclable - Items which are cleaned and/or processed for the purpose of reuse, either in their current form or in a different form.

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 take 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 including Drive-In or curb service as an accessory use. See Section 3B.4, of these Regulations.

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 3B.4, of these Regulations.

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 3B.4, of these Regulations.

Rooming House - a building in which the primary use is the rental of individual rooms to tenants who use such building as a place of residence.

Sediment - solid material, either mineral or organic, that has been moved from its site of origin by erosion.

Setback - the distance between a structure and the property line, street line or other clearly denoted reference point.

Shed - an accessory building that has no more than 120 square feet of ground-floor area, is no more than ten feet high and is not used for the storage of cars or trucks.

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.

Sign, Abandoned - Any sign that advertises a business, lessor, owner, product, service, or activity that is no longer located on the premises where the sign is displayed, or a permitted temporary sign for which the permit has expired.

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.

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.

Sign, Aerial - A balloon or other airborne flotation device which is tethered to the ground or to a building or other structure that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered.

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.

Sign, Awning - A sign affixed or crafted onto the face of an awning.

Sign, Banner - A temporary sign which is constructed of cloth, canvas, or other type of natural or man-made fabric, or other similar light material which can be easily folded or rolled, but not including paper or cardboard.

Sign, Business - A Sign which directs attention to a business, commodity, service, entertainment, or other Use which is currently conducted, sold, or offered upon the same Lot where such sign is displayed.

Sign, Business Identification - A sign directing attention to a business or profession conducted or to a commodity, service, or entertainment sold or offered on the premises on which such sign is located or to which it is affixed.

Sign, Canopy - A wall sign that is located on the roof, fascia, soffit, or ceiling of a canopy.

Sign, Changeable Copy - A sign on which message copy is changed manually in the field through the utilization of changeable panels containing fixed letters, numbers, logos, or pictorial copy.

Sign, Directional - A sign permanently erected or permitted on private property to direct and regulate pedestrian and vehicular traffic.

Sign, Directory - A sign listing only the names and/or use, or location of more than one business, activity or professional office conducted within a building, group of buildings or commercial center.

Sign, Electronic Message - A sign with a fixed or changing display and / or message composed of a series of lights that may be changed through electronic means. A time and/or temperature sign shall not be considered an electronic message sign.

Sign, Entrance Canopy - A sign affixed or crafted onto the face of an entrance canopy.

Sign, Externally Illuminated - A Sign illuminated by a light source which is remote from the sign structure and so shielded that no direct rays there from 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 an Internally Illuminated Sign.

Sign, Flashing - Any sign in which or upon which artificial light is not maintained stationary and constant in intensity and color at all times.

Sign, Freestanding - A sign supported by a sign structure secured in the ground and which is wholly independent of any building, fence, vehicle or other support.

Sign, Graphic Light Projection - An image projected onto a surface by a graphic light projection system 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.

Sign, Identification - A sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

Sign, Inflatable - A sign that is either expanded to its full dimensions or supported by gasses contained within the sign, or sign parts, at a pressure greater than atmospheric pressure.

Sign, Internally 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.

Sign, LED - A sign consisting of light emitting diodes that emit visible light when electricity is applied can spell out letters or numbers or alphanumeric or projected images.

Sign, Message Board - A sign on which message copy is changed manually in the field through the utilization of attachable letters, numbers, symbols and other similar characters. A Changeable Copy Sign is not a Message Board Sign.

Sign, Moving - Any sign, or any portion of any sign which is capable of any movement whatsoever; excluding barber poles, clocks, flags, banners, and real estate signs permitted under Sections 18E and F.

Sign, Moving Message Board - Any electrical sign having a continuous message flow across its face by utilization of lights or other electrical impulses forming various words or designs, such as a time and temperature sign.

Sign, Name Plate or Public Convenience - Any sign of authorized commercial and industrial uses identifying the building occupant, store hours, or other non-advertising notices.

Sign, Neon - An illuminated sign affected by a colorless, odorless light source consisting of a neon or gas tube that is bent to form letters, symbols, or other shapes.

Sign, No Trespassing - Any Sign on a Premises restricting the right to enter such Premises and indicating the private nature of such Premises.

Sign, Outdoor Advertising and/or Off-Premises - See "Sign, Advertising".

Sign, Overhanging - Any Sign extending at an angle from a Building which is its sole or principal support.

Sign, Pennant - Any geometric-shaped cloth, fabric, or other lightweight material normally fastened to a stringer which is secured or tethered so as to allow movement of the sign caused by movement of the atmosphere.

Sign, Political - A temporary sign announcing or supporting candidates or issues in connection with any national, state, or local election.

Sign, Portable - A sign designated or intended to be moved easily that is not permanently embedded in the ground or affixed to a building or other structure, including any sign that rests upon the ground, a frame, a building, or other structure. Including but not limited to the following signs: trailer signs (with or without wheels), menu and sandwich boards, hot air or gas-filled balloons or umbrellas used for advertising, signs mounted for advertising purposes on a vehicle that is parked and visible from the public right-of-way (except signs identifying the related business when the vehicle is being used in the normal day to-day operation of that business), sidewalk or curb signs, and A-frame signs, or similar type signs.

Sign, Project - Any sign erected and maintained on the premises temporarily while undergoing construction by an architect, contractor, developer, finance organization, subcontractor or materials vendor upon which property such individual is furnishing labor, services or material.

Sign, Public - Any sign erected and maintained by public officials or public agencies, or approved and authorized for use by state or local governmental authorities, or any sign on private property mandated by any governmental entity within the dimensional parameters designated by that entity.

Sign, Real Estate - A temporary sign erected by the owner, or his agent, advertising the real property upon which the sign is located for rent, for lease or for sale.

Sign, Roof - Any sign erected, constructed, or maintained upon the roof of a building.

Sign, Rotating - Any sign which revolves around one or more fixed areas.

Sign, Special Event - A sign advertising or announcing a special communitywide event or activity conducted by, or sponsored by, or on behalf of a unit of local government, a charitable organization, or a not-for-profit organization.

Sign, Temporary - Any sign, banner, pennant, or advertising display intended to be displayed for a limited time period.

Sign, Vehicle - A vehicle the substantial purpose of which is a sign, and a permanent or temporary sign affixed, painted on or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is displayed in public view suggesting that the substantial purpose of said display is to attract the attention of the public rather than to serve

the business of the owner thereof in the manner which is customary for said vehicle, with the exception of any message or lettering required by State or Federal law.

Sign, Wall - Any Sign painted, posted, or otherwise affixed to any portion of a building or structure that is visible or intended to be visible from the exterior of said building or structure.

Sign, Window - Any sign which is painted on, applied to, attached to or projected upon or within the exterior or interior of a building glass area, including doors whose identification, message, symbol, insignia, visual representation, logotype, or any other form which communicates information, can be read from off premises contiguous property or public right-of-way.

Soil - any unconsolidated mineral or organic material of any origin.

Solar Access Window - the angle of sky from which direct sunshine is unobstructed at least 75% of the time between 9:00 AM and 3:00 PM on December 21 at the foundation level of a proposed structure.

Solar Energy System, Ground-Mounted - A solar collection system that has a supporting framework that is placed on, or anchored in, the ground and that is not attached to any building or other structure. (effective 01/01/14)

Solar Energy System, Roof-Mounted - A solar collection system that is installed upon or is part of the roof of a building or structure located on the subject property. Systems integrated as awnings or attached to the roofs of porches, sheds, carports and covered parking structures also fall under this distinction. (effective 01/01/14)

Solar Energy System, Small Scale - An accessory solar collection system that may or may not be interconnected to the local utility electrical grid on the customer's side of the electric meter which system shall be designed to generate no more electricity than that needed for direct consumption on the subject property with capacity no greater than would be necessary to serve the primary use and any permitted accessory uses. (effective 01/01/14)

Special Features - When used in the context of Section 7C.3 herein, this term shall mean the following:

1. Wetlands and watercourses as field-verified in accordance with the Inland Wetlands and Watercourses Regulations of the Town of Bolton.
2. 100-year floodplain as identified by the National Flood Insurance Program; and,
3. Slopes 25% or greater, based on 2-foot contour intervals in accordance with a T-2 survey.

Street - any existing avenue, boulevard, road, lane or highway that is accepted and actively maintained by either the Town of Bolton, any other municipality or the State of Connecticut; or any proposed roadway which is shown on a subdivision map approved by the Bolton Planning and Zoning Commission and duly recorded in the Bolton Town Clerk's office and which is formally bonded for completion and dedication to the town of Bolton.

Street Line - the points of intersection of a street with abutting land.

Street Right-of-way - an area of land in single ownership which includes, but is not limited to, a street, and which may contain land for possible future widening of such street, and which is intended for the use of motor vehicles and pedestrians.

Structure - that which is built, constructed, installed or erected.

Subdivision - a division of land as defined in Section 8-18 of the Connecticut General Statutes, as amended from time to time.

Swimming Pool - any structure designed or used for swimming purposes having one hundred fifty (150) square feet or more of bottom area and/or having a maximum capacity in excess of three thousand (3,000) gallons.

Townhouse - See "Dwelling, Townhouse".

Underlying District - In the case of an overlay district, that zoning district upon which the overlay district is located. See Section 10.

Unified Village-style Development - A development on a single parcel, or multiple parcels combined to create a single development project, designed with mixed uses, unified access, parking, and utilities, and unified architectural and site design theme under the Architectural and Site Design Guidelines of the Town of Bolton. This type of development may be limited to a single parcel with the future potential for inclusion into a multi-parcel development capable of meeting the above criteria.

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. 2-14

Watercourse - a body of water as defined by Connecticut General Statutes Section 22a-38, as amended from time to time.

Wetland - all wetlands and watercourses as defined in the Connecticut General Statutes, as amended from time to time.

Yard - a space not occupied by a building, open to the sky on the same lot as the principal building.

Yard, Front - the space across the full width of the lot and extending from the front line of the building to the street line.

Yard, Rear - the space across the full width of a lot and extending from the rear line of the principal building to the rear lot line.

Yard, Side - the space extending from the front yard to the rear yard between a building and the adjacent side line of the lot. The side yard of a corner lot adjacent to the side street shall meet the front depth requirement of the side street.

Zoning Enforcement Officer(s) - The official designated in accordance with these regulations to enforce the Bolton Zoning Regulations and to issue Zoning Permits.