

Excavation – The digging out, extraction, regrading or removal of Earth, whether exposed or covered by water, so as to Alter its pre-existing contour or its natural contour.

Façade – The face of any exterior wall of a Building facing a public Street or visible from a public Street.

Family – Persons related by blood, marriage, civil union, or adoption, and up to three (3) individuals occupying a Dwelling Unit who are committed to living together as a single housekeeping unit, in harmony with the surrounding neighborhood and responsible for maintaining a common household.

Farm – At least three (3) acres of land, including Buildings and Structures, used for Farming or agriculture.

Farming or Agriculture – Includes:

- The cultivation of the soil, dalrying, Forestry, raising or harvesting any Agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock including horses, bees, poultry, and wildlife;
- the operation, management, conservation, improvement, maintenance of a Farm and its Buildings, tools, equipment, or salvaging timber or clearing land of brush or other debris left by a storm, as an Accessory Use to Farming;
- the production or harvesting of maple syrup or sugar, or any Agricultural commodity, including lumber as an Accessory Use to ordinary Farm operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs, or waterways used exclusively for Farming purposes;
- the handling, planting, drying, packing, packaging, processing, transportation to market, or for direct sale any Agricultural or horticultural commodity as an Accessory Use to ordinary Farming operations, or, in the case of fruits and vegetables, as an Accessory Use to the preparation of such fruits or vegetables for market or for direct sale.

Farm Building – Buildings Accessory to a Farm and usually used for Farm purposes, such as animal husbandry or horticultural Uses.

Farmers Market – The seasonal selling or offering for sale at retail of vegetables or produce grown in New Hartford or the state, occurring in a pre-designated area, where the vendors are generally individuals who have raised the produce or have taken the same on consignment for retail sale.

Farm Stand, Minor – Roadside stand, which is an Accessory Use to a Farm, selling produce where:

- all of the produce for sale was grown on the Premises of the Farm Stand,
- the Farm Stand Structure is no greater than fifty (50) square feet in Gross Floor Area.

Farm Stand, Major – Roadside stands, which is an Accessory Use to a Farm, selling Farm produce where:

- the produce for sale was predominantly grown on the Premises of the Farm;
- the Farm Stand Structure is no greater than three hundred fifty (350) square feet in Gross Floor Area, excluding outdoor display areas, for each three (3) acres of land under active cultivation, unless a larger retail area is approved in accordance with Section 3.5.J of these Regulations.

B. Agricultural Uses

Use	R-4	R-2	R-1.5	R-30	R-15	Additional Regulations
1. Commercial Horse Stable, Riding or Training School	SE	SE	SE	SE	SE	3.5.H
2. Farm	A	A	A	A	A	3.5.I
3. Farm Stand, Minor	ZP	ZP	ZP	ZP	ZP	3.5.J
4. Farm Stand, Major under three hundred fifty (350) square feet	SP	SP	SP	SP	SP	3.5.J
5. Farm Stand, Major over three hundred fifty (350) square feet	SE	SE	SE	SE	SE	3.5.J
6. Farmers Market	SP	SP	SP	SP	SP	7.3.B

C. Public or Institutional-Type Uses

Use	R-4	R-2	R-1.5	R-30	R-15	Additional Regulations
1. Public School	SE	SE	SE	SE	SE	
2. Public Library	SE	SE	SE	SE	SE	
3. Government Building	SE	SE	SE	SE	SE	
4. Educational / Instructional Use (other than a public School)	SE	SE	SE	SE	SE	
5. Philanthropic & Charitable Institution	SE	SE	SE	SE	SE	
6. Religious Institution	SE	SE	SE	SE	SE	
7. Nursing Home			SE	SE	SE	3.5.K
8. Public Park, Passive	SP	SP	SP	SP	SP	
9. Public Park & Playground, with improvements	SE	SE	SE	SE	SE	
10. Cemetery	SE	SE	SE	SE	SE	
11. Public Utility Facilities & Buildings, for which the location regulated by a State or Federal entity	ZP	ZP	ZP	ZP	ZP	For information on regulated utilities see Connecticut Siting Council web site (ct.gov/csc) and CGS Chapters 277 to 289
12. Public Utility Facilities & Buildings, for which the location is not regulated by a State or Federal entity	SE	SE	SE	SE	SE	

I. Housing of Livestock on a Farm

1. Buildings that house animals shall be located not less than one hundred (100) feet from any property line.
2. Leasing of pasture by a Farm for the keeping of livestock shall not, in and of itself, constitute a Commercial Horse Stable, Riding or Training School as defined in these Regulations.

J. Farm Stand, Minor and Major

1. **Minor Farm Stand** – A Minor Farm Stand shall require the following:
 - a. Safe entrance from and exit into the Street, adequate pickup, and off-Street loading space shall be provided.
 - b. Parking shall be in accordance with Section 6.2 of these Regulations.
 - c. A Farm Stand shall be set back from the Front Lot Line by at least thirty-five (35) feet.
2. **Major Farm Stand, Increase in Farm Stand Retail Building Gross Floor Area** - The Commission may, by Special Exception in accordance with Section 8.5 of these Regulations, allow Major Farm Stands in excess of three hundred fifty (350) square feet of Gross Floor Area per three (3) acres of land under active cultivation where the Commission finds that:
 - a. The Major Farm Stand is retailing products that are predominantly grown or produced on the Farm to which the Major Farm Stand is Accessory; and
 - b. Additional Gross Floor Area is required in order to adequately market the products of the Farm; and
 - c. Adequate provisions have been made for parking, illumination, vehicular access, and safe pedestrian circulation to and within the site; and
 - d. The Major Farm Stand, in both size and design, is in harmony with the residential character of the subject District and the neighborhood; and
 - e. The Major Farm Stand building has been designed such that it may be readily reduced in Gross Floor Area if the size, including the area under active cultivation, of the Farm to which it is Accessory is reduced; and
 - f. Any Special Exception issued in accordance with this Section shall expire if the Farm to which the Major Farm Stand is Accessory, or the area of active cultivation, is reduced; provided that the Commission may renew such Special Exception if the Major Farm Stand continues to be in proportion to the area of the Farm and the area under active cultivation.

PROPOSED
REVISION (CHANGES IN YELLOW)

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 - c. Adequate provisions have been made for parking, illumination, vehicular access, and safe pedestrian circulation to and within the site; and
 - d. The Major Farm Stand, in both size and design, is in harmony with the residential character of the subject District and the neighborhood; and
 - e. The Major Farm Stand building has been designed such that it may be readily reduced in Gross Floor Area if the size, including the area under active cultivation, of the Farm to which it is Accessory is reduced; and
 - f. Any Special Exception issued in accordance with this Section shall expire if the Farm to which the Major Farm Stand is Accessory, or the area of active cultivation, is reduced; provided that the Commission may renew such Special Exception if the Major Farm Stand continues to be in proportion to the area of the Farm and the area under active cultivation.
 - g. **The Commission may in consideration of an application modify the size requirements of the Major Farm Stand when the applicant has proposed the conversion of a historic structure (barn or dwelling in excess of 100 years old).**