

Town of Colchester, CT

127 Norwich Avenue, Colchester, Connecticut 06415
PLANNING & ZONING COMMISSION

Wednesday, June 15, 2022

7:00 pm – via ZOOM

<https://us02web.zoom.us/j/82098084584?pwd=NEgrbWdxY1d3U3hRODcrYUtuTmMwdz09>

Passcode: 012073

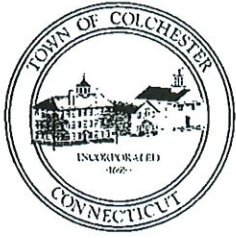
Or Telephone: US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or
+1 669 900 6833 or +1 253 215 8782

Webinar ID: 820 9808 4584

AGENDA

1. Call to Order
2. Additions or Deletions to the Agenda
3. Minutes of Previous Meeting
 - a. June 1, 2022
4. Public Hearings
 - a. Town of Colchester Hayward Fire Department – Regulation Amendment (2022-008)
 - b. Town of Colchester Affordable Housing Plan – To solicit public testimony regarding the Affordable Housing Plan, prepared in accordance with Section 8-30j of the CGS
5. Five Minute Session for the Public
6. Pending Applications
7. New Applications
8. Preliminary Reviews
9. Old Business
10. New Business
 - a. Town of Colchester Hayward Fire Department – Regulation Amendment (2022-008)
11. Planning Issues and Discussions
 - a. Discussion re: Municipal Regulation of Cannabis Establishments
12. Correspondence
13. Adjournment

RECEIVED
COLCHESTER, CT
2022 JUN 13 PM 1:52
Gayle Furman
TOWN CLERK



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Planning & Zoning Commission

June 1, 2022 7:00 p.m. Town Hall Rm 1

Members Present: Vice Chair J. Novak, B. Hayn, S. Smith, M. Noniewicz, S. Nadeau, M. Kehoegreen

Absent: J. Mathieu

Others Present: ZEO Ariel Lago, Applicants

MINUTES

RECEIVED
COLCHESTER, CT
2022 JUN -3 PH 2:22
Gayle Furman
TOWN CLERK

1. **Call to Order** – Vice Chair J. Novak called the meeting to order at 7:00 pm
2. **Additions or Deletions to the Agenda** - None
3. **Minutes of Previous Meeting**
 - a. **May 18, 2022** – Motion by M. Noniewicz to approve minutes as amended to reflect S. Nadeau as absent. 2nd by B. Hayn. S. Nadeau abstained. *All members voted in favor. Motion carried.*
4. **Public Hearings**
 - a. **Town of Colchester Hayward Fire Department – Regulation Amendment (2022-008)**
Continued from previous meeting. - No update. Applicants have not responded to commission comments. Motion by B. Hayn to keep public hearing open. 2nd by M. Noniewicz. *Vote was unanimous, motion carried.*
5. **Five Minute Session for the Public** – None
6. **Pending Applications**
 - a. **Colchester Senior Center – 127 Norwich Ave – Site Plan (2022-006)** – S. Nadeau recused himself from the discussion to avoid potential conflicts, as he is a member of the Senior Center Building Committee and took a seat with the audience. SCBC Chairman Tony Tarnowski, along with David Dickson, Jay Moorehouse and Ryan Mcavoy with SLR Consulting presented the latest revised plans to the commission. Discussions were had regarding storm water drainage, parking lot plans, traffic flow and anticipated impacts, external lighting plans, landscaping design, sanitary sewer, connections to public water supply, erosion & sediment control, approval from the Conservation Commission of the planned activities in the low-quality wetland area on the site, external building finishes and a possible installation of a generator. Staff comments have been addressed with the exception of a few issues from the Water Department Supervisor, Pam

Minella. She confirmed the minor nature of her outstanding comments and confirmed it should not affect approval of the application. Motion by B. Hayn to approve application 2022-006 Colchester Senior Center Site Plan, 15 Louis Ln (formerly listed as 127 Norwich Ave) as submitted with plans dated April 7, 2022. 2nd by M. Noniewicz. *Vote was unanimous. Motion carried. S. Nadeau rejoined the commission at the table.*

7. **New Applications – None**

8. **Preliminary Reviews - None**

9. **Old Business - None**

10. **New Business**

a. **Request for extension – Niantic Bay Group LLC, Special Permit (2022-007)** – Motion by B. Hayn to approve request for an extension. 2nd by M. Noniewicz. *Vote was unanimous, motion carried.*

b. **Town of Colchester Hayward Fire Department – Regulation Amendment (2022-008)** – Motion to postpone action by M. Noniewicz, 2nd by B. Hayn. *Vote was unanimous, motion carried.*

11. **Planning Issues and Discussions**

a. **Discussion re: Municipal Regulation of Cannabis Establishments** – Staff research to continue.

b. **Colchester Affordable Housing Plan Draft** – Public Hearing to be held June 5th to solicit public testimony regarding the final plan draft.

12. **Correspondence – None**

13. **Adjournment** – Motion to adjourn by B. Hayn, 2nd by M. Noniewicz. *Vote was unanimous, meeting adjourned at 8:31 pm.*

Respectfully submitted by, Stacey Kilgus, Clerk

**TOWN OF COLCHESTER
LEGAL NOTICE**

The Planning and Zoning Commission will hold a public hearing on June 15, 2022, at 7:00 P.M. to hear and consider the following petitions:

1. **Town of Colchester Affordable Housing Plan** – The Commission will consider public testimony regarding the Affordable Housing Plan, prepared in accordance with Section 8-30j of the Connecticut General Statutes

At this hearing interested persons may be heard and written communications received. A copy of this petition is in the Planning Department, Town Hall, 127 Norwich Avenue, and may be inspected during regular business hours (8:30 a.m. – 4:30 p.m., Monday through Friday).

Planning and Zoning Commission
Joseph Mathieu, Chair

RECEIVED
COLCHESTER, CT
2022 JUN -1 PM 2:12
Gayle Furman
GAYLE FURMAN
TOWN CLERK

From: Steven Hoffmann <shoffmann@ColchesterCT.gov>
Sent: Monday, June 13, 2022 11:53 AM
To: Ariel Lago <alago@ColchesterCT.gov>
Cc: Don Lee <dlee@colchesterct.gov>
Subject: Water Supply Regulation - Additional Info
Importance: High

Good Morning Ariel,

Attached is Oxford Fire Department's Ordinance with regards to underground cisterns for fire suppression. I also include an instillation brief form a contract that handles installs. Also, below are some preliminary costs for a 10,000 gallon tank along with the cost for instillation.

- Install = \$2.00 per gallon. 10,0000 Gallon underground cistern x \$2.00 per gallon = \$20,0000
- Rough Underground Cistern Cost = \$21,000 (varies on vendor)
- Estimated Total for project = \$41,000 per tank per install

Side note, both the Deputy Chief and I should be joining via zoom for the P&Z meeting this Wednesday evening. Another point, the binder the Deputy Chief had submitted for review illustrated other departments in CT that have Fire Protection Water Supply Regulations to depict how it is being

utilized across the state. Let me know if there are any other specifics that I should have ready that may have come up in discussion. I was unable to make the last meeting with the Deputy Chief due to getting COVID.

Thanks,

Steven Hoffmann
Fire Chief
Colchester Hayward Fire Department



(o) 860-537-2512



(c) 860-705-9382

shoffmann@colchesterct.gov

Fiberglass Tank Installation Brief

You will find the following preliminary tank installation information helpful when making plans for your water storage project. A complete Installation Manual will be forwarded to you upon receipt of a tankage order. Please review this information with your installation contractor and contact Darco for additional information or specific details regarding this process.

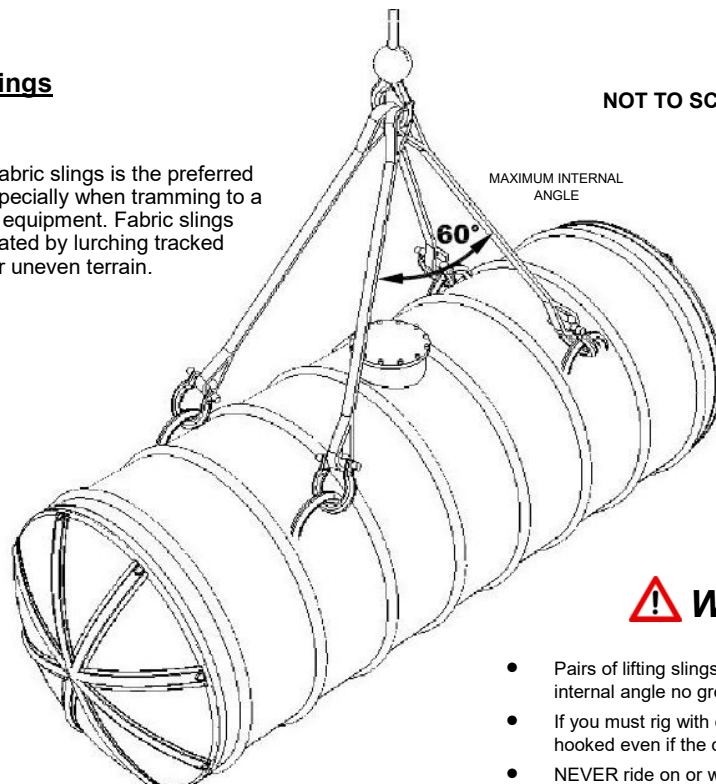
DELIVERY OF YOUR FIBERGLASS TANK

1. Deliveries are made only on or very close to public roadways. DO NOT expect delivery to remote or difficult to access installation sites.
2. Owner or G.C. must inspect each tank and sign our shipping documents upon delivery.
3. Owner or G.C. is responsible for rigging and offloading in a safe and timely manner.
4. Always lift vessels from above attaching to all 4 designated lifting lugs.
5. Use a spreader beam to properly rig and handle extremely large vessels.
6. Improper rigging angles may destroy the lifting lugs and cause damage or injury.
7. Always use opposing tag lines to control a tank while in the air.
8.  **WARNING: DO NOT** air pressure test any Darco vessel on site.
9.  **WARNING: Review OSHA 1926.650/P Trench Excavation Safety**

Rigging with Fabric Slings

IMPORTANT

Lifting with multiple matched fabric slings is the preferred method for handling tanks, especially when tramping to a remote site with earth moving equipment. Fabric slings absorb the shock loads generated by lurching tracked machinery while traveling over uneven terrain.



WARNING

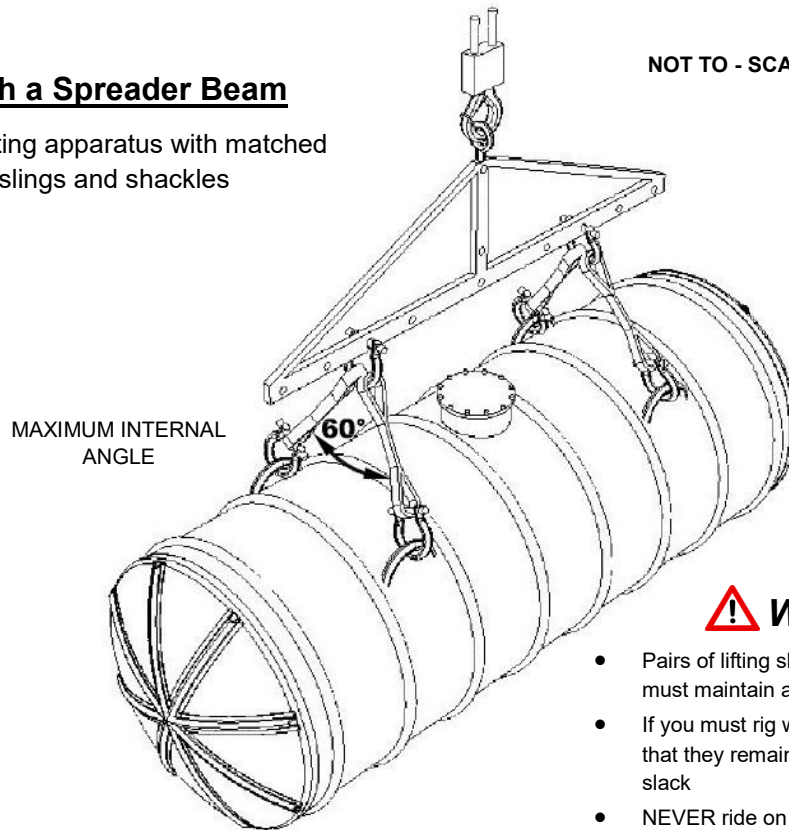
- Pairs of lifting slings attached to tank lifting lugs must maintain an internal angle no greater than 60°.
- If you must rig with chain, safety wire all hooks such that they remain hooked even if the chain goes slack.
- NEVER ride on or walk under a tank while in the air.

Fiberglass Tank Installation Brief

Rigging with a Spreader Beam

Spreader beam lifting apparatus with matched wire rope slings and shackles

NOT TO - SCALE FOR ILLUSTRATION ONLY



⚠ WARNING:

- Pairs of lifting slings attached to tank lifting lugs must maintain an internal angle no greater than 60°
- If you must rig with chain, safety wire all hooks such that they remain hooked even if the chain goes slack
- NEVER ride on or walk under tank while in the air

TEMPORARY STORAGE AT THE JOB SITE

1. Set FRP tanks on a temporary flat bed of soft soil or backfill material.
2. Chock in place with rubber tires and rope down if high winds are likely.
3. NEVER roll a tank into position over rocky or frozen ground.

STANDARD STABLE SOIL SITE REQUIREMENTS

1. Soil bearing must be at least 2500 lbs. / sq. ft. (consult a geotechnical engineer).
2. Soil cohesion must be at least 500 lbs. / sq. ft. for side wall integrity.
3. Back slope or bench walls per OSHA 1926.650/P guidelines for trench safety.
4. If the site may be subject to seasonal or unpredictable ground water, do consider:
 - Using deadman anchors or a reinforced slab anchor.
 - Burying the tank above probable ground water with a mounded soil cover.
 - Installing a tank bed underdrain ground water discharge pipe routed downhill to daylight.

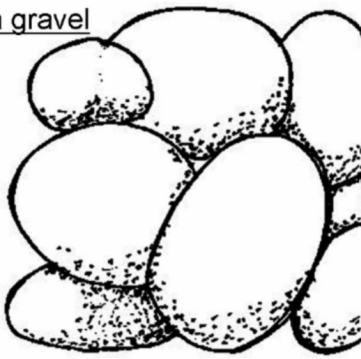
Fiberglass Tank Installation Brief

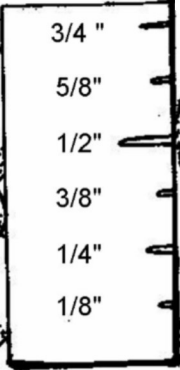
TANK BEDDING AND BACKFILL MATERIAL REQUIREMENTS

1. Gravel backfill medium must totally **bed, surround, and cover** the entire vessel.
2. Backfill must be clean, dry, screened and washed aggregate.
3. Individual naturally rounded or crushed stone may range from 1/4 to 1/2 inch in size with minimal fines.
4. Aggregate must be structurally sound and weight at least 100 lbs. / cu. ft.
5. Materials customarily used are natural "pea gravel" or crushed rock "chips".
6. **NEVER** use soil, sand, road base, structural fill, or crusher fines as backfill.

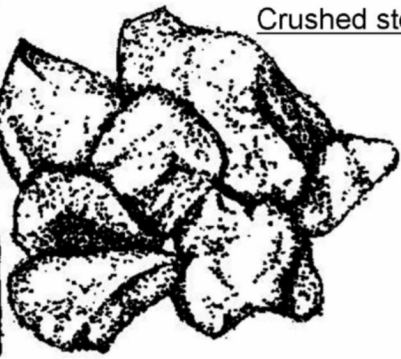
Approved backfill materials

Pea gravel





Crushed stone



Approved gravel must consist of clean, naturally rounded aggregate with a mix of particle sizes not less than 1/4" or more than 1/2".

No more than 5% may pass the #8 sieve. Dry gravel must be sound with a minimum density of 100 pounds per cubic foot.

IMPORTANT

Approved crushed stone or crushed gravel must be washed with angular particle size not less than 1/4" or more than 1/2".

No more than 5% may pass the #8 sieve. Dry stone must be sound with a minimum density of 100 pounds per cubic foot.

Any substitute material or procedure must have approval in advance in writing from Darco,

BURY DEPTHS FOR DARCO FRP TANK DESIGNS

1. **D5** vessels are designed for typical applications requiring 2 to 5 feet of cover depth. **D10** vessels have additional wall thickness allowing a cover depth up to 10 feet. Vessels for bury depth beyond 10 feet are available upon request
2. Mounded bury tanks require burial to "spring line" with mounded cover such that the **BOTTOM HALF** of the tank is fully cradled into the excavation below natural grade for proper support.

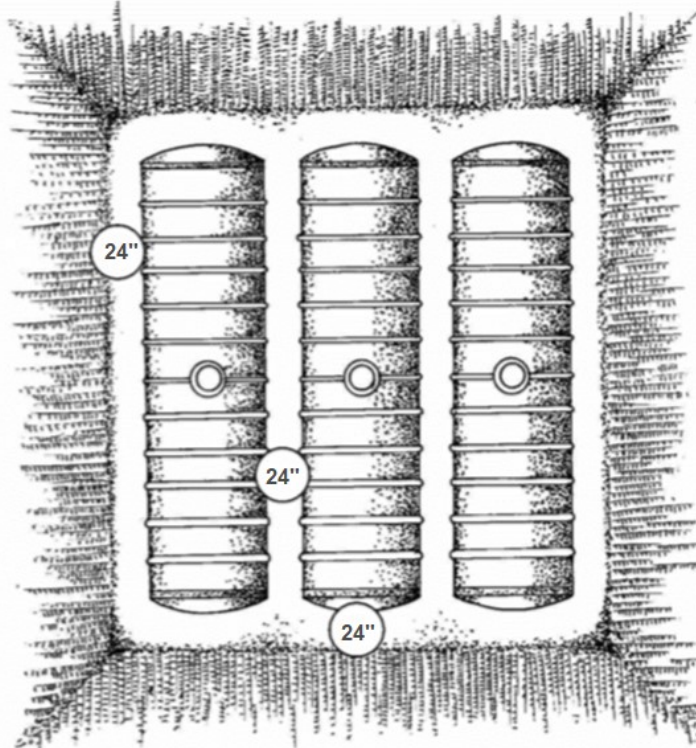
Fiberglass Tank Installation Brief

HOLE SIZE AND WORKING CLEARANCE FOR BACKFILLING UNANCHORED TANKS

1. Allow for 12 inches of bedding material below each vessel.
2. Allow a minimum of 24 inches from the tank to the excavation walls.
3. Allow 24 inches between individual tanks set side by side or end to end.
4. Clearances must be increased to accommodate any anchor system.
5. Contain backfill gravel expense - **do not over excavate.**
6. **Follow OSHA 1926.650/P open trench safety guidelines when installing tanks and associated piping.**

Tank Spacing

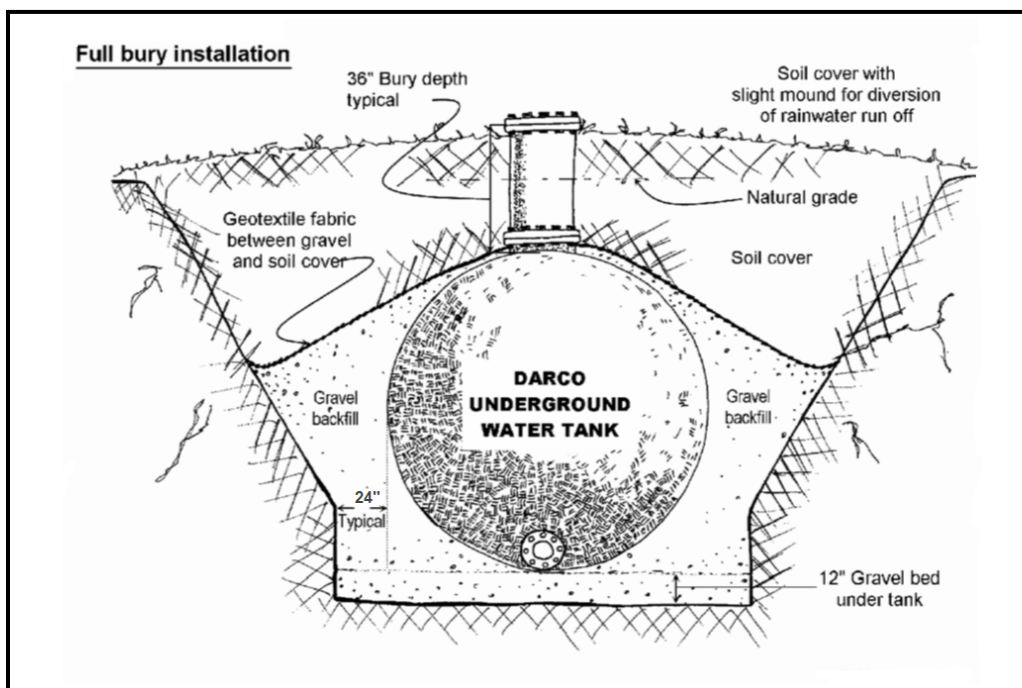
Allow at least 24 inches between individual tanks and sides of the hole for ample room to backfill and probe properly. This distance will need to be increased to allow space for an anchor system if used.



Fiberglass Tank Installation Brief

FULL BURY INSTALLATION PROCEDURE

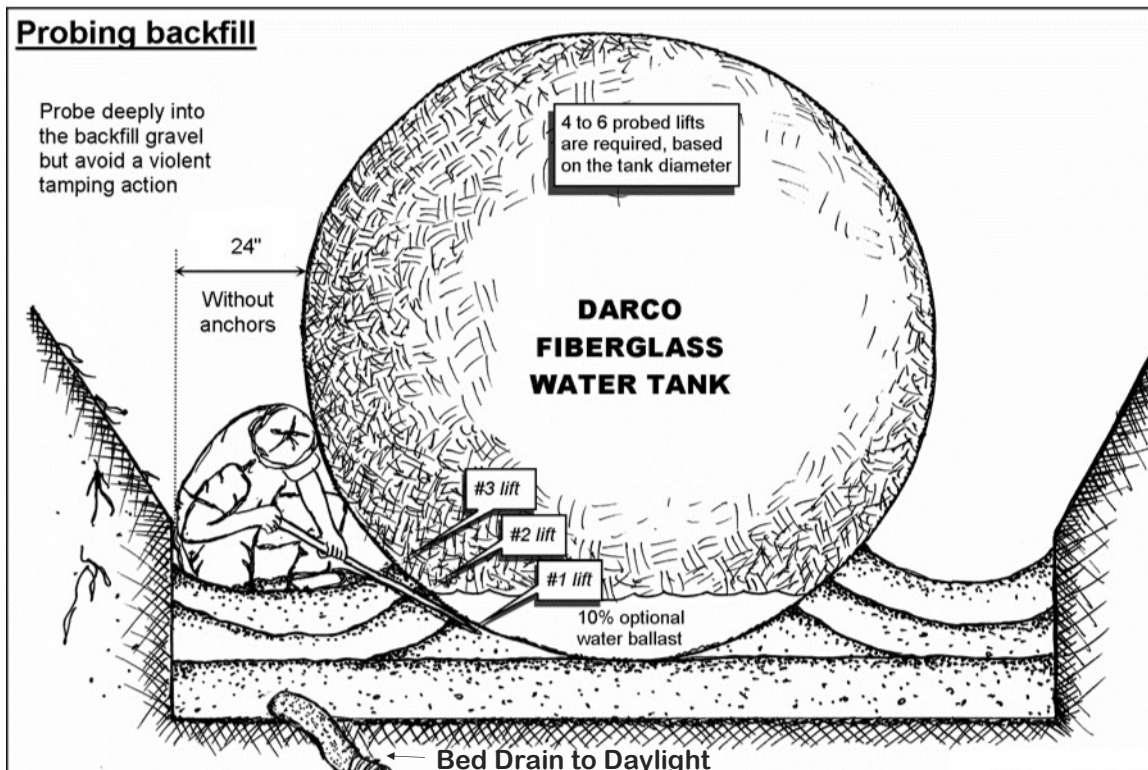
1. Follow the Darco "Fiberglass Tank Installation Manual" provided with your order.
2. Provide a 12 inch gravel bed below the tank or above an anchor slab, when used.
3. Allow room around and between multiple tanks for hand probing - 24 inches is adequate.
4. Rig and place tank into the prepared excavation using all 4 proper lifting lugs.
5. When practical, add 10% water ballast to stabilize tank during the backfill process. **Burial may be done dry (without water in the bottom of tank) but additional care must be taken to avoid disturbing the tank when placing gravel along the sides.**
6. Apply backfill in uniform layers or lifts no more than 12 inches deep.
7. Hand probe under and around the vessel after each lift as illustrated on page 6.
8. Backfill with approved gravel until tank is **totally covered** and no longer visible.
9. Rake surface smooth and apply approved foam insulation board if required in extreme cold subzero winter climate areas.
10. When insulation is not necessary, overlay the entire exposed gravel surface with geotextile fabric prior to soil cover.
11. Replace soil and mound final cover - 5 foot maximum bury depth (36" soil cover is typical).



Fiberglass Tank Installation Brief

FULL BURY INSTALLATION PROCEDURE (continued)

12. Never leave a newly installed tank empty. Fill it completely as soon as possible **AFTER** gravel backfill is complete.
13. Secure the manway covers at all times to discourage curious children and vandals.
14. Review the illustration below depicting the probing process:
 - Probe tool is a 3/4 inch metal pipe about 4 to 5 feet long with a tee handle and a flattened tip to more easily penetrate deep into the gravel backfill under the haunches of the tank.
 - No voids or air pockets may exist under tank belly for proper support.
 - Probe thoroughly from 4 o'clock to 8 o'clock positions from both sides.
 - Probe deeply, but avoid violently tamping, which may disturb the tank.
 - **Specified backfill gravel must completely cover and encapsulate the tank - below, on all sides, and above - such that the tank is no longer visible.**



Fiberglass Tank Installation Brief

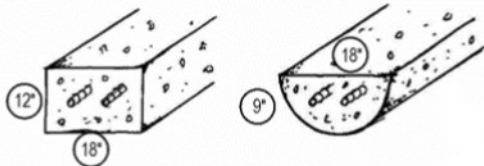
OPTIONAL ANTI-FLOATATION ANCHOR DETAILS

When FRP tanks are subject to predictable high ground water conditions such as riparian locations, heavy seasonal runoff, or natural springs:

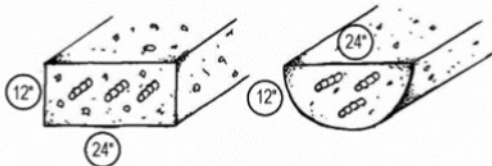
1. Follow our installation manual carefully / call Darco for advice if necessary.
2. Form and install concrete **deadmen** or reinforced **slab anchor** below the vessel.
3. Use designated strap locations, factory anchor hardware, and installation procedure.

Deadman anchor details

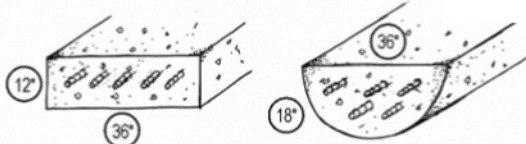
For use with 8' diameter tanks 2 - #5 rebars



For use with 10' diameter tanks 3 - #5 rebars

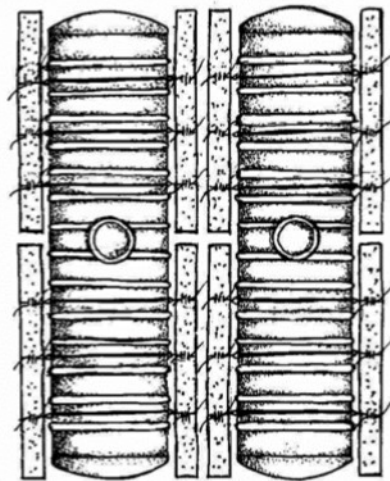


For use with 12' diameter tanks 5 - #5 rebars



IMPORTANT See your tank drawing for individual deadman lengths

Nominal tank diameter	Minimum tank bury depth	Half round concrete deadman size
8 feet	24 inches	9"H x 18"W
10 feet	24 inches	12"H x 24"W
12 feet	24 inches	18"H x 36"W
14 feet	24 inches	24"H x 48"W



Fiberglass Tank Installation Brief

1 ANTICIPATED MAXIMUM GROUND WATER LEVEL FOR DEADMAN ANCHOR SYSTEM

2 HALF ROUND OR RECTANGULAR DEADMAN

3 OPTIONAL DESIGN CONCRETE SLAB ANCHOR EXTREME CONDITIONS

TANK INSIDE DIAMETER	MINIMUM BURY DEPTH	HALF ROUND DEADMAN	# 5 REBAR EMBEDDED	ALTERNATE DEADMAN RECTANGULAR	MIN. SPACE BETWEEN MULT. TANKS	ALL ANCHORS SIDE PROJECTION	SLAB ANCHOR ONLY- END PROJECTION	STRAP LENGTH IN INCHES (PER SIDE)	CABLE LENGTH (PER SIDE)
8'	24"	9" x 18"	2	12" x 18"	3'	18"	18"	181"	12'
10'	24"	12" x 24"	3	12" x 24"	4'	24"	24"	225"	14'
12'	24"	18" x 36"	5	12" x 36"	6'	36"	36"	271"	16'
14'	24"	24" x 48"	7	12" x 48"	8'	48"	48"	315"	18'

1 WHEN TANKS ARE EMPTY AND GROUND WATER IS EXPECTED NO HIGHER THAN SPRING LINE (STANDARD CONDITIONS).
2 HALF ROUND FIBERGLASS DEADMAN ANCHOR FORMS ARE AVAILABLE WITH YOUR TANK ORDER.
3 USE FULL SLAB ANCHOR IF GROUND WATER IS ANTICIPATED ABOVE SPRING LINE (EXTREME CONDITIONS).
IMPORTANT - NOT ALL TANKS REQUIRE ANCHORING.

NOT TO SCALE. FOR ILLUSTRATION ONLY

DARCO
UNDERGROUND TANKAGE

ANTI-FLOATATION ANCHORS WITH STRAP HARDWARE

Rev. No. J

6/13/20 Drawing No. BRIEF VERSION

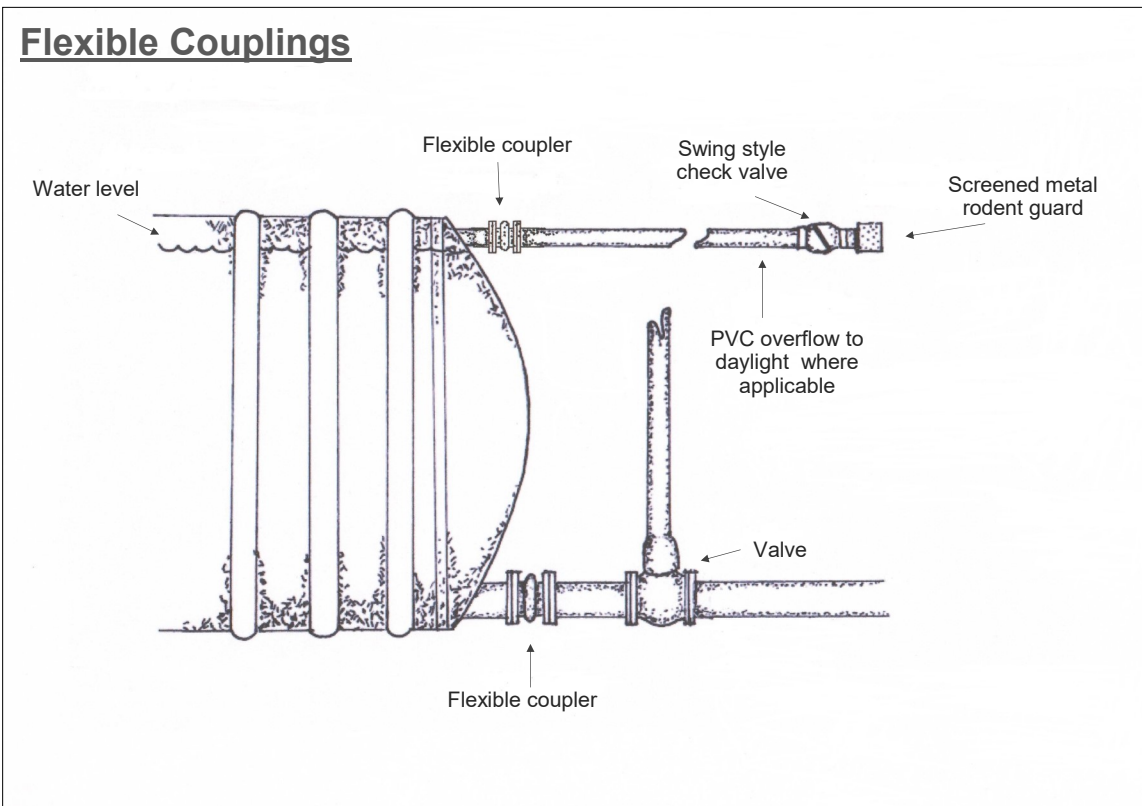
DARCO INCORPORATED
800-232-8660
www.darcoinc.com

Fiberglass Tank Installation Brief

OPTIONAL FLEXIBLE TANK-TO-PIPE CONNECTIONS

It is always a good idea to use some type of flexible coupling between any tank and connecting horizontal pipelines, additional manifolded tanks, or a wet well.

1. Limited tank movement is often caused by minor settling after installation.
2. Pipeline alignment and assembly fitting angles are less critical.
3. Tank shell and fitting strain is kept to a minimum.
4. A full range of axial and radial movement is designed into each A.N.S.I. flanged rubber flexible coupling supplied by Darco. Order these optional accessory flex-couplers (often called expansion joints) with your tank.

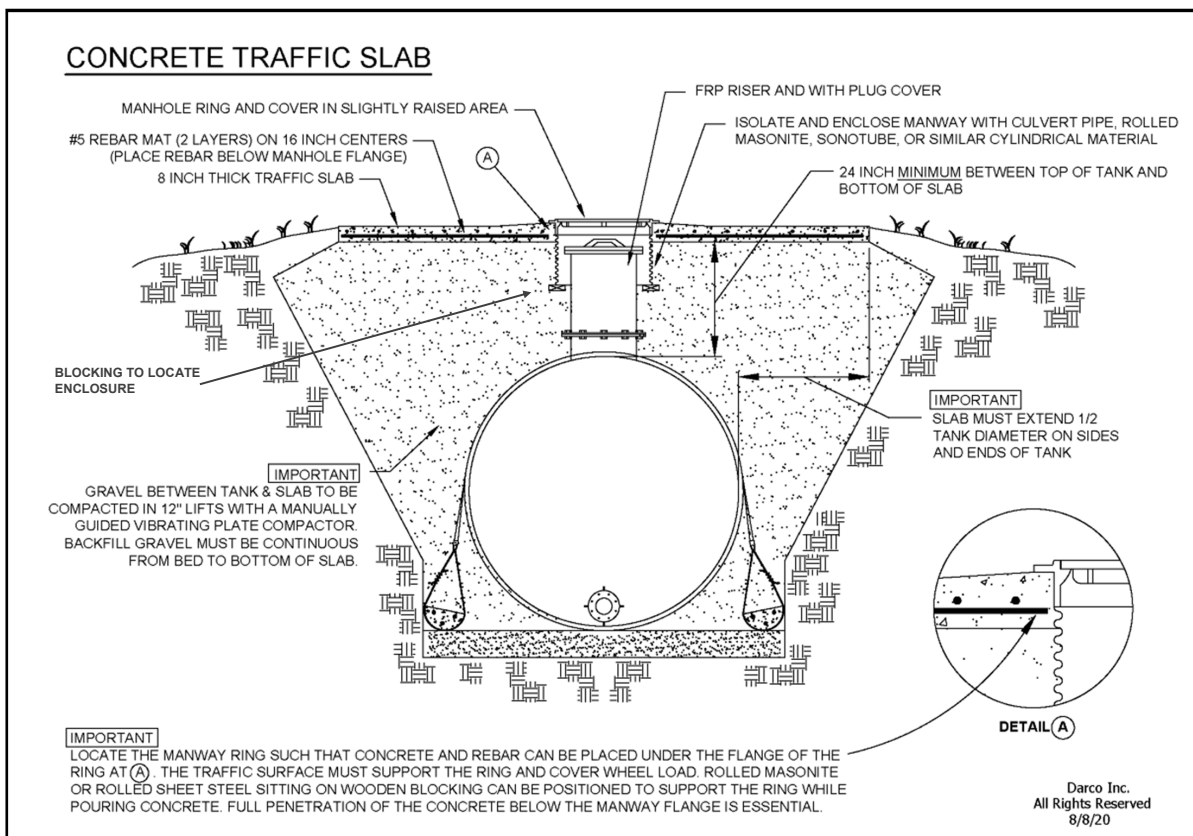


Fiberglass Tank Installation Brief

TRAFFIC SLABS FOR HEAVY VEHICLES

We recommend that you install tanks under a traffic surface **only as a last resort** when no other suitable alternate location is available.

1. Follow our installation manual carefully and call Darco if you have questions or concerns.
2. Observe the proper 24-inch minimum bury depth from top of tank to the **underside** of the traffic slab.
3. Specified backfill must be used exclusively - **no soil may be replaced between the tank and the concrete slab**.
4. Manually probe each 12 inch backfill lift to spring line followed by mechanically compacted gravel lifts to grade. Compact only with a **hand-guided vibrating plate machine**. Do not use a "jumping jack" or "sheeps foot" type compactor.
5. Traffic slabs must be properly reinforced, cured, and of correct thickness and strength to withstand anticipated traffic loads (consult a civil engineer).



Fiberglass Tank Installation Brief

STANDARD DARCO FIBERGLASS CISTERNS

	<u>NOMINAL SHIPPING WEIGHT</u>
8 foot diameter x 29 feet long	10,000 gallons @ 4,500 lbs. ship weight
8 foot diameter x 34 feet long	12,000 gallons @ 5,000 lbs. ship weight
8 foot diameter x 42 feet long	15,000 gallons @ 6,000 lbs. ship weight
8 foot diameter x 50 feet long	18,000 gallons @ 7,500 lbs. ship weight
8 foot diameter x 57 feet long	20,000 gallons @ 9,000 lbs. ship weight
10 foot diameter x 20 feet long	10,000 gallons @ 4,800 lbs. ship weight
10 foot diameter x 30 feet long	15,000 gallons @ 6,500 lbs. ship weight
10 foot diameter x 38 feet long	20,000 gallons @ 8,000 lbs. ship weight
10 foot diameter x 46 feet long	25,000 gallons @ 9,000 lbs. ship weight
10 foot diameter x 54 feet long	30,000 gallons @ 10,000 lbs. ship weight
10 foot diameter x 62 feet long	35,000 gallons @ 12,000 lbs. ship weight
10 foot diameter x 70 feet long	40,000 gallons @ 13,500 lbs. ship weight
12 foot diameter x 32 feet long	25,000 gallons @ 8,500 lbs. ship weight
12 foot diameter x 38 feet long	30,000 gallons @ 10,000 lbs. ship weight
12 foot diameter x 44 feet long	35,000 gallons @ 11,000 lbs. ship weight
12 foot diameter x 51 feet long	40,000 gallons @ 12,500 lbs. ship weight
12 foot diameter x 56 feet long	45,000 gallons @ 13,500 lbs. ship weight
12 foot diameter x 62 feet long**	50,000 gallons @ 15,500 lbs. ship weight
12 foot diameter x 68 feet long**	55,000 gallons @ 16,500 lbs. ship weight
12 foot diameter x 73 feet long**	60,000 gallons @ 18,000 lbs. ship weight
12 foot diameter x 80 feet long**	65,000 gallons @ 20,000 lbs. ship weight
14 foot diameter x 51 feet long**	50,000 gallons @ 16,000 lbs. ship weight
14 foot diameter x 61 feet long**	60,000 gallons @ 19,000 lbs. ship weight
14 foot diameter x 70 feet long**	70,000 gallons @ 22,000 lbs. ship weight
14 foot diameter x 73 feet long**	75,000 gallons @ 23,500 lbs. ship weight
14 foot diameter x 80 feet long**	80,000 gallons @ 24,500 lbs. ship weight
14 foot diameter x 99 feet long**	100,000 gallons @ 33,000 lbs. ship weight

NOTE: All the above lengths and weights are nominal and may vary. Refer to your specific quote drawings for exact dimensions.

**The 50,000 gallon tanks and larger vessels may not be shippable through some areas due to wide and tall load restrictions.

Fiberglass Tank Installation Brief

Manufacturing and Shipping Locations for Darco Tanks

Roanoke, Virginia

Macon, Georgia

San Antonio, Texas

Helena, Montana

Sacramento, California



CHAPTER 35: FIRE DEPARTMENT; POLICIES

Section

Fire Department

- 35.01 Establishment
- 35.02 Government

Fire Zones/Fire Lanes

- 35.15 Fire Marshal duty
- 35.16 Definition
- 35.17 Establishment
- 35.18 Appeal
- 35.19 Signs
- 35.20 Parking prohibited
- 35.21 Towing authorized
- 35.22 Summons
- 35.23 Fees, fines and surcharges

Requirements for Fire Suppression Water Tanks/Dry Hydrants

- 35.35 Purpose
- 35.36 New residential subdivisions
- 35.37 Commercial/industrial development
- 35.38 Multi-family complex
- 35.39 Tank locations
- 35.40 Specifications/installation requirements
- 35.41 Tank access
- 35.42 Permits, inspections, approvals and initial water supply

Cross-reference:

Alarm Systems, see Chapter 90

Blasting, see § 91.01

Gas Burning Appliances, see Chapter 93

Knox Box, see Chapter 94

FIRE DEPARTMENT

§ 35.01 ESTABLISHMENT.

A Fire Department for the town shall be established on the same pattern as the Seymour Fire Department.

(Ord. passed 7-20-1970; Ord. passed 6-5-1972; Ord. passed 2-26-1979; Ord. passed 6-27-1988; Ord. passed 6-6-1994; Ord. passed 3-8-2010)

§ 35.02 GOVERNMENT.

The following shall be adopted for the government of the Fire Department of the town.

(A) Officers of the Fire Department shall consist of a Board of three Chiefs, one each of these to reside in and represent the three principal sections of Oxford: the Center, Quaker Farms and the Riverside sections.

(B) The term of office for each Chief shall be from January 1 to December 31, and no Chief shall hold over in office after the termination of the year due to the failure of an appointment of his or her successor. Fire Chiefs shall be appointed as follows. Each company shall annually submit nominations in writing to the Board of Selectmen not prior to October 15, nor later than December 1, and the Selectmen shall appoint or reject the nominees in writing as soon as practical based on the scheduled Board of Selectmen meeting dates. If no nomination has been received by December 1, the Selectmen shall make the appointment. The three Chiefs shall be known as the Board of Chiefs, and within 30 days after their appointments, shall select one of their members to act as Chief and the others to act as Assistant Chiefs. In the event any Chief is unable to serve, or a vacancy occurs in his or her position, appointment of his or her successor shall be made by nomination by the company, and appointment or rejection in writing by the Selectmen within ten days from receipt of the nomination or as soon as practical based on the scheduled Board of Selectmen meeting dates. If there have been four rejections, or if no nomination is made within 30 days from the time the vacancy occurs, the Selectmen shall make the appointment.

(C) A six-member Fire Commission shall be appointed by the Board of Selectmen with members serving overlapping terms. Members of this Commission shall consist of one member of each of the fire companies, plus three independent citizens not currently associated with the Fire Department.

(D) Officers shall have the general superintendence of all the Fire Department property belonging to the town, and see that same is kept in order and repair and ready for immediate use. They shall direct all proper measures for the extinguishment of fires, also enforce all regulations regarding fires.

(E) The Department shall consist of one or more fire companies, each having an active membership of at least ten men or women. The number of fire companies that the town shall approve shall be governed by the Board of Chiefs and the Board of Selectmen. Each company shall have its own officers, namely, Captain, Lieutenants, Secretary and Treasurer. Any member of any company may be removed from the Department by the Board of Fire Chiefs, after a full hearing and sufficient reasons found.

(F) (1) Active membership in the fire companies of the Town Fire Department is open to any resident of the town and former residents of the town grandfathered in, who moved his or her residence to Seymour, Beacon Falls, Monroe, Southbury, Middlebury or Naugatuck and who have been trained as a member of the Town Fire Department, were outfitted and equipped by the Town Fire Department and who was a member in good standing when residence was changed. Citizens and resident aliens of Seymour, Beacon Falls, Monroe, Southbury, Middlebury or Naugatuck who are at least 18 years of age may apply for membership. Out-of-town citizens and resident aliens may not exceed 10% of the total number of active members in each company as determined by the Board of Fire Chiefs. Budgetary restrictions may limit the actual number of new out-of-town residents added on a yearly basis.

(2) Applicants must be at least 18 years of age prior to starting their probationary period, and shall comply with all rules, regulations and laws of the town, state and the federal government, including but not limited to, the passing of any physical examinations, inoculations or other requirements.

(3) All members must continue to be a member in good standing to retain membership. Town employees serving as firefighters, and in good standing, may remain members regardless of their town of residence within the state. Out-of-town citizens and resident aliens shall not hold officer positions within the fire companies. Only turnout gear or equipment specifically approved by the Town Fire Department can be used by members while performing duties for the Town Fire Department.

(G) The Board of Chiefs shall annually hereafter prepare a budget for the Fire Department. This budget is to cover the purchase of equipment, repair and maintenance of all equipment and property in the jurisdiction of the Fire Department.

(H) Each company shall have power to adopt a constitution and bylaws for their regulation and government, provided, however, that no part of same shall be inconsistent with any of the bylaws adopted or hereafter adopted by the town.

(Ord. passed 7-20-1970; Ord. passed 6-5-1972; Ord. passed 2-26-1979; Ord. passed 6-27-1988; Ord. passed 6-6-1994; Ord. passed 3-8-2010)

FIRE ZONES/FIRE LANES

§ 35.15 FIRE MARSHAL DUTY.

Pursuant to, without limitation, the provisions of Conn. Gen. Stat. § 7-148, and for the public's health, safety, welfare and convenience and to protect the town from fire, it is hereby made the duty of the Fire Marshal and his or her agents to inquire into and investigate the parking, or placing, of vehicles of all kinds, or any other objects, in driveways, alleys, parking areas and other open spaces adjacent to or leading to dwellings occupied by three or more families and buildings open to the public, where the blocking of driveways, alleys, parking areas and other open spaces by the parking or placing of vehicles or any other objects endangers the safety of persons occupying or using the dwellings and/or buildings so as to constitute a fire hazard, in the opinion of the Fire Marshal, to designate parking vehicles or placing objects in the areas as a fire hazard, and to have the areas posted as a fire zone/fire lane. This section shall not apply to driveways serving one dwelling occupied by less than three families.

(Ord. passed 2-28-1994)

§ 35.16 DEFINITION.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FIRE ZONE and/or ***FIRE LANE***. A designated, unobstructed passageway sufficient in size to permit free passage of fire and other emergency equipment from a public highway to all necessary areas or portions of any private or public property.

(Ord. passed 2-28-1994)

§ 35.17 ESTABLISHMENT.

Whenever the Fire Marshal shall determine that the reasonable safety of persons occupying or using any premises, public or private, requires the establishment of a fire zone/fire lane for orderly access of fire and other emergency equipment, for the protection of public safety, he or she shall establish the fire zone/fire lane by written order specifying the limits thereof; shall file copies of the order with the Board of Selectmen and Town Clerk and shall send a copy by certified mail, return receipt requested, to the owner(s) or agent(s) thereof of any private land on which the fire zone/fire lane is established. If any certified mail copy is returned, a copy of the order shall be published at least once in a newspaper having general circulation within the town and a copy of the order shall be posted in a conspicuous place on each dwelling or building affected thereby.

(Ord. passed 2-28-1994)

§ 35.18 APPEAL.

Any private property owner aggrieved by the designation of a fire zone/fire lane on his or her property may file with the Town Clerk, within 30 days after receipt of the Fire Marshal's order by mail or within 30 days of the last publication or posting of an order, whichever is later, written notice of appeal, setting forth therein reasons of aggrievement. The Board of Selectman shall hold a hearing on the appeal within 60 days after it has been filed. Reasonable notice of the time, date and place of the hearing shall be given to the property owner and the Fire Marshal. At the hearing the Board shall consider the reasons of aggrievement, the reasons for establishment of the fire zone/fire lane and determine whether the order was reasonably necessary in order to protect the safety of persons occupying or using the dwellings and/or buildings involved. The Board may affirm, modify or rescind the order and shall notify the property owner and the Fire Marshal in writing of its decision within 15 days of the date of the hearing.

(Ord. passed 2-28-1994)

§ 35.19 SIGNS.

Within ten days of the establishment or modification of a fire zone/fire lane, the Board of Selectmen shall cause to be erected or installed adequate signs, markings or other devices to delineate the fire zone/fire lane and to warn that no parking or obstructing is permitted therein. Signs, markings and other devices erected or installed on privately owned premises, shall be the cost of the private owner, and may be billed for and collected, in the same manner as municipal taxes, provided the Board of Selectmen causes a notice of lien to be filed on the land records within 60 days after the erection or installation.

(Ord. passed 2-28-1994)

§ 35.20 PARKING PROHIBITED.

No person shall park, or permit to stand, a vehicle, or any other object, in a fire zone/fire lane which has been established with this subchapter, except when actually picking up or discharging passengers or loading or unloading commercial products.

(Ord. passed 2-28-1994)

§ 35.21 TOWING AUTHORIZED.

The Department of State Police officers and/or town police officers are authorized to remove or have removed by a commercial towing service any vehicle, or other object, parked or placed in violation of § 35.20 of this subchapter to the nearest available garage or place of safety, or to a garage designated or maintained by the Board of Selectmen within the town. The removal shall be at the risk and expense of the owner of the vehicle or other object. Vehicles or other objects so removed shall be stored in a safe place and shall be restored to the owner or operator upon payment of a fine plus any other fees and/or surcharges to the state in the manner, location, method and time period as directed on the summons, plus reasonable costs of towing or hauling and storage.

(Ord. passed 2-28-1994)

§ 35.22 SUMMONS.

It is hereby provided, however, that the Department of State Police officers and/or town police officers may, in lieu of towing or hauling the vehicle or other object to a garage, serve upon the owner, operator or other person in charge of the vehicle or other object, or attach to the vehicle or other object, a summons directing the owner, operator or other person in charge thereof, to pay a fine plus any other fees and/or surcharges to the state in the manner, location, method and time period as directed on the summons. The registered owner of a vehicle shall be presumed to be the operator of a vehicle. The person, or persons, placing any other object in a fire zone/fire lane shall be presumed to be the owner(s) of the object.

(Ord. passed 2-28-1994)

§ 35.23 FEES, FINES AND SURCHARGES.

Any fines, fees and/or surcharges for any violation of this subchapter shall be the same as established by the state for a similar violation occurring on a public highway.

(Ord. passed 2-28-1994)

REQUIREMENTS FOR FIRE SUPPRESSION WATER TANKS/DRY HYDRANTS

§ 35.35 PURPOSE.

The purpose of this subchapter is to establish the requirement for in ground water storage tanks used for initial fire attack and suppression in residential subdivisions or commercial/industrial buildings in areas that are not readily served by a municipal water supply as determined by the Fire Chief.

(Ord. passed 9-15-2003)

§ 35.36 NEW RESIDENTIAL SUBDIVISIONS.

Any subdivision or resubdivision having at least five but no greater than ten approved building lots shall have a minimum of one 10,000-gallon in ground water storage tank. Any subdivision having greater than ten approved building lots shall have at least one 10,000-gallon in ground water storage tank for every ten approved building lots, or portion thereof, as deemed necessary for fire protection of proposed residential units by the Fire Chief or his or her designee.

(Ord. passed 9-15-2003)

§ 35.37 COMMERCIAL/INDUSTRIAL DEVELOPMENT.

All commercial or industrial buildings of greater than 5,000 square feet of gross floor space, and addition of greater to an existing commercial or industrial building of more than 2,500 square feet or more shall install at least one 10,000-gallon in ground tank minimum or more as deemed necessary by the Fire Chief or his or her designee.

(Ord. passed 9-15-2003)

§ 35.38 MULTI-FAMILY COMPLEX.

Any building containing three or more dwelling units under one roof shall install at least one 10,000-gallon in ground tank minimum or more as deemed necessary by the Fire Chief or his or her designee.

(Ord. passed 9-15-2003)

§ 35.39 TANK LOCATIONS.

Each tank, unless approved otherwise by the Fire Chief, shall be a minimum of 15 feet from the curb line to the centerline of the tank, and must be located within property deeded to the town as a condition of subdivision approval. Location of the Fire Department connection shall be within ten feet of the road curb line, and be located for fire apparatus accessibility from the road. The Fire Chief, prior to installation, shall approve all tank locations. Wherever the tank is not on the town right-of-way or the area designated on the record subdivision map to be town right-of-way, the tank shall be located in a designated easement area which shall be placed on the record subdivision map and, prior to the filing of the record subdivision map, an easement shall be prepared by the developer/landowner which shall be in a form approved by Town Counsel and which shall be recorded at the direction of Town Counsel.

(Ord. passed 9-15-2003)

§ 35.40 SPECIFICATIONS/INSTALLATION REQUIREMENTS.

The Town Fire Department shall prepare a list of specifications for the tanks, piping and fittings and the requirements for installation which list shall be updated annually. All tanks, piping, fittings and installation shall comply with codes, standards and regulations applicable to the industry and where applicable, shall be UL approved. The list of specifications shall specify when a design by a licensed professional engineer is required and the procedure for testing for leakage upon installation. Metal tanks are not acceptable.

(Ord. passed 9-15-2003)

§ 35.41 TANK ACCESS.

All tanks shall have a 24-inch access from finished grade to inside of tank for inspection, cleaning and maintenance. A waterproof, bolted cover shall be used. Its bolts shall be stainless steel with penta heads.

(Ord. passed 9-15-2003)

§ 35.42 PERMITS, INSPECTIONS, APPROVALS AND INITIAL WATER SUPPLY.

All appropriate permits shall be obtained prior to construction. The Fire Chief, or his or her designated representative, shall be given two-business days' notice in order to observe installation prior to backfilling. All plans submitted to the Fire Department shall include proposed tank and fitting locations. Final approval shall be by letter issued by the Fire Chief, or his or her designated representative, and will be contingent upon "as-builts" being filed upon the completion of construction. A copy of the letter of approval shall be filed with the Planning and Zoning Commission and the Board of Selectmen and shall be kept on file in the record of the Town Fire Department. Water for initial filling of the tank shall be the responsibility of the developer/landowner. Water shall be from a potable supply. No certificate of occupancy shall be issued until the tanks are approved.

(Ord. passed 9-15-2003)