

PUBLIC NOTICE

2026 Sachems Head Association - Zoning Board Special Meeting

NOTICE OF SPECIAL MEETING

Public notice is hereby given that the Sachems Head Association Zoning Board on will hold a Special Meeting on:

Date: Tuesday, May 19th

Time: 6pm

Location: Guilford Community Center, 32 Church Street - Alexander Lounge

Purpose of the Special Meeting:

The purpose of this Special Meeting is to review, discuss, and take action on proposed revisions to the Zoning Regulations of Sachems Head Association.

Posted April 23, 2026, Guilford Town Hall, submitted to Guilford Courier & posted SHA website

SACHEM'S HEAD ASSOCIATION

Detailed Summary of Proposed Zoning Regulation Changes

The following report is an overview comparison between the 2019 Zoning Regulations compared to the proposed 2026 update. The new version is more clearly organized, with expanded definitions and some updated operational standards. It also adds a dedicated section for rental uses, includes clearer guidance for accessory dwelling units, updates the permitting and appeals process, and strengthens standards for environmental protection, stormwater management, and coastal area review. Several of these updates are highlighted below as examples.

1. Structural Reorganization

- Complete reorganization of the document to align with best practices
- Clear separation of **definitions** from **permitted uses**

2. Improved Tables & Standards

- Addition of detailed tables for:
 - Lot coverage
 - Maximum floor area
 - Setbacks
- These replace prior charts that were often unclear or imprecise

3. Clarified & Updated Definitions

- Refinements to previously confusing definitions (e.g., *Average Ground Level*)
- Introduction of new definitions, including:
 - Infiltration measures
 - Low Impact Development (LID) practices
 - Terraces

4. Expanded & Clarified Permitted Uses

- Property rentals
- Temporary bathroom facilities (e.g., porta-potties)
- Docking systems
- Hedges

5. Signage Clarification

- Clearer guidance on permitted sign usage

6. Environmental & Site Requirements

- New requirements for **erosion and sediment control**

7. Application Process Enhancements

- Additional detail outlining zoning application considerations

Please contact shazoning@gmail.com with any questions/comments.



SACHEM'S HEAD ASSOCIATION ZONING REGULATIONS



Sachem's Head Association
PUBLIC HEARING DRAFT – APRIL 2026

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Section 1. General Provisions**1.1. Purpose**

These Zoning Regulations (“Regulations”) adopted by Sachem’s Head Association (the “Association”) are for the purposes set forth in Connecticut General Statutes Section 8-2, as may be amended from time to time.

Nothing in these Regulations is intended to abrogate or repeal the provisions of any other ordinance or regulation of the Association except wherein specifically designated, or to affect or modify in any way the legal conditions or restrictions in any covenant or deed or order issued pursuant thereto. Where the provisions of these Regulations differ from any such other restrictions or regulations, the more restrictive shall apply. Similarly, where any two provisions of these Regulations conflict with each other, the more restrictive shall apply. Any references herein to other local, state, or federal regulations are for informational purposes only.

1.2. Severability

If any section, paragraph, subdivision, clause, or provision of these Regulations shall be found by a court of competent jurisdiction to be invalid or unconstitutional, such finding shall apply only such section, paragraph, subdivision, clause or provision and the remaining Regulations shall continue in full force and effect.

1.3. Interpretations

In the event that any numerical minimum requirement identified in these Regulations results in a fractional result in completing the calculation to determine the numerical minimum requirement, the calculated result shall be rounded up to the nearest whole number.

Headings of sections are provided for convenience and do not define the scope of any section or provision herein.

Section 2. Definitions

2.1 Except as hereinafter specified, all words used in these Regulations shall be given the meaning commonly attributed to them.

2.2 Unless clearly to the contrary, words used in the singular shall include the plural and words in the plural shall include the singular and words used in the present tense shall also include the future tense.

2.3 The word “shall” indicates a mandatory, and not a discretionary, condition.

2.4 The words “Lot,” “tract,” “plot,” “piece,” “site” and “parcel” shall be interchangeable.

2.5 The words “zone,” “district” and “zoning district” shall be interchangeable.

2.6 On appeal from a decision of the Zoning Commission, or its duly appointed Zoning

Enforcement Officer (“ZEO”), as to the meaning of any word or words used herein, the Board of Appeals shall interpret and determine the intent thereof and adopt a rule explicitly setting forth such interpretation.

2.7 The following word or words as used herein shall be deemed to mean:

- “Adjacent” – A property sharing a common boundary or boundaries with another property, but shall not include properties separated by any Street, road, or other right of way.
- “Access Easement” – The right to use all or a portion of land owned by another person for the purpose of accessing adjacent, abutting, or other property.
- “Accessory Apartment” – An accessory Dwelling, attached to the Principal Dwelling, with separate cooking facilities, that is not a Guest House.
- “Average Ground Level” – A baseline elevation determined for each Building or Structure, or distinct portion of either, by averaging the lower of either finished, proposed or pre-existing ground elevations at points situated every twenty (20) feet along an imaginary line located ten (10) feet outside of a wall of the Building or Structure or distinct portion thereof.
- "Buildable Lot Area" - The area of a Lot, less any areas containing inland or tidal wetlands, Access Easements, rights-of-way, or Significant Area of Steep Slopes.
- “Building” – a Structure supported by walls, columns, or other similar features and which is intended to be used as a means of housing, enclosure, or shelter for people, animals, equipment, materials, or goods or personal property of any kind. Membrane structures, greenhouses, and prebuilt or preassembled structures are considered Buildings.
- "Business" - Any activity carried on for profit or non-profit purposes on a regular basis but not including hobbies.
- “Disturbed Area” – All or a portion of a property where the vegetative cover, subsurface soil, or other natural element are destroyed, damaged or removed leaving the land susceptible to accelerated erosion.
- “Dwelling” – A Building, or portion thereof, designed exclusively for residential occupancy by one Family.
- “Dwelling, Accessory” – A Guest House or Accessory Apartment.
- “Dwelling, Principal” – The primary or predominate Dwelling.
- “Earth Excavation Activities” – Any activity involving Earth Excavation, filling, grading, or other form of Earth Material extraction or importation and/or removal of Earth Material in an amount exceeding one hundred cubic yards (100 yd³) in a calendar year.
- “Earth/Earth Material” – Natural soil, loam, sand, gravel, rock, clay, silt, or any other excavated natural material.
- “Excavation” – the removal, digging out, or extraction of Earth Material.
- "Family" - One or more persons related by blood or marriage, or a group of

five or fewer individuals who need not be so related, who are living together as a single housekeeping unit and are maintaining a common household and common cooking facilities but excluding Household Employees.

- "Floor Area Ratio (FAR)" - The ratio of Gross Floor Area of a Principal Structure to Buildable Lot Area.

- "Gross Floor Area" – The cumulative horizontal floor areas in each and every individual floor of any Principal Structure, measured from the exterior walls of the Structure, which shall include, but not be limited to, connected or attached: garages, porches, courtyards enclosed by solid walls, decks, Terraces, Patios, covered breezeways and any detached, attached, or connected greenhouses, Accessory Dwellings, sheds, pergolas, or gazebos. Also included are attic spaces with clear heights of at least six (6) feet over the attic floor area, the horizontal area at each floor level devoted to stairwells, elevator shafts, chimneys, atriums or similar multi-story spaces, and basement areas with an interior height of at least six (6) feet and having ceilings more than three (3) feet above Average Ground Level. The maximum allowable Gross Floor Area for any Principal Structure is obtained by multiplying the Buildable Lot Area by the applicable Floor Area Ratio.

- "Guest House" – An Accessory Structure existing on the same Lot as a Principal Structure, designed for use by a Family, non-paying temporary guests, and/or Household Employees of an owner or occupant(s) of the Principal Structure, when permitted by the criteria established in Section 4.4.5. A Guest House is not an Accessory Apartment.

- "Household Employee" – A person employed by the owner or occupant of a Principal Dwelling for the general purposes of maintaining the property or assisting the Family and may include housekeepers, cooks, maids, caretakers, caregiver, gardeners, or chauffeurs.

- "Impervious Surface" – Any surface that does not readily infiltrate water, including but not limited to Buildings, Structures, parking areas, paved areas, driveways, Streets, sidewalks, paved paths, Patios, and any area covered with concrete or asphalt, not including retention basins. Areas that are covered with materials such as stone, gravel, and manufactured surfaces, designed to allow water infiltration, shall be considered impervious in accordance with the percentage documented by engineering specifications for the subject surface material.

- "Infiltration Measure" – A stormwater treatment improvement, designed to capture stormwater runoff and infiltrate it into the ground, which improvement, at minimum, infiltrates the first one (1) inch of stormwater runoff from roof areas into the ground.

- "Livestock" – Animals commonly kept as part of an agricultural, rather than a residential, environment and which term shall include, but not be limited to, chickens, pigs, goats, llamas, alpacas, and horses.

- "Lot" – A piece or parcel of land occupied, or to be occupied, by a Building or Structure, or a group of Buildings or Structures, and their Accessory Uses. Land bisected by a private easement or right-of-way may be combined to form a single Lot.

- "Lot Area" – The total horizontal area of a Lot included within reasonably regular Lot Lines, excluding all areas that are below the Mean High Tide Line or are

contained in any Street or right of way or Access Easement or that project into Adjacent land a distance greater than its width at the base of such projection.

- “Lot Coverage” – The projection to the ground of the area contained within the maximum perimeter of a Building or Structure as viewed from above including decks and above Average Ground Level Terraces but excluding projections from the Building or Structure as per Section 4. For roof systems having overhangs greater than one (1) foot, the projection to the ground will be the edge of the roof less one (1) foot.

- “Lot Line” – The property lines delineating a Lot.

- “Low Impact Development Practices” – An approach to land use planning and project design that seeks to: (a) increase the ability of a developed Lot to effectively emulate predevelopment hydrologic conditions, including, without limitation, stormwater retention and detention, water quality treatment, and infiltration function; (b) minimize overland stormwater runoff from a developed Lot; (c) maximize the retention of trees, native vegetation, understory plants, and native soils; (d) minimize soil disturbances; (e) minimize the conversion of site surfaces from vegetated to non-vegetated surfaces; and (f) maximize the quantity and use of appropriate native plants onsite and is compliant with the Connecticut Stormwater Quality Manual effective March 30, 2024, as may be amended or restated from time to time.

- “Mean High Tide Line” – Shall be the most recent NOAA-derived elevation published in the CT Department of Energy and Environmental Protection’s Coastal Jurisdiction tables

- “Mean High-Water Line” – Shall be the most recent NOAA-derived elevation published in the CT Department of Energy and Environmental Protection’s Coastal Jurisdiction tables

- "Non-Conforming Building" - A Building or Structure which does not comply with the building limitations specified in Table 1 and Table 3.

- “Non-Conforming Lot” – A Lot which does not comply with the minimum Lot size or minimum Lot width requirements specified in Table 1 and Table 3.

- “Non-Conforming Use” – Any Use other than permitted under these Regulations that was established prior to the effective date of these Regulations.

- “Patio” - An improved area that is flush with the ground with no structural supports other than subsurface base material and/or retaining walls.

- "Parkland" - Land owned by the-Association and so designated by the Association's Executive Board.

- “Rental Property” - A Principal or Accessory Structure for which an occupant pays a monetary charge for the right to occupy or use such Building or Structure.

- “Short Term Rental” – A Dwelling, Principal or Accessory, rented for a period of no more than thirty (30) consecutive days.

- “Sign, Contractor Information” – A sign advertising any contractor or contractor services but excluding any worksite or safety signage.

- “Sign, Permanent” – A sign attached to a Building, Structure, or the

ground, made from materials intended for long term use.

- "Sign, Political" – A sign announcing or supporting a candidate seeking election to a political office or referendum question.
- "Significant Area of Steep Slopes" – An area of a Lot that has a grade of more than twenty-five percent (25%) and an area of one thousand (1,000) square feet or more. The grade is measured along a line perpendicular to the Lot's contours established at intervals not exceeding two (2) feet.
- "Street" - A public or private way or thoroughfare, however designated, which primarily affords access to abutting property.
- "Street Line" – The length of a Lot Line abutting a public or private way or thoroughfare. Street Line, Lot frontage and Lot width are all interchangeable terms.
- "Structure" - Anything constructed or erected, including a Building, which is located on, in, or under a Lot or Lots, or anything attached to something located on the ground.
- "Structure, Accessory" - A Structure located on the same Lot as a Principal Structure that is customarily and clearly subordinate to the Principal Structure and all portions of which are located a minimum of ten feet (10') away from the Principal Structure, including, without limitation, a detached garage, shed, garbage shed, swimming pool, pool house, tennis court, children's playhouse, play-gym, separate statuary having a volume of more than ten (10) cubic feet, power generators, solar panels, propane tanks, Terraces or Patios above Average Ground Level, wind power generators having a volume of more than seventy-five (75) cubic feet and/or standing more than four (4) feet high, and Accessory Dwellings. The following are not Accessory Structures: fences, sidewalks, parking areas, Terraces or Patios at Average Ground Level, and driveways. Any portion of a Principal Structure devoted or intended to be devoted to an Accessory Use is not an Accessory Structure but is considered part of the Principal Structure.
- "Structure, Principal" – A Building or other Structure upon or in which the Principal Use of the property is situated, including, without limitation, a Principal Dwelling.
- "Terrace" – A graded grass area that is flush with the ground with no structural supports other than subsurface base material and/or retaining walls.
- "Use" - Any activity, including habitation, occupation, business, or operation carried on or intended to be carried on in a Building or other Structure or on a tract of land.
- "Use, Accessory" - A Use of a Lot, Building or other Structure which is subordinate to and customarily and clearly incidental to the Principal Use of such Lot, Building or other Structure.
- "Use, Principal" - The primary Use of a Lot, Building or Structure.
- "View Lane" – The straight line with uninterrupted rectangular view to the waters of Long Island Sound, Sachem's Head Harbor, or Great Harbor whose width is at least the required minimum side setback width for the principal structure in the district in which the property is located.
- "Waterfront Property" - Property abutting the coastal and tidal waters of Long Island Sound, Great Harbor, or Sachem's Head Harbor including Lots having tidal

wetlands frontage.

- "Yards" - The required minimum depth or width measured to the nearest point of the Building or Structure, or alternatively, the average distance between the Lot Line and the Building or Structure measured at intervals of three (3) feet along the nearest part of the Building or Structure to the nearest point on the Lot Line, provided that no part of the Building or Structure shall be nearer to such Lot Line than two-thirds (2/3) of the distance specified in Tables 1 and 3 containing Principal and Accessory Structure setback requirements.

- "Yard, Front" - An open, unoccupied space on the same Lot as a Building or Structure situated between the Street Line and the line connecting the parts of the Building or Structure nearest to such Street Line and extending to the side Lot Line. In the case of a Lot abutting two Streets, the owner may elect which Yard abutting upon a Street shall be the front Yard providing the frontage requirements are met. With respect to a fully enclosed Lot having access to a Street only by means of an Access Easement or private right-of-way, that portion of the Lot nearest to such Street and connected to the Street by such Access Easement shall be deemed to be the front of the Lot, and the Lot Area contiguous thereto shall be deemed the Front Yard.

- "Yard, Side" - An open, unoccupied space on the same Lot as a Building or Structure and situated between the side Lot Line and the part of the Building or Structure nearest thereto and extending through from the Front Yard, or from the Street where no Front Yard is required, to the Rear Yard, or where no Rear Yard is required, to the rear Lot Line.

- "Yard, Rear" - An open, unoccupied space on the same Lot with a Building or Structure and situated between the rear Lot Line and the part of the Building or Structure nearest thereto and extending from the Side Yard, or from the side Lot Line where no Side Yard is required, to the rear Lot Line.

Section 3. Districts and Map

3.1. For purposes of these Regulations, the lands within the jurisdiction of the Association, as defined by Connecticut Special Act 278 of 1931, as amended, and lawful accretions thereto, are hereby divided into the following land use districts (the “Zoning Districts”):

Zone Name
Residence AA (R-AA)
Residence A (R-A)
Residence B (R-B)
Residence C (R-C)
Residence D (R-D)
Waterfront District (WFD)
Floodplain District (FPD)

3.2. The location and boundaries of the Zoning Districts are hereby established as shown on the map in the appendix entitled “Zoning Map – Sachem’s Head Association” dated April 21, 2006, which is attached hereto and made a part hereof, which may be amended from time to time. The boundary of the Association is shown on a survey map dated August 16, 1994 prepared by Anderson Associations, Guilford, Connecticut.

3.3. The purpose of each Residence District is to provide single-family detached Dwellings on individual Lots in accordance with the bulk requirements set forth on Table 1 for the applicable Residence District.

3.4. The Floodplain District (“FPD”) shall encompass the special flood hazard areas, Zone A, Zone AE, and Zone VE, as depicted on the current Flood Insurance Rate Map, dated December 17, 2010, as amended, prepared by the Federal Emergency Management Agency (“FEMA”), as such zones may be amended from time to time by FEMA (the “Flood Map”).

3.5. As of May 23, 2002, the date of adoption of the Ordinances of 2002, two waterfront districts were established: the first along the south side of Prospect Avenue extending from the east property line of the property at 44 Prospect Avenue to the west property line of the property at 126 Prospect Avenue; the second along Uncas Circle extending from the easterly property line of the property 52 Uncas Circle to the westerly property line of the property at 90 Uncas Circle, each a “Waterfront District.”

3.6. Except where referenced to a Street Line or other designated line shown on such map by distance in feet therefrom, the district lines are intended to follow Lot Lines or the center lines of Street or other rights of way or water courses, or where any such line abuts upon Long Island Sound, it shall be deemed to extend outward to the limit of the jurisdiction of the Association, or to the middle of any bay, estuary, or tributary thereof.

- 3.7. Upon appeal from a decision of the Association's Zoning Commission, or its duly appointed ZEO as to the precise location of any district boundary, the Association's Board of Appeals shall determine the precise location thereof by an order entered upon its minutes.

Section 4. Permitted Uses

4.1. General

4.1.1. The lands within the Association shall be limited to residential use, as well as Parkland and recreational use by the members and permitted guests of the Association.

4.1.2. No Building, Structure, or improvement, or any portion thereof, shall be used, and no Building, Structure, improvement, or any portion thereof, shall be constructed, reconstructed, enlarged, extended, moved, altered, or demolished except in conformity with these Regulations.

4.1.3. Lots may not be diminished in area, nor shall any Yard or other open space be reduced, except in conformity with these Regulations.

4.1.4. Any Use not listed as permitted within these Regulations is prohibited.

4.1.5. Uses subject exclusive to state or federal jurisdiction as to location or Use are exempt from these Regulations. Properties owned by the United States Government, State of Connecticut, or Association shall be exempt from these Regulations.

1.1.1. There shall be no more than one (1) Principal Structure on any Lot.

1.1.2. No contractor, including but not limited to painters, contractors, or yard maintainers, may conduct exterior work on any Lot within the Association on any Sunday or on any federal holiday between May 1 and September 30 or outside the following hours Monday through Friday: 7:30AM to 5:30PM and Saturday: 7:30AM to 4:00PM.

1.1.3. If temporary bathroom facilities are necessary for any project, the temporary bathroom facility shall be located in an area on the Lot where the work is being conducted and where it is least visible from the road while remaining serviceable.

1.1.4. While the approval to erect a docking system for boats is generally under the jurisdiction of the Connecticut Department of Energy & Environmental Protection (DEEP), the Association's Zoning Commission is responsible for the zoning and coastal area management approval aspects for portions of the docking system above the Mean High Tide Line. Any railing for the brow and gangway to any such docking system shall be no higher than four (4) feet and shall be, to the maximum extent possible, of see-through construction. Any upland attachment pad or Structure necessary for a docking system's brow is exempt from any Rear Yard setback but shall abide by all other setbacks.

1.1.5. Any Lot Adjacent to the Long Island Sound shall be developed so that the design and relationship of the development to the waterfront, as viewed from the water, is consistent with the waterfront setting, including, but not limited to:

1.1.1.1. Building and Structures being located in such a way as to maintain view of the water from the nearest public Street to the greatest extent possible.

1.1.1.2. Any property that is contiguous to or Adjacent to the waters of Long Island Sound, that maintains any fencing in its Rear Yard from the Mean High Tide Line as determined by Table 3 or the waterfront, as the case may be, shall be no more than four (4) feet high and shall be of “see through” construction.

1.1.1.3. Any walls built or hedges grown within the Rear Yard setback, from the Mean High Tide Line shall be no more than thirty (30) inches in height.

1.1.1.4. Each property with a width not less than the minimum Side Yard width requirement for the Zoning District shall maintain one View Lane. Said View Lane may be located anywhere along the front Lot Line.

1.1.1.5. Where any Association Street ends at the waterfront, a View Lane shall be preserved. Such View Lane shall be at least seventy-five percent (75%) of the width of the Street's right of way.

1.1.1.6. There shall be no Buildings, Structures, or other permanent obstructions, including but not limited to air conditioning units, emergency generators, etc. placed or established within View Lanes. View lanes may not be obstructed by fences, unless such fence is see-through. Any trees, shrubbery, or other landscape features in the View Lane shall not be higher than three (3) feet. At all times, all major shade trees installed within a View Lane shall have their lowest branches at least six (6) feet above the ground.

1.1.1.7. Trees or shrubbery existing prior to the initial enactment of this Section 4, shall be permitted to be maintained in their current position, however, any replacement of such trees or shrubbery shall be in conformance with this Section 4.

1.1.1.8. When two (2) or more Lots are combined into one (1) Building Lot, the Zoning Commission may, at its discretion, increase the width of the required View Lane.

1.1.1.9. The Zoning Commission may, in its discretion, waive the requirement for a View Lane when (i) the particular juxtaposition of the Lot, water, and Street would create no appreciable view for any passerby on the Street; or (ii) when the Lot required to maintain a View Lane is of such a size that the distance from the Street to the water is so great that no appreciable view of the water would be created.

1.1.6. No noise which is objectionable due to volume, intermittence, beat frequency or shrillness shall be transmitted outside the Lot from which it originates. Sound absorptive shielding

around such items as air conditioning units and emergency generators shall be used as required to minimize noise levels but shall be implemented in accordance with these Regulations.

1.1.7. No lighting on any Lot shall be of such intensity or direction as to create illumination or glare on Adjacent Lots or Adjacent Streets.

1.1.8. No farm animals, Livestock, or other undomesticated animals shall be kept within the Association.

1.1.9. No Lot may be used for the purpose of operation, landing or taking off of any aircraft, including helicopters, except in emergency situations.

1.1.10. No part of any Yard or open space required for any Principal or Accessory Structure or Building may be counted towards the Yard or open space requirement for any other Principal or Accessory Structure or Building.

1.1.11. In the event that any Lot maintains frontage of no less than twenty-five (25) feet in more than one zoning district, the provisions of the less restrictive district may be applied for a distance of not more than thirty (30) feet into the more restrictive district.

1.1.12. Pilasters, belt courses, sills, cornices, or similar architectural features on any Principal or Accessory Structure may project into Yards or other required open spaces for a distance not to exceed one (1) foot and the planting or landscaping of such spaces is permitted.

1.1.13. Uncovered ramps required for handicapped accessibility to a Principal Dwelling, installed as required by applicable building code provisions, may project up to four (4) feet into a required Side Yard or up to eight (8) feet into a required Front or Rear Yard, unless determined by ZEO that greater projection into required Yards is necessary to provide access in accordance with applicable building codes or applicable laws, rules, or regulations.

1.1.14. No tag sales, garage sales, or similar occasional sales of personal property shall be permitted in any Zoning District.

1.1.15. No person owning or occupying any land within the Association shall place debris and/or litter either on land owned or occupied by himself or on land of another, including land of the Association, or permit or allow debris and/or litter to remain on such land.

1.1.16. Any Impervious Surface shall be built using Low Impact Development Practices for stormwater management and appropriate Infiltration Measures.

1.1.17. Any Impervious Surface driveway shall be sloped to drain in a sheet flow pattern into vegetated areas.

1.1.18. Any Earth Excavation Activities that result in a change to Average Ground Level of more than two and one-half (2 ½) feet or involves the importation, removal, or relocation of more than one

hundred cubic yards (100 yds³) in a calendar year shall require a Zoning Permit, whether or not such activity is part of a building project.

1.2. Area, Location and Bulk Requirements

1.2.1. The area, location and bulk requirements for Zoning District shall be depicted on Table 1 and Table 3 of these Regulations. The base requirement delineated in Table 1 applies directly to Lots maintaining the minimum required Lot Area in any particular Zoning District. For Lots having an area larger than the minimum required Lot Area in a particular Zoning District, then the Buildable Lot Area dependent requirements for Lot width, buildable Lot Coverage, Front, Side, and Rear Yard setbacks for both Principal and Accessory Structures, improvements or Structures, and the Maximum Floor Area requirement for Principal Structure shall be as set forth in Table 3.

1.2.1.1. Any Structure constructed on a lot bisected by an easement or right-of-way shall be no closer to such Access Easement or right-of-way than the distance specified for the minimum Side Yard setback for the applicable Buildable Lot Area.

1.2.2. The height of any Building or Structure shall be measured from the Average Ground Level to the highest point on the highest roof or top of any substantial Structure placed on the top of a roof, including, but not limited to, a viewing platform, widow's walk, cupola, solar panel, whichever is higher. A substantial roof Structure shall exclude any chimney.

1.2.2.1. The starting location for such measurement shall be the lowest elevation along the measurement line. Where such elevation points would be on the property of others, the ground elevations shall be taken at the property line. Where such elevation points would be inside another Building or Structure, or distinct portion thereof, the elevation used shall be an average of the grades on the line of each side of such Building, Structure, or distinct portion thereof. Average Ground Level for Buildings or Structures located in the Floodplain District are governed in accordance with Section 6.

1.2.2.2. Average Ground Level for Terraces and Patios shall be determined as above, except that the measuring points shall be taken at the edge of the Terrace or Patio, using at least one (1) point at each corner and one (1) point at each midpoint of each side of the Terrace or Patio. For a Terrace or Patio without distinct side, measurements shall be taken using at least eight (8) equidistant points at the edge of the Terrace or Patio.

1.2.3. The Maximum Lot Area covered by all Buildings; Principal, Accessory and Accessory Structures shall be in accordance with Table 1 and Table 3. The Lot Coverage of all Buildings and Structures, Principal and Accessory, shall not exceed the sum of allowable lot coverage for both.

1.2.4. The maximum Lot Area covered by Impervious Surfaces, including Principal Buildings, Accessory Structures and Buildings but excluding reasonable parking areas and driveways at an area commensurate with the intended residential occupancy of the building, shall not exceed Maximum Lot Area defined in 4.2.3

1.3. Principal Structures

1.3.1. No Lot may contain more than one Principal Structure or Building. Lots in Residence Zoning Districts shall contain no more than one Principal Dwelling.

1.3.2. The Average Height of a Principal Structure, as set forth in Table 2, shall be at least seven (7) feet below the Maximum Building Height set forth in Table 1 for Principal Structure in the relevant zone.

1.3.3. Each Principal Structure in any Residence Zoning District shall be occupied by only one Family and Household Employees.

1.4. Accessory Structures

1.4.1. Customary Accessory Structures, including garages, sheds, garbage sheds, swimming pools, pool houses, tennis courts, stand-alone decks, accessory to the Principal Structure, may be built, in accordance with this Section, as of right, in any Zoning District. Any swimming pool constructed shall ensure adequate enclosures and will, at all times, conform to the State Building Code, as it may be amended from time to time.

1.4.2. Accessory utilities, such as power generators and propane tanks, are permitted as of right, but must be concealed by fencing or plantings at least one (1) foot taller than the accessory utility, but in no case taller than six and one half (6 ½) feet above Average Ground Level.

1.4.3. No Accessory Structure shall be permitted in any required Front or Side Yard. Furthermore, Accessory Structures, except for private garages, may be no closer to the Street Line than the Principal Structure. Private garages may be as close to the Street Line as the Front Yard setback permits.

1.4.4. No Accessory Structure may be located on a Lot with no Principal Dwelling.

1.4.5. Only one Accessory Dwelling is permitted per Lot.

1.4.6. Guest Houses shall be subject to the following:

1.1.1.10. No Guest House shall be permitted in any Zoning District other than R-AA and R-A;

1.1.1.11. The height of any Guest House shall not exceed twenty (20) feet above Average Ground Level. The Average Height of a Guest House shall be at least five (5) feet below the Maximum Building Height, as identified on Table 1 for Accessory Structures within the relevant Zoning District;

1.1.1.12. The Guest House shall be no closer to the Principal Dwelling than twenty (20) feet; and

1.1.1.13. A Guest House may not be used as a Rental Property unless specifically permitted under law or permitted under these Regulations.

1.4.7. The maximum percentage of a Lot that may be covered by Accessory Structures, including any Accessory Dwelling, shall not exceed the percentage or area set forth Table 1 and Table 3.

1.4.8. The Average Height of an Accessory Structure, set forth in Table 2, shall be at least five (5) feet less than the Maximum Building Height as set forth in Table 1 for Accessory Structures in the relevant Zoning District.

1.4.9. Fences and fence posts, with or without associated top mounted lighting shall not exceed six and one-half (6 ½) feet above the Average Ground Level in any Front, Side, or Rear Yard. The frame or supporting members shall be on the installing party's side, the "good" or finished fence side shall face the Street or Adjacent Lot owner. No barbed wire or other hazardous material shall be used in the construction of any fence.

1.4.10. Living hedges, which cannot be seen through, not exceeding six and one-half (6 ½) feet above the Average Ground Level are permitted within any Front, Side, or Rear Yard except where such shrubbery is located at Street intersection or Adjacent to driveways leading to Accessory Structures or off-street parking areas. In such locations, living hedges shall not be permitted over three (3) feet in height.

1.4.11. No living hedge or other shrubbery shall be permitted to encroach on public sidewalks or Streets or rights-of-way.

1.4.12. Shrubby and trees over six and one-half (6 ½) feet may be planted for screening purposes within a Side Yard setback only upon agreement between the Adjacent Lot owners as to a maintenance agreement for such trees or shrubbery. Such maintenance agreement must be approved by the ZEO, must be binding on each Lot owner's successors and assigns, and must be recorded on the Guilford Land Records.

1.4.13. There shall be no transportable residential Structure permitted as an Accessory Structure in any Zoning District.

1.5. Parking and Access

1.5.1. Each Principal Structure shall have off-street parking for at least two (2) vehicles.

1.5.2. Any inclusion of an Accessory Dwelling shall increase any off-street parking requirement by two (2) additional parking spaces.

1.5.3. All commercial motor vehicles and trucks, mobile homes, campers, house trailers, and similar recreational vehicles must be garaged in an approved Accessory Structure and shall not be occupied, except as pursuant to Section 4.5.4 below.

1.5.4. The temporary occupancy of a mobile home by residents of the Association for a period of time not to exceed one (1) year is permitted when the residents' Principal Dwelling has been rendered uninhabitable by reason of fire, flood or other act of God and such mobile home is located on the residents' Lot and meets all set back requirements set forth in these Regulations. The one (1) year period shall begin upon date of the damage to the Principal Dwelling.

1.5.5. Only one (1) unregistered vehicle being restored, or one (1) registered vehicle being restored or repaired, or one (1) unregistered vehicle unfit for highway use, owned by a resident of the Principal Dwelling shall be permitted on any Lot for a period not to exceed one (1) year. Any such vehicle, unless stored in a permitted Accessory Structure, may not be stored closer to the Street than the Principal Dwelling. Any such vehicle shall not be visible from any point of the Street.

1.6. Sign Standards

1.6.1. This section shall apply to all publicly visible signs. No sign, advertising display, Structure, poster, or other device shall be established, constructed, reconstructed, enlarged, extended, moved, or structurally altered unless in conformance with these Regulations. It is the intent of these Regulations to protect public safety, protect property values within the Association, and protect the physical appearance of the Association.

1.6.2. The following signs shall be permitted as-of-right:

1.6.2.1. Association or government notices, including Association or government signs to control traffic or other regulatory purposes, to identify Streets or warn of danger.

1.6.2.2. Temporary signs including:

1.6.2.2.1. Political Signs, however, such Political Signs must be removed no later than ten (10) days after voting for such election closes.

1.6.2.2.2. one standard real estate "For Sale" or "For Rent" sign, not to exceed five (5) square feet in area, advertising only the Lot upon which it is situated. Any Lot in excess of three (3) acres and having frontage on two (2) Streets, is permitted to erect a sign on each Street. Such signs shall be removed within ten (10) days after the sale or rental such Lot.

1.6.2.2.3. one (1) sign, not to exceed three (3) square feet in area, providing the name and nature of any lawful Non-Conforming Use.

1.6.2.2.4. during the pendency of any construction process, while within the term of a building permit, signs for the purpose of safety messages and personnel permitted on the worksite. Such signs may be no larger than one (1) square foot in area and shall be removed within five (5) days of the expiration or closure of the building permit or completion of the project, whichever occurs earlier. No Contractor Information Signs are permitted under this Section 4.6.2.2.4.

1.6.3. Unless expressly permitted herein, no Permanent Sign shall be erected or structurally altered unless permitted by the Zoning Commission.

1.6.4. No temporary sign-or Permanent Sign may be erected or maintained in a way so as to cause a hazard to traffic or pedestrians, or impair access to a public sidewalk, public or private Street, right-of-way, Access Easement, driveway or a fire hydrant.

1.6.5. No Lot may have more than one (1) Permanent Sign per one hundred (100) feet of frontage.

1.6.6. No Permanent Sign shall be larger than one (1) square foot in area, measured from the outside edge of the sign, excluding any Structure necessary to support the sign, with lettering or numbering no larger than two (2) inches in height and two (2) inches in width. Such lettering or numbering may not be any color other than white, silver, or gold. Any Permanent Sign background shall be a darker shade or color than such lettering or numbering.

1.6.7. All signs, permanent or temporary, together with any supports, anchors, or braces, shall be kept in good repair and safe condition.

1.6.8. No Permanent Sign may be illuminated by light other than light of a constant intensity and which light is designed and maintained only for the purpose of illuminating the sign and/or the Lot upon which the sign sits. No flashing, moving signs, pennants, flags will be permitted. Any lighting source shall not be visible from any Street or any Adjacent Lot. Temporary signs may not be illuminated.

1.7. Accessory Uses

1.7.1. While the Association recognizes the desire and/or need to, at times, use a residence for Business activities, it is the intent of these Regulations to ensure that a home occupation, as an Accessory Use, is conducted so as not to impose upon or burden neighboring Lots and their residents. These home occupation standards as designed to ensure compatibility of uses in maintaining the residential characteristic of the neighborhood.

1.7.2. Any home occupation must be clearly incidental and subordinate to the residential Use of the Principal Structure and may not change the exterior residential character of the Dwelling or the property in any visible manner.

1.7.3. Except for home daycares, no home occupation shall permit any employees or visitations by clients.

1.7.4. No industrial uses, animal kennel, or motor vehicle repair shall be permissible home occupations.

Section 2. Property Rental

2.1. No Dwelling, Principal or Accessory, shall be used, or permitted to be used, as a Rental Property, including as a Short Term Rental, for a period of less than seven (7) continuous days.

2.2. Only one (1) Short Term Rental of any Dwelling, Principal or Accessory, shall be permitted in any calendar month. If a permitted Short Term Rental extends from one calendar month into a second calendar month, such Short Term Rental shall be counted for both calendar months.

2.3. No Accessory Dwelling may be rented separately from the Principal Dwelling, unless the owner of the Principal Dwelling is in residence for the entire lease, license or rental period. In no case shall the rental term of an Accessory Dwelling extend for longer than ninety (90) continuous days.

Section 3. Special District Standards

3.1. Floodplain District

3.1.1. Properties within the FPD shall be subject to the following additional standards:

3.1.1.1. No Building, improvement, or other Structure shall be constructed, moved, or substantially improved unless a flood hazard area permit is obtained from the Town of Guilford in accordance with Town of Guilford Ordinance Chapter 174, Flood Damage Prevention, which shall be in addition to obtaining a Zoning Permit or Special Exception, as may be required under these Regulations.

3.1.1.2. For purposes of this Section 6, “substantial improvement” shall mean any repair, reconstruction, or improvement of a Building, improvement, or other Structure, the total cost of which equals or exceeds fifty percent (50%) of the fair market value of the Building, improvement or other Structure either immediately before the improvement began, or, if the Building, improvement, or Structure has been damaged and is being restored, immediately prior to the damage occurring. Substantial improvement is considered to have occurred when the first alteration of any wall, ceiling, floor or other structural component of the Building, improvement or Structure commences, whether or not such alteration affects the external dimensions of the Structure or Building. The term “substantial improvement” does not, however, include any project undertaken solely to bring a Building, improvement or Structure into compliance with Association, state, federal, or local health, sanitary, or safety code specifications, required to ensure safe living conditions. The term “substantial improvement” shall also not apply for any projects for a Building, improvement, or Structure listed on the National Register of Historic Places or the Connecticut State Register of Historic Places.

3.1.1.3. Within the FPD, no paving, except for routine maintenance and repair of existing Streets and driveways, and no Earth Excavation Activities shall occur unless a flood hazard area permit has been obtained by the Town of Guilford. Other than the construction or creation of any pond or body of water, any bona fide landscaping operation which Excavates a cumulative one hundred (100) cubic yards or less of Earth Material shall be exempt.

3.1.1.4. Any application for Zoning Permit or Special Exception for a Lot within the FPD shall be accompanied by a map and plans that depict:

3.1.1.4.1. The boundaries of the FPD in relation to the subject Lot;

3.1.1.4.2. The Federal Emergency Management Agency (“FEMA”) base flood elevations (the “BFE”) above mean sea level; and

3.1.1.4.3. For each Building, improvement or Structure, the lowest floor level elevation, including basement, above mean sea level.

3.1.1.5. Any Building located in the FPD may be moved to, or built upon, a new location in the FPD that is less restrictive than the area currently occupied, provided that the new location does not give rise to a new non-conformity or substantially increase an existing non-conformity.

3.1.1.6. For a Building or Structure within the FPD, average and maximum building height shall be measured from the BFE, minus four (4) feet or the pre-existing Average Ground Level whichever is higher. No Building shall be higher, at its highest point, than forty (40) feet from the pre-existing Average Ground Level.

3.1.1.7. The bottom of the lowest finished floor of a permitted Structure or Building may be constructed a maximum of six (6) feet above the BFE- in force at the time of issuance of the building permit. The bottom of the lowest finished floor of a Building or Structure must be constructed at least one (1) floor above the BFE, or the prevailing minimum for the Town of Guilford, whichever is greater.

3.1.1.8. Principal Dwellings in existence as of October 15, 2019, that are, or become, located in an AE or VE Flood Zone, as determined by FEMA, may be raised up to an additional two and one-half (2 ½) feet above the allowed maximum height. Average height does not apply to such Principal Dwellings if the exact dimensions of the original Principal Dwellings are retained in the raised Structure.

3.1.1.9. The area below the first finished floor above sea level shall not be counted in the Gross Floor Area of a Structure so long as such area shall conform to FEMA requirements. Use of the area below the first finished floor for parking is permitted.

3.1.1.10. Access, including but not limited to steps, stairs and other accessways to a Structure raised in accordance with Section 6.1.1.8 above, shall be located under the Structure and will not be counted in the Gross Floor Area. If such access cannot be practicably located under the Structure, such stairs, steps, and other accessways less than five (5) feet in width which must be extended or added to provide access to such newly raised Structure shall not be counted in the Gross Floor Area or Lot Coverage calculation. Pre-existing steps, stairs or other accessways more than five (5) feet in width may be extended at that width to provide access to the newly raised Structure.

3.2. Waterfront Districts

6.2.1 The average Rear Yard setback of any Principal or Accessory Structure in the WFD shall be no closer to the Mean High-Water Line of Long Island Sound than a line drawn between the two (2) closest rear corners of the Adjacent Principal Structures on either side of the subject Lot,

including porches, but not decks, at Average Ground Level. In no case shall the Rear Yard setback for either a Principal or Accessory Structure be less than that prescribed for in Table 1 or Table 3.

Section 4. Coastal Area Management

4.1. Purpose

4.1.1. The purpose of this Section 7 is to regulate activities within the Association occurring within coastal areas in order to protect coastal resources in accordance with the Coastal Management Act for the State of Connecticut.

4.2. Coastal Site Plans.

4.2.1. All site plans and applications for activities or projects located within the Association's boundaries are subject to the Coastal Site Plan requirements and procedures set forth in these Regulations and as identified in Chapter 444 of the Connecticut General Statutes (the "Coastal Management Act"). All Coastal Site Plans shall be reviewed by the Zoning Commission in accordance with the Coastal Management Act, unless review is specifically exempted.

4.2.2. After receipt of a Coastal Site Plan, the Zoning Commission may exempt the following activities from Coastal Site Plan review unless the Zoning Commission finds that undertaking one of the below activities will likely have a serious adverse impact, as defined in the Coastal Management Act on the coastal area or coastal resources.

4.2.2.1. Minor additions to, or modifications of, existing Principal or Accessory Structures or Building or detached Accessory Structures;

4.2.2.2. Construction of new or modification of existing Structures incidental to the enjoyment and maintenance of residential property including but not limited to walks, Terraces, Patios, elevated decks, driveways, swimming pools, tennis courts, docks and detached Accessory Structures;

4.2.2.3. Construction of new, or modification of existing on-premises Accessory Structures including fences, walls, pedestrian walks and Terraces, underground utility connections, essential electric, gas, telephone, water and sewer service lines, signs and other minor Structures, as will not substantially alter the natural character of coastal resources or restrict access along the public beach;

4.2.2.4. Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife and other coastal land and water resources;

4.2.2.5. Interior modifications to Buildings and Structures; and

4.2.2.6. Minor changes in Use of a Building, Structure or property except those changes occurring on property Adjacent to or abutting coastal waters.

4.2.2.7. Other exemptions that may be provided by State Statute.

4.2.3. Any Coastal Site Plan shall be filed in addition to any application for a Zoning Permit, Variance, or Special Exception.

4.2.4. Gardening and the harvesting of crops shall be exempt from these requirements.

4.2.5. In addition to applying the statutory standard and policies identified in the Coastal Management Act, the Zoning Commission, in ruling on any Coastal Site Plan, shall take into consideration the impact the proposed activity or Use may have on nearby coastal resources, including but not limited to tidal wetlands, as well as on potential degradation of viewpoints and coastal area vistas as seen from Adjacent Streets.

4.2.6. The Zoning Commission, may, in its discretion, hold a hearing on a Coastal Site Plan. Notice of the time and place for any such hearing shall be given in accordance with Conn. Gen. Stat. §§ 8-3c and 8-7d.

4.2.7. The Zoning Commission shall render its decision on any Coastal Site Plan in accordance with the procedures articulated in the Coastal Management Act.

4.2.8. Any extension or change of an existing Structure or Use permitted by a Coastal Site Plan review which substantially changes its character or intensity shall require a new Coastal Site Plan review.

4.2.9. Expiration of Coastal Site Plans shall be in accordance with the time frames established under the Connecticut General Statutes.

4.2.10. The Zoning Commission may require a bond, escrow account, or other financial security arrangement to secure compliance with any modifications, conditions, or other terms stated in its approval of a Coastal Site Plan. The financial guarantee shall be released only after the Zoning Commission or the ZEO confirm that all improvements are complete and in satisfactory condition.

Section 5. Special Exceptions

5.1. Upon application, after notice and public hearing subject to the provisions of Conn. Gen. Stat. § 8-3c, and the affirmative finding that the prospects of opening another Street are sufficient to make such other designation more suitable in the public interest, the Zoning Commission may grant a Special Exception to the Regulations to permit a fully enclosed Lot having access only by Access Easement or private right-of-way; to designate a portion of the Lot, other than the portion nearest to the Street connecting the Access Easement or right-of-way to the Lot, as the Front Yard.

5.2. Application processing and public hearings for Special Exception applications shall follow Connecticut State Statutes, Section 8-7d, as amended.

5.3. In considering any application for Special Exception, the Commission shall, in addition to any other applicable standards of these Regulations, evaluate the merits of the application with respect to the following factors:

- a. Plan of Conservation and Development: Whether the proposed use or activity is in accordance with or facilitates achievement of one or more of the goals, objectives, policies, and recommendations of the Guilford Plan of Conservation and Development, as amended.
- b. Purpose of Regulations: That the proposed use or activity is consistent with the purposes of the regulations.
- c. Access: That the road or path serving the proposed use and any buildings are adequate, including without limitation, in width, grade, alignment, capacity, and sight lines to carry prospective traffic; that provision for vehicular access to the lot avoids undue hazards to traffic or pedestrians and undue traffic congestion on any street, and that there will be adequate access for fire protection and other emergency services.
- d. Suitable Location for Use: That the lot on which the use is to be established is of sufficient size and adequate dimension for the nature and intensity of the proposed use, and the impact on neighboring properties and residences, or the development of the district.
- e. That the proposed plans have provided for the conservation of natural features, drainage basins, the protection of the environment of the area, and sustained maintenance of the development.
- f. Nuisance Avoidance: That the proposed use and any building or other structure in connection therewith will not create a nuisance such as noise, fumes, odors, bright lights, glare, visual obstructions, vibrations, or other nuisance conditions at or beyond the property line.
- g. Long Term Viability: That adequate provision is made for the sustained maintenance of the proposed development including structures, buffers and other improvements.

Section 6. Non-Conforming Lots, Structures and Uses.

6.1. The purpose of this Section 9 is to permit the continuation of any Non-Conforming Use, Lot, or Building lawfully existing at the time of the adoption of these Regulations, or of pertinent amendment thereto, to continue.

6.2. Non-Conforming Uses

6.2.1. Lawful Non-Conforming Uses may continue subject to the provisions of this section:

6.2.1.1. No such Non-Conforming Use shall be modified, expanded to occupy a greater area of land, or relocated on a Lot in a manner that would make such Use more non-conforming.

6.2.1.2. A lawful Non-Conforming Use may be changed to a conforming Use.

6.2.1.3. No Non-Conforming Use, once changed to a conforming Use, shall be permitted to be returned to a Non-Conforming Use.

6.2.1.4. No Non-Conforming Use which has been formally discontinued or converted to a more conforming use shall thereafter be resumed.

6.3. Non-Conforming Buildings

6.4. A lawful Non-Conforming Building may continue, subject to the provisions of this section:

6.4.1. A lawful Non-Conforming Building may be improved or restored provided that such improvement or restoration does not increase the non-conformity of the Building.

6.4.2. A lawful Non-Conforming Building that is destroyed by fire, explosion, natural disaster, accident, flood or otherwise may be reconstructed, repaired, or rebuilt providing that the non-conforming portion of such reconstruction, repair or rebuilding is on the identical foundation footprint as the original Non-Conforming Building and is commenced within eighteen (18) months of the damage or destruction and is completed within two (2) years from the commencement of repair or reconstruction. If due to such damage or deconstruction the foundation of a lawful Non-Conforming Building must be replaced, a new foundation may be poured to replicate exactly the original foundation, or a smaller footprint, and the Building rebuilt with no increase in the original non-conformity. Such exception shall not apply to any demolition at the discretion of the property owner. The Zoning Commission may grant an extension to the timelines in this Section 9.4.2 for good cause shown.

6.4.3. Any lawful Non-Conforming Building which does not conform to the requirements as set forth in Tables 1 and 3 shall not be enlarged unless such enlarged portion conforms to the building requirements in such Tables 1 and 3 and the original non-conformity is not increased.

6.5. Non-Conforming Lots

6.5.1. A Lot which does not conform to the dimensions set forth in Table 1 for the district in which it is located, shall be a lawful Non-Conforming Lot provided such Lot was an existing Lot of record prior to the initial adoption of Zoning Regulations by the Association or prior to any date of any subsequent amendment to the Regulations that would otherwise make such Lot non-conforming, subject to the provisions of this Section 9.

6.5.2. No more than one (1) single family Dwelling and permitted Accessory Structures may be constructed on a Non-Conforming Lot located in any Zoning District.

6.5.3. Any Building or Structure located on a Non-Conforming Lot may be extended or expanded in accordance with the provision of these Regulations but in no case shall any bulk requirement be made more non-conforming.

Section 7. Zoning Permit

7.1. No Building or other Structure shall be erected, moved, enlarged, or structurally altered externally nor shall the Use of any premises, Lot, or part thereof be modified until a Zoning Permit has been approved by the Zoning Commission or its duly appointed ZEO and, if required, any Coastal Site Plan has approved by the Zoning Commission.

7.2. After the date the Zoning Commission receives the Zoning Permit Application, all required information relating to such application, as set forth herein or stipulated by the ZEO, shall be submitted to the Zoning Commission or the ZEO.

7.3. Any Zoning Permit Application shall be accompanied by:

7.3.1. An existing conditions Class A-2 survey of the subject property at a scale of not more than 1"=100' showing:

7.3.1.1. All Lot dimensions;

7.3.1.2. The date, true north point, and graphic written scales;

7.3.1.3. Street and Lot Lines;

7.3.1.4. Curbs, pavements, sidewalks, driveways, Access Easements, easements and rights-of-way;

7.3.1.5. Locations of existing and proposed Structures;

7.3.1.6. Existing and proposed two (2) foot contour lines;

7.3.1.7. The height of the existing Average Ground Level and proposed Average Ground Level surrounding any proposed Building or Structure;

7.3.1.8. Existing and proposed watercourses, waterbodies, swamps, marshes, wetlands, flood prone areas as shown on the FEMA Flood Maps, with the direction of flow and water surface levels, as well as areas of tree cover, rock outcrops, and other significant physical features;

7.3.1.9. All coastal resources;

7.3.1.10. Location of the Mean High-Water Line and the Mean High Tide Line;

7.3.1.11. Location and design of all existing and proposed flood protection and erosion control works;

7.3.1.12. Location and results of percolation tests;

7.3.1.13. Location, design and height of external lights and lighted areas, as appropriate;

7.3.1.14. All outside setback lines;

7.3.1.15. Existing stone walls;

7.3.1.16. Septic arrangements and systems;

7.3.1.17. Water lines and any other underground utility location;

7.3.1.18. Proposed location of View Lanes for any Waterfront Property;

7.3.1.19. Any required filing fee as set forth in Association's General Ordinance E.1, as may be amended from time to time; and

7.3.1.20. such additional information as may be required by the ZEO.

7.4. When an application for Zoning Permit approval involves any construction, land disturbance or Earth Excavation Activities, the application shall include Development Plan information on maps and supporting documents, which may be consolidated with other maps and plans as required herein, unless determined to be unnecessary to make a determination of conformance with these Regulations by the ZEO:

7.4.1.A Development Plan, signed and sealed by a Connecticut licensed professional engineer, depicting the following:

7.4.1.1. Date, true north point, and graphic written scale;

7.4.1.2. proposed and required zoning data for all proposed Structures, including height, number of stories, yards, floor area and Building and total coverage; and

7.4.1.3. a signature block for endorsement by the ZEO.

7.4.2. An erosion and sediment control plan, in accordance with both the Connecticut Guidelines for Soil Erosion & Sediment Control, published September 30, 2023, and the Connecticut Stormwater Quality Manual, effective March 30, 2024, as either may be amended or restated from time to time, including:

7.4.2.1. The location of erosion and sediment control measures;

7.4.2.2. A narrative outlining the schedule/sequence of construction;

7.4.2.3. Installation, application and maintenance requirements;

7.4.2.4. Implementation details; and

7.4.2.5. Contact information, including but not limited to telephone number and e-mail address for the person responsible for implementation of the erosion and sediment control measures during construction.

7.4.3. Parking and access plan; and

7.4.4. Plan describing and showing the location of any proposed Earth Excavation Activities, filling, or grading, processing of Earth Material for reuse on site, deposition of imported Earth Material, stockpiling of Earth Material and/or removal of Earth Material.

7.5. The ZEO shall determine if the proposed Use, Building, or Structure conforms to these Regulations and shall approve or deny a Zoning Permit subject to such conditions as required by the Regulations and such other conditions as the ZEO deems necessary. If the Zoning Permit is denied, the ZEO shall, in writing, identify the reasons for denial and shall include that any decision may be appealed to the Zoning Board of Appeals.

7.6. The ZEO, at their discretion, may waive the requirements of this Section 10 for minor projects that do not affect overall project layout, design, development density, or environmental impact.

7.7. A Zoning Permit shall constitute a Certificate of Zoning Compliance for the purposes of certification of conformity to the Regulations.

7.8. The ZEO may revoke a Zoning Permit if it is determined that the information provided on the application was materially misrepresented or that the conditions of any Zoning Permit or the conditions of the Regulations are being violated.

7.9. If the work proposed under a Zoning Permit is not commenced within six (6) months from the date of issuance, the Zoning Permit shall expire. In the case of new Structures or Buildings, work commenced shall mean commencement of fabrication above Average Ground Level. All work authorized by the Zoning Permit shall be completed within eighteen (18) months from the issuance of the Zoning Permit. A new application for Zoning Permit Approval must be submitted if additional time for completion is required, but in no case shall any such extension exceed one (1) additional year from the date of approval of such new Zoning Permit.

7.10. When the construction of the proposed foundation is complete, and prior to the construction of the remainder of the Building or Structure is commenced, an as-built plan of the foundation, prepared by a Connecticut licensed land surveyor, shall be submitted to the ZEO and shall depict the Average Ground Level of the property before the start of construction and the current Average Ground Level of the property. Such as-built shall depict setback distances to a .1 foot accuracy to the nearest property lines.

7.11. When the construction of any proposed Structure or Building is complete, a certification from a Connecticut licensed land surveyor shall be submitted to the ZEO stipulating that the Structures, as built, comply with the site and elevation plans underlying the issued Zoning Permit and shall depict the Average Ground Level of the property before the start of construction and the current Average Ground Level of the property.

7.12. If any changes to the conditions underlying the Zoning Permit occur during construction, the ZEO shall be notified and the final as-built plans shall be modified, certificate and submitted as stated above.

7.13. No Certificate of Occupancy by the Town of Guilford shall be issued until the as-built certification process described above has been completed and the Town of Guilford has been notified of the same by the ZEO.

Section 8. Enforcement

8.1. These Regulations shall be enforced by the Zoning Commission, or its duly appointed ZEO as herein provided.

8.2. Zoning Enforcement Officer

8.2.1. The ZEO shall be authorized to inspect and/or examine, with the consent of the property owner or authorized agent, any Building, Structure, place or premises and to order, in writing, the remedying of any condition found to be in violation of any provision of these Regulations.

8.2.2. Upon confirming a violation of the Regulations, the ZEO shall issue a notification to the property owner, tenant and any other person responsible for the violation of the facts surrounding the violation, the time period in which the violation must be corrected, and the desired remedy. The ZEO's notification may request a response as to how the violation will be corrected. The ZEO shall maintain a copy of the notification and shall provide a copy of the notification to both the Zoning Commission and the Association's Executive Board.

8.3. Any violation of these Regulations may be punished by a fine of One-Hundred Fifty and 00/100 (\$150.00) for each and every day such violation exists and/or continues. Citations may be issued and fines imposed pursuant to the timeframes, conditions and procedures as defined in the Association's Ordinance E.2 "Fines and Citation Procedure for Zoning Violations." The Zoning Commission or the ZEO may utilize any additional remedies as are provided by the Connecticut General Statutes to restrain, correct, or abate any violation of these Regulations, including, but not limited to, injunctive action.

Section 9. Zoning Board of Appeals

9.1. The Zoning Board of Appeals ("ZBA") shall consist of three persons and an alternate qualified and appointed as provided in Special Act No. 287 of 1931, as amended by Special Act No. 375 of 1935.

9.2. Powers and Duties of the ZBA

9.2.1. To adopt rules and procedures necessary to exercise its authority;

9.2.2. To hear and decide appeals where it is alleged there is an error in any order, requirement, or decision by the official or officials charged with the enforcement of these Regulations, or any bylaw, ordinance, or regulation adopted under Special Act No. 287 of 1931, as amended by Special Act No. 375 of 1935 and/or Chapter 124, Title 8 of the Connecticut General Statutes. Any appeal shall be made in accordance with Conn. Gen. Stat. § 8-7 and the following:

9.2.2.1. Appeals shall be made within fifteen (15) days upon the earlier of:

9.2.2.1.1. the date of the receipt of the order, requirement or decision from which such person may appeal;

9.2.2.1.2. upon the publication in accordance with Conn. Gen. Stat. § 8-3(f) of a notice of the order, requirement, or decision from such person may appeal; or

9.2.2.1.3. upon actual or constructive notice of such order, requirement or decision from which such person may appeal.

9.2.2.2. Appeals shall be filed with the ZEO or the Zoning Commission, from whom the appeal has been taken, with the Chairman or Clerk of the ZBA, and with the President or

Clerk of the Executive Board of the Association, specifying the grounds of such appeal. No appeal will be accepted without being accompanied by the application fee, as set by the ZBA.

9.2.2.3. Appeals shall include an exact copy of the order, decision, or requirement being appealed.

9.2.2.4. The ZBA may reverse or affirm, in whole or in part, or may modify any such order, requirement or decision. The concurring vote of two (2) members of the ZBA shall be necessary to reverse any order, requirement or decision of the ZEO or Zoning Commission.

9.2.3. To hear and decide upon all matters which it is required to pass under the terms of these Regulations.

9.2.4. To authorize upon application in specific cases variances from the terms of these Regulations, in keeping with the Regulations' general purpose and intent and with due consideration for conserving public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially impacting such Lot, but not generally impacting the applicable Zoning District, wherein literal enforcement of these Regulations would cause exceptional difficulty or unusual hardship and to permit substantial justice to be done and public safety and welfare secured. The ZBA shall consider the general principle that hardship based on financial considerations alone or hardship created by willful act of the property owner are not considered grounds for exception difficulty or unusual hardship. Before any variance is granted, the ZBA shall make written finding of:

9.2.4.1. The special circumstances attaching to the subject Lot which do not generally apply to the applicable zoning district;

9.2.4.2. The nature or the exceptional difficulty or unusual hardship; and

9.2.4.3. That relief can be granted without detriment to the public welfare or impairment to the integrity of these Regulations.

9.3. The ZBA shall hold a public hearing on any application for a variance in accordance with Conn. Gen. Stat. § 8-7d.

9.4. No variance shall take effect until a copy thereof, as endorsed by the ZEO or ZBA, is filed on the Guilford Land Records.

Section 10. Amendments

The provisions of these Regulations, including the boundaries of any Zoning District as shown upon the Zoning Map, or any provisions in the Appendix, may be amended from time to time by the Zoning Commission in accordance with Association's Charter and Conn. Gen. Stat. § 8-3.

Section 11. Effective Date

The Effective Date of these Regulations shall be May 1, 2026, unless a later effective date is specified in enactment.

Section 12. History of Enactment

SACHEM'S HEAD ASSOCIATION

ZONING MAP

