

Proposed Amendment to Section VI G of the Berlin Zoning Regulations

New Section VI G.3. ee

ee ~~Gasoline Filling~~Motor Vehicle Fueling Stations*. In the BT-1 zone only, ~~gasoline filling motor vehicle fueling~~ stations for gasoline, electric, natural gas or other alternative fuels ("Motor Vehicle Fueling Station"); excluding any repairs, serviced by a principal building containing a principal tenant occupying not less than 5,000 square feet designed and permitted to monitor the facility, service customers and sell retail merchandise may be allowed. The purpose of this section is to establish an exception to the 1500 foot prohibition for gasoline filling stations set forth in Section XI R 12 a and the 2000 square foot accessory use structure prohibition set forth in Section XI R 12 c and specifically does not apply to proposals for gasoline filling stations with an accessory use structure of less than 5000 square feet. Any Special Permit shall be subject to site plan approval by the Planning and Zoning Commission in accordance with Section XII and XIII. The requirements of Section XI R shall not apply to facilities approved pursuant to this provision but shall be subject to the following conditions:

- i. The location of ~~gasoline filling stations~~a Motor Vehicle Fueling Station shall be subject to _____ receipt of _____ a certificate of approval from the Zoning Board of _____ Appeals.
- ii. No outside storage of any motor vehicle shall be permitted.
- iii. Fuel pumps shall be set back from the street line at least 25 feet. All other buildings and structures, except underground storage tanks, shall be set back at least 45 feet from the street line, ten feet from each side line and 20 feet from the rear lot line. If the gasoline filling station abuts a residential zone, the greater setbacks required by the CCD-2 zone shall apply.
- iv. Storage tanks for ~~gasoline or other~~ motor vehicle fuels shall be _____ located underground _____ in compliance with pertinent local and state _____ codes and regulations.
- v. There shall be no outdoor display of merchandise, except that motor oil and other fluids for motor vehicles may be displayed on racks designed therefore immediately adjacent to the service building.
- vi. There shall be no dumping of waste materials, such as grease or oil.
- vii. There shall be no residence or sleeping quarters maintained in any ~~gasoline filling station~~Motor Vehicle Fueling Station.

viii. Sign provisions of Section IX.A shall apply except that small (not visible from the street) credit card, direction, telephone or similar public convenience signs shall not count towards the permitted sign area.

ix. The Commission may require a suitable buffer to screen from adjacent properties. The buffer may include a 10-foot landscaping area and/or a fence approved by the Planning and Zoning Commission. Landscaping plans for the overall site shall be submitted as part of the Special Permit/Site Plan applications and shall be a critical part in evaluating how well the use shall fit in with the surrounding areas.

x. The architectural style and design of the gasoline-filling stationMotor Vehicle Fueling Station _____ (including but not limited to the canopy and service building) _____ shall _____ be approved by the Planning and Zoning Commission and _____ shall be _____ compatible with the architectural style and design of the _____ primary _____ buildings and design of the shopping center of which it is to _____ be a _____ part.

xi. The facility shall not be designed to service motor vehicles with an overall wheel base greater than thirty (30) feet in length. The Planning and Zoning Commission may require design changes, signage or other appropriate measures be utilized to prevent the use of the facility by larger vehicles.

xii. There shall be no more than one driveway per every 50 feet of parcel length. Such driveways shall not be more than 35 feet wide, and not less than 20 feet wide at the curb line; shall be no closer than 15 feet at the curb line and shall be at least 20 feet from any intersection of public streets. All driveways, parking or standing areas shall be permanently improved with a paved surface.

xiii. The applicant shall demonstrate that enough parking has been provided for in the special permit and site plan applications.

xiv. The applicant shall demonstrate that the nature and intensity of the operations involved in or conducted in connection with the gasoline-filling stationMotor Vehicle Fueling Stations _____ shall be such that it will be in harmony with _____ the _____

_____ appropriate and orderly development of the area including all adjacent zoning districts in which it is located.

xv. Receptacles appropriate for debris and trash shall be located and maintained in the area of the ~~gasoline filling station~~Motor Vehicle Fueling Station at _____ locations _____ approved by the Commission. The Commission may _____ require _____ screening of any receptacles through the use of appropriate _____ landscaping or fencing.