

ARTICLE III
DEFINITIONS

SECTION 300. INTENT

Certain words and terms used in these Regulations shall have the meanings listed in this section, and the following rules shall hold:

- Words in the present tense include the future tense.
- Words in the singular include the plural.
- The term "shall" is mandatory.
- The term "person" includes a partnership or corporation.
- The term "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

Doubts as to the precise meaning of other words and terms shall be determined by the Commission with reference to the Connecticut General Statutes.

SECTION 310.

DEFINITIONS

Access right-of-way - a strip of land in which a legal interest has been acquired permitting access to an adjoining interior lot from a public street, a proposed public street, or an approved private street. (Amend. of 10-17-83, § B)

Access strip - a portion of an interior lot, between the street line of a public street, a proposed public street, or an approved private street, that provides access to said interior lot from a public street, a proposed public street, or an approved private street. (Amend. of 10-17-83, § A)

Accessory use - a use or structure subordinate to and customarily incidental to the principal use of land or buildings on the same lot. Unless otherwise specified in this ordinance, no use or structure for commercial or industrial purposes shall be permitted as accessory in a residential zone. Normal sewer, water, and other utility lines shall be considered an accessory use in all zones. Satellite dish antennas shall be considered to be an accessory use. (Amend. of 2-10-86, § 6)

Actual use - the specific use to which a building or property is put. This term shall not be taken as referring to the category of uses allowed in any zone (i.e. all residential, commercial or industrial uses), but rather to a single type of such use. For example, conversion of a single-family house to a two-family house may not require a change in the residential zoning category, but is a change of actual use. Similarly, conversion of a tailor shop to a retail clothes store may not require a change in the commercial use category, but is a change in actual use.

Adult oriented Establishment - shall include, without limitation, "adult bookstores", "adult motion picture theaters", "adult mini-motion picture theaters", and further means any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures, or any premises wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted, operated or maintained for a profit, direct or indirect. An "adult-oriented establishment" further includes, without limitation, any adult entertainment studio or any premises that are physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio, or any other term of like import.

Adult Bookstore - means an establishment having a substantial or significant portion of its stock and trade in books, films, video cassettes, sexual aids, toys, novelties, or magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined below, and may in conjunction therewith have facilities for the presentation of adult entertainment, as defined below, and including adult-oriented films, movies or live entertainment, for observation by patrons therein.

Adult Entertainment - means any exhibition of any adult-oriented motion pictures, live performance, display or dance of any type, which has as a significant or substantial portion of such performance any actual or simulated performance of "specified sexual activities" or exhibition and viewing of "specified anatomical areas", removal of articles of clothing or appearing unclothed, pantomime, modeling, or any other personal services offered customers.

Adult Mini-motion Picture Theater - means an enclosed building with a capacity of less than fifty (50) persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", as defined below, for observation by patrons therein.

Adult Motion Picture Theater - means an enclosed building with a capacity of fifty (50) or more persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", as defined below, for observation by patrons therein.

Agriculture – For the purposes of these Regulations, agriculture is considered as the growing of crops, the raising of livestock and the storing, processing and sale of livestock and horticultural products and commodities, including those defined in Connecticut General Statutes Section 1-1q, as incidental to agricultural operations.

Amusement game arcade - four (4) or more amusement game machines in the same place, location or premises. (Amend. of 11-14-83, § A)

Amusement game machine - any machine, whether mechanical, electrical, or electronic, used or designated to be operated for entertainment or as a game by the insertion of a piece of money, coin or token or other article or by paying money to have it activated. This definition shall not include jukeboxes, bowling alleys, vending machines or machines that provide a ride, weight or photograph. (Amend. of 11-14-83, § A)

Analytical Laboratories – establishments primarily engaged in performing physical, environmental, chemical, and microbiological (except medical and veterinary) testing by professional and technical personnel using scientific equipment

Antique shop - a commercial establishment for the sale of furniture, clothing, and other household items, generally considered to be antiques.

Aquaculture - the culture, farming or husbandry of aquatic organisms, both marine and freshwater, such as fish, shellfish and plants.

Aquifer protection zone - the primary and secondary recharge areas of designated aquifers. The aquifer protection zone is shown on overlay to the official zoning map of the Town of Killingly.

Area of Special Flood Hazard - the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. (Amend. of 12-10-84)

Base flood - the flood having a one percent chance of being equaled or exceeded in any given year. (Amend. of 12-10-84)

Bed and Breakfast Establishment – a portion of a residential house or premises where short-term lodging and meals are provided to transients for compensation for a period not to exceed ten contiguous nights. (Amend. Effective: 11-6-98)

Building - any structure having a roof and intended for the shelter, housing or enclosure of persons, animals or materials, excluding trailers.

Building height - the distance measured from the mean level of the ground surrounding the building to the highest point of the roof.

Building line - a line running parallel to the street at a distance from the right-of-way equal to the required setback from the street.

Buffer strip - a strip of land of a specified width lying adjacent to and running parallel to lot lines. Buffer strips shall be reserved solely for vegetation, except that specifically permitted driveways approved by the Commission may be allowed. Maintenance of required buffers shall be the responsibility of the owner or occupant of the property.

Café - a place where alcoholic liquor is sold for consumption and food is available for sale, but hot meals are not necessarily served.

Center, multiuse - any grouping of two (2) or more separate commercial, professional office, and/or service operations on the same lot. Such centers shall include professional office buildings and shopping centers.

Certification – A signed, written approval by the Killingly Planning and Zoning Commission (its designated agent or the Windham County Soil and Water Conservation District) that a soil erosion and sediment control plan complies with the applicable requirements of these regulations.

Clinic includes a single legal entity or establishment for the diagnosis with or without treatment of patients, with no overnight lodging, with more than three licensed staff, or more than three patient/treatment rooms or a total occupancy, including both patients and staff, of more than twelve.

Clustered arrangements - grouping of not more than six (6) separate signs, each of which identifies a governmental, educational, charitable, philanthropic, civic, fraternal, or a religious organization. Such grouping shall be attached to permanent type supports, with the grouping contained within the outer sign supports. Grouping plus supports shall not exceed ten (10) feet in width. Such grouping may include in addition a community "welcome" sign. Notice of temporary events, except for regular meetings or services, shall not be permitted.

Commercial poultry farm - the keeping of more than one thousand (1,000) fowl at one time.

Commercial vehicles, registered – motor vehicles duly registered with the State Commissioner of Motor Vehicles and bearing commercial number plate(s).

Commission - the Planning and Zoning Commission of the Town of Killingly.

Contractor's Business - shall include but not be limited to excavation, building, electrical, plumbing, heating and masonry contractors and similar uses including ancillary offices, garages, outdoor storage, etc.

Council - means the Town Council of the Town of Killingly, Connecticut.

County Soil and Water Conservation District - the Windham County Soil and Water Conservation District established under subsection (a) of Section 22a-315 of the General Statutes.

Day camp - a seasonal facility for the care of five (5) or more children having no overnight accommodations except for staff members.

Development - Development means 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, drilling operations or storage of equipment or materials. Underlined = addition. Effective 04/14/95.

Director - means the Killingly Director of Planning and Development.

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

Dog kennel - the harboring on any lot of more than five (5) dogs that are more than six (6) months old.

Dwelling - a building or portion thereof designed exclusively for residential occupancy, including single-family, two-family dwellings, duplex and multifamily dwellings, but excluding hotels, motels, and rooming or boardinghouses.

Dwelling, multifamily - a building or portion thereof designed exclusively for residential occupancy. including three-family dwellings or more, but excluding hotels, motels, and rooming or boardinghouses.

Dwelling unit - a building or portion thereof designed for house keeping and occupied by a single family.

Employee - means any and all persons, including independent contractors, who work in or at or render any services directly related to the operation of an adult-oriented establishment.

Entertainer - means any person who provides entertainment within an adult-oriented establishment as defined in this section, whether or not a fee is charged or accepted for entertainment and whether or not entertainment is provided as an employee or an independent contractor.

Erosion - the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

Existing Manufactured Home Park or Subdivision - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities,

the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the flood plain management regulations adopted by the community. Effective 04/14/95.

Expansion to an Existing Manufactured Home Park or Subdivision - means-the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads). Effective 04/14/95.

Family - one or more persons occupying a single housekeeping unit and using common cooking facilities. No such family shall include more than five (5) persons who are not related by blood, marriage, adoption, or guardianship.

Farm implements - vehicles designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations and not operated on the highway for the transportation of a pay load or other commercial purpose.

Farm stand, seasonal – a structure with a maximum size of ≤200 sf and used for a portion of the year solely for the sale of agricultural or horticultural products or related products made from raw agricultural or horticultural products, wherein 51% of gross sales as a minimum, shall be grown and harvested onsite or on other land owned, leased or used by the farmer.

Farm store, seasonal or year-round retail – a maximum 1000 sf structure or maximum of 1000 sf space within an existing structure devoted to the sale of agricultural or horticultural products or processed products made from raw materials or accessory products, wherein 51 percent of gross sales as a minimum, for at least three of the immediately preceding five years, shall be grown and harvested on site or on other land owned, leased or used by the farmer.

Farm vehicles, registered - motor vehicles duly registered with the State Commission of Motor vehicles and bearing farm number plate(s).

Flood or flooding - a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) The overflow of inland or tidal waters and/or (2)The unusual and rapid accumulation or runoff of surface waters from any source. (Amend. of 12-10-84)

Flood Insurance Rate Map (FIRM) - the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community. (Amend. of 12-10-84)

Flood Insurance Study - the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood. (Amend. of 12-10-84)

Floodway - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. Effective 04/14/95

Floor area - the sum of the horizontal exterior area of the several floors of a building or structure. Cellars, basements and attics used only for storage or for heating or cooling equipment and unenclosed porches or patios shall not be included in computing

floor area.

Fowl - chickens, turkeys, geese, ducks and any other type of bird.

Frontage - the portion of a lot directly abutting a street line.

Grading - any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

Groundwater - water in the subsurface zone beneath the water table in which all pore spaces are filled with water.

Groundwater recharge area - that area from which water is added to the saturated zone by: (1) natural processes such as infiltration of precipitation, or (2) artificial processes such as induced filtration.

Hazardous waste - waste material which may pose a present or potential hazard to human health or the environment when improperly stored, transported or disposed of or otherwise managed including without exception hazardous waste identified and listed in accordance with section 3001 of the Resource Conservation and Recovery Act of 1976.

Heavy equipment and heavy specialized vehicles – Commercial motor vehicles as defined by the Connecticut Department of Motor Vehicles, and/or vehicles with a gross vehicle weight rating of 10,001 or more pounds, fire apparatus, farm and construction machinery or equipment; buses and vans designed primarily for the transportation of ten (10) or more passengers; mobile homes, motor homes, recreational vehicles, trailers and boats of any size, transport trucks or trailers and other equipment and vehicles of a like nature as determined by the Commission.

House Conversion - The conversion of an existing single, two, or multi-family structure, for purposes of increasing the residential density as may be permitted by the zone in which it is located and the lot size of the particular parcel.

Inspection - the periodic review of sediment and erosion control measures shown on the certified plan.

Inspector - means an employee of the Killingly Department of Planning and Development designated by the Director of Planning and Development and/or an employee of the Town of Killingly designated by the Town Manager, who shall hereby be authorized to inspect premises regulated under this ordinance and to take the required actions authorized by this ordinance in case of violations being found on such premises, and to require corrections of unsatisfactory conditions found on said premises.

Kiddie Park - a park primarily intended for use by children which may include mechanical devices (rides) designed solely for use by such children and such park shall be limited in operation by the hours of 9 a.m. to 9:00 p.m., except on Sunday when no mechanical device (ride) may open before 12:00 noon, although the park may open sooner.

Large scale poultry/fowl farm – the keeping of more than one thousand (1,000) poultry and/or fowl at one time.

License - a written license issued by the Connecticut Real Estate Commission under the provisions of Chapter 412 of the General Statutes as amended, allowing the operation and maintenance of a mobile home park.

Light weight - the weight of an unloaded motor vehicle as ordinarily equipped and ready for use, but exclusive of the weight of the operator of such motor vehicle.

Lot - For the purposes of this ordinance a lot is an amount of land of sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards, buffers and open areas as are required for the district in which such lot is located. A lot may consist of one or more lots of record, or a portion of a lot of record, provided that no such division or combination creates a tract of land incapable of meeting zoning district requirements.

Lot of record - a lot which was legal at the time of the adoption of these Regulations or any amendment hereto and was owned separately from any adjoining lot, as evidenced by maps on file with the Town Clerk and/or by land records of the Town of Killingly.

Lot, corner - a lot fronting on two or more streets or roads.

Lot coverage - the total portion of any lot covered by buildings, structures, patios, roofs, driveways, parking areas or other impervious surfaces.

Lot interior - a lot which meets all of the dimensional and other requirements for the zoning district in which it is located, save an access strip to a street is present in lieu of the minimum required frontage on said street.

Lot line, front - the boundary line of a lot which abuts a street line of an accepted public street, a proposed public street, or an approved private street or, in the case of an interior lot that is served by an access right-of-way, the boundary line of said interior lot which abuts the access right-of-way. (Amend. of 10-17-83, § D)

Lot line, rear - the lot line which is farthest from the street.

Lowest Floor - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor. (Effective 04/14/95)

Manufactured Home - means a structure transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Manufactured Home Park or Subdivision - means a parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale. (Effective 04/20/87)

Minor - shall be deemed to refer to a person under the age of eighteen (18) years.

Motel, hotel - a building or group of buildings designed or used as individual living and sleeping quarters for hire. These terms shall include auto courts, tourist cabins and the like.

Multi-family development – One or more multi-family and accessory structure(s) on one lot, the lot for which shall meet at least the minimum lot size and frontage for the zone in which it is located, and shall not exceed five contiguous acres. Multi-Family developments shall not exceed the density requirements for the zone, as amended. See Multi-family section for requirements

Multi-family structure - is one which has three or more dwelling units within the structure, each dwelling unit housing one family, and may have commercial uses in the structure, as may be permitted in the zone, but excluding hotels, motels, and rooming or boarding houses.

New construction – structures for which the "start of construction" commenced on or after the effective date of this ordinance. (Amend - 12-10-84)

Operator - means any person, partnership or corporation operating, conducting or maintaining an adult-oriented establishment.

Parcel - a lot of record.

Personal service establishment - any of the following uses employing not more than five non-resident persons: barbershop, hairdresser and/or beauty salon, tailor, dressmaker.

Planned Residential Development - A parcel of land to be developed in the Low or Medium Density zones as a single entity for not less than ten dwelling units, the lot for which meets or exceeds the minimum requirements and specifications as provided in Section 570.5.18 and may include any combination of detached single and attached single-family dwellings or townhouses, to meet the densities permitted by the Planned Residential Development Regulations. A portion of, or the entire development may be designated as Active Adult housing, age 55 and over in accordance with state and federal law.

Planted screenings – a strip of trees and shrubs planted to serve as a buffer between neighboring incompatible land uses. Hardy, indigenous plant material shall be used where such a screen is required, at least 30% of which shall be evergreen and at least 60% of which shall be a minimum of six feet in height. Spacing of such planted material shall be sufficient to serve the intended buffering purpose. Permanent structures such as wooded fences, stone walls and the like may be approved in lieu of part or all of the required planting where, in the opinion of the Commission, the intended buffering purpose is served by such a substitution.

Primary recharge area - that area immediately overlying the stratified drift aquifer and adjacent areas of stratified drift that may not have a sufficient saturated thickness to be part of the aquifer. The boundary of the primary recharge area is the contact between the stratified drift and adjacent till or bedrock.

Professional building - a building used primarily for the conduct of the following occupations: Licensed medical practitioner, attorney, accountant, architect, surveyor or engineer.

Public Service Corporation - any railroad, electric, gas, telephone, telegraph, pipeline, sewage, water, fire, ambulance or community antenna company or corporation; and any vehicle or transportation system, owned or regulated by a governmental agency, used for the mass transport of people. (Effective 02/16/87)

Public water - any water supplied by a water company regulated by the State Department of Health.

Recreational Vehicle - means a vehicle which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. (Effective 04/14/95)

Repair shop - a building used for the repair and maintenance of appliances, equipment or machinery, but excluding motor vehicles and heavy construction equipment. All work and storage areas must be contained within such a repair shop building.

Repairer includes any person, firm or corporation qualified to conduct such business in accordance with the requirements of section 14-52a, having a suitable facility and having adequate equipment, engaged in repairing, overhauling, adjusting, assembling or disassembling any motor vehicle, but shall exclude a person engaged in making repairs to tires, upholstering, glazing, general blacksmithing, welding and machine work on motor vehicle parts when parts involving such work are disassembled or reassembled by a licensed repairer.

Repairer - (Limited repairer) includes any qualified person, having a suitable place of business and adequate equipment engaged in the business of minor repairs, including repairs and replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel alignment and balancing, and repair and replacement of shock absorbers. For the purpose of this section, the place of business of a limited repairer shall be deemed to be suitable if the building in which the work of the repairer is performed has space capable of receiving at least one motor vehicle at any one time, exclusive of a grease pit or rack, and has adequate space for an office and for the storage of parts and accessories. A person shall be deemed capable of performing the duties of a limited repairer if he is, in the opinion of the commissioner, a qualified mechanic who has a thorough knowledge of the services to be rendered, or has a certificate of completion of a specialized course from a service school approved by the commissioner, or satisfactory proof of previous employment by a licensed repairer for a period of three years, or has successfully passed an examination given by the Department of Motor Vehicles.

Clinic includes a single legal entity or establishment for the diagnosis with or without treatment of patients, with no overnight lodging, with more than three licensed staff, or more than three patient/treatment rooms or a total occupancy, including both patients and staff, of more than twelve.

Restaurant - a public eating establishment which provides at least four (4) tables and twenty (20) seats or counter service for twenty (20) or a like combination of tables and counter space and waiting on tables. Such establishment may provide take-out service provided that such service shall not constitute more than 20 percent of all business. (Amend. of 4-14-80; Amend. of 7-14-80)

Restaurant, drive-in - a public eating establishment having curb service and/or drive-in service alone or in combination with table service and/or counter and/or take-out service. Such establishment may be a combination drive-in, fast-food restaurant. (Amend. of 4-14-80)

Restaurant, fast-food - a public eating establishment having take-out service which constitutes more than twenty (20) percent of all business, and/or does not provide any waiting on tables. Such establishment may be a combination fast-food drive-in restaurant. (Amend. of 4-14-80; Amend. of 7-14-80)

Rooming house, boarding house - a building providing sleeping quarters for not more than six persons not related to the proprietor, with or without provision of meals.

Seasonal tent or camping ground - a tract of land on which may be located two or more cabins, tents, camp or tent trailers, motor homes or other accommodations of a design or character suitable for seasonal or other temporary recreational living purposes, excluding mobile home parks, boarding and rooming houses, tourist home, motels or hotels.

Secondary recharge area - the land area adjacent to the primary recharge area from which groundwater moves down-gradient into the aquifer.

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

Semi-trailer - any vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and load rests upon or is carried by another vehicle.

Septage - sludge produced by domestic wastes that is pumped from septic tanks.

Setback - the minimum distance required between any lot line and the nearest building line.

Sexual Activities - as used in these regulations, is not intended to include any medical publications or films or bona fide educational publication or films, nor does it include any art or photography publications which denote at least 25 per cent of the lineage of each issue to articles and advertisements dealing with subjects of art or photography. Nor does this definition apply to any news periodical which reports or describes current events and which, from time to time, publishes photographs of nude or semi-nude persons in connection with the dissemination of the news. Nor does this definition apply to publications or films which describe and report different cultures and which, from time to time, publish or show photographs or depictions of nude or semi-nude persons when describing cultures in which nudity or semi-nudity is indigenous to the population.

Sign - Any object, statute, device, display or structure or part thereof visible from a public way, which is used to advertise, identify, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

Site area, gross - the total acreage of a tract of land, including the portion devoted to roads, buffers, open space and other public uses.

Site area, net - the portion of a tract of land available for use after subtraction of roads, buffers, open space, and required public use.

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

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.

Solid waste - unwanted or discarded materials including solids, liquids or contained gaseous materials.

Special Flood Hazard area - is the area within a community subject to a one (1) percent or greater chance of flooding in any given year, as identified on the community's FIRM. (Effective 04/14/95)

Specified Anatomical Areas - means:

- (1) Less than completely and opaquely covered:
 - (i) human genitals, pubic region:
 - (ii) buttocks:
 - (iii) female breasts below a point immediately above the top of the areola:
and
- (2) Human male genitals in a discernibly turgid state, even if completely opaquely covered.

Specified Sexual Activities - means:

- (1) Human genitals in a state of sexual stimulation or arousal;
- (4) Acts of human masturbation, sexual intercourse, or sodomy,
- (5) Fondling or erotic touching of human, genitals, pubic region, buttock or female breasts.

Start of Construction - includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Streambelt, watercourse, waterbody - a natural or manmade body of water, or a channel through which water flows, either constantly or occasionally.

Street, accepted public - any street duly accepted by the Town of Killingly in accordance with Section 13a-48 of the Connecticut General Statutes.

Street, approved private - any private street which: has been improved and meets the design standards and drainage requirements of the Town of Killingly Subdivision Regulations, as amended; and/or has received prior subdivision or site plan approval by the Commission in accordance with the standards and procedures of the Town of Killingly Subdivision Regulations and/or the Town of Killingly Zoning Regulations.

Street, proposed public - any street duly proposed for acceptance by the Town of Killingly in accordance with Section 13a-48 of the Connecticut General Statutes, provided said street has received prior subdivision or site plan approval by the Commission in accordance with the standards and procedures of the Town of Killingly Subdivision Regulations and the Town of Killingly Zoning Regulations.

Street line - the limit of an accepted public street, proposed public street or approved private street right-of-way or, in the case of an interior lot that is served by an access right-of-way, the limit of said access right-of-way. (Amend. of 10-17-83, § C)

Structure - anything constructed, erected or located, the use of which requires location on the ground or attachment to something having location on the ground.

Substantial Damage - means damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. (Effective 04/14/95).

Substantial Improvement – means any combination of repairs, reconstruction alteration, or improvements to a structure taking place during a one (1) period in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement or (2) in the case of damage, the value of the structure prior to the damage occurring.

For the purposes of this definition, "substantial Improvements", is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement or a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

Tavern - a place where beer is sold under a tavern permit.

Tertiary recharge area - the upstream drainage area of streams that traverse the primary recharge area. Rain that falls in this area moves first into a surface water body and then, by induced filtration, into the aquifer. In many cases, induced infiltration from the stream may be the principal source of water for high capacity wells.

Tractor - means a motor vehicle designed and used for the purpose of drawing a semi-trailer.

Trailer - a vehicular, portable structure built on a chassis and designed to be used for temporary occupancy for travel, recreational, or vacation use, or temporary use in conjunction with construction on the premises.

Truck – every motor vehicle designed, used or maintained primarily for the transportation of property.

Wetland – any area designated as a wetland on the Official Map of the Killingly Inland Wetland Commission.

Yard – a required open space unoccupied and unobstructed by any building or portion of a building. (Amend. Of 09/09/80; Amend. of 12/8/80; Amend. Of 12/10/84; Amend. Of 02/11/85)