

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

**RPC
Representatives**

Bethany:
Mary Shurtleff

Branford:
Charles Andres

East Haven:
Vacant

Guilford:
Peter Goletz

Hamden:
Richard Szczypek

Madison:
Christopher Traugh
(Chair)

Meriden:
David White

Milford:
Mark Bender

New Haven:
Kevin DiAdamo
(Vice Chair)

North Branford:
Frances Lescovich

North Haven:
James Giulietti

Orange:
Paul Kaplan

Wallingford:
Vacant

West Haven:
Christopher Suggs

Woodbridge:
Peggy Rubens-Duhl

AGENDA

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Agenda for Thursday, August 9, 2012 RPC Meeting, 5:15pm @ SCRCOG
Offices: 127 Washington Avenue, North Haven, CT 06473

1. Administration

1.1. Minutes of the July 12, 2012 RPC Meeting **1**

2. Statutory Referrals – August Action Items

2.1. Town of Orange: Proposed Zoning Regulation Amendments to Special Uses in the Light Industrial LI-2 District. Submitted by: Town of Orange. Received: July 16, 2012. Public Hearing: August 21, 2012 **2**

2.2. Town of Southington: Proposed Zoning Regulation Amendments to Sections 9-01, 12-10.1, 12-10.2, 12-10.3 and 14-02. Submitted by: Town of Southington. Received: July 18, 2012. Public Hearing: September 4, 2012 **7**

3. Other Business

3.1 Status update: NY-CT Sustainable Communities Gap Analysis

3.2 Status update: Regional Hazard Mitigation Plan

3.3 Status update: State Conservation and Development Policies Plan Update for 2013-2018

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, July 12, 2012 Meeting

Present: Kevin DiAdamo, Mary Shurtleff, Charles Andres, Peggy Rubens-Duhl, James Giulietti, Richard Szczypek, David White, Eugene Livshits

1 Administration

- 1.1 Minutes of the June 14, 2012 RPC meeting. Motion to accept the minutes as presented: Charles Andres. Second: James Giulietti. Vote: Unanimous. Abstain: Richard Szczypek, Peggy Rubens-Duhl

2 Statutory Referrals

- 2.1 City of Shelton: Proposed Zoning Regulation Amendments to Section 23, Schedule A, Use Line 19 and a revision of Section 32 – Excavation, Filling, Grading and/or Removal of Earth Materials

By resolution, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Charles Andres. Second: James Giulietti. Vote: Unanimous.

- 2.2 Town of Hamden: Proposed Zoning Regulation Amendment to add 626.4.2 – Keeping of Falconry Raptors (place a “p” in each permissible zone)

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment does not appear to cause any negative impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Richard Szczypek. Second: James Giulietti. Vote: Unanimous.

- 2.3 Town of Cheshire: Proposed Zoning Regulation Amendment to Section 30, Schedule A. New Paragraph 1.B – Accessory Second Dwelling

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment does not appear to cause any negative impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Peggy Rubens-Duhl. Second: David White. Vote: Unanimous.

3 Other Business

Motion to Adjourn: Richard Szczypek. Second: Mary Shurtleff. Vote: Unanimous.

Referral 2.1: Town of Orange

Subject: Proposed Zoning Regulation Amendments to Special Uses in the Light Industrial LI-2 District

Staff Recommendation:

The proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

A private applicant has proposed Zoning Regulation Amendments in the Town of Orange to Section 383-66.

The amendments would add banks, including drive thru service windows and child care and preschool development facilities serving the general public as Special Uses. In both instances the parcel on which the use occurs has to be 40 acres upon which a minimum of 175,000 square feet of habitable space is occupied by Permitted uses as set forth in Section 383.65 or Special uses as set forth in Section 383.66. There cannot be more than one child care and preschool development facility and one bank on any such parcel.

In the case of the child care and preschool development facility, the Director of Health of the Town shall attest that the proposed site plan and facilities comply in all respects with applicable Town and State laws and regulations.

Communication: In researching this proposal, I spoke to the planning staff for Orange and notified the adjacent municipalities in the South Central Region.



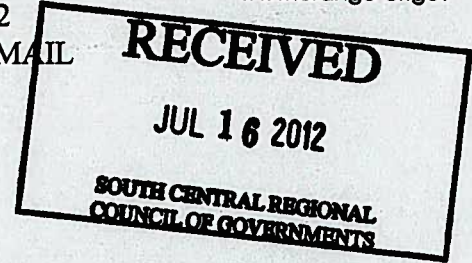
Town of Orange, Connecticut

Zoning Department

TOWN HALL
617 ORANGE CENTER ROAD
ORANGE, CONNECTICUT 06477-2499

PHONE: (203) 891-2122, ext.743
FAX: (203) 891-2185
www.orange-ct.gov

March 1, 2012
CERTIFIED MAIL



Mr. Carl Amento, Executive Director
Council of Governments
127 Washington Avenue
4th Floor - West
North Haven, CT 06473-1715

REFERRAL OF PETITION TO AMEND THE ORANGE ZONING REGULATIONS
-Submitted by 41 Marsh Hill Road LLC.
To Amend the Orange Zoning Regulations "Special Uses" in the Light Industrial LI-2 District.

Dear Mr. Amento:

In accordance with the Connecticut General Statutes, enclosed for your review is a Petition to Amend the Orange Zoning Regulations. Included is a copy of the current regulations, and a copy of the proposed text changes. A public hearing on this matter is tentatively scheduled for August 21, 2012.

If you have any questions, please contact me at 203-891-4743.

Very truly yours,

Paul Dinice, Zoning Administrator
& Enforcement Officer

enclosures (2)
cc: TPZC Members
V. Marino, Esq.
J. Zeoli, First Selectman
B. Miller, Consultant Planner

383-66. SPECIAL USES

[add]

F. Banks, including drive-thru service windows incidental to the primary permitted use, only when located on a parcel of a minimum of forty (40) acres upon which a minimum of 175,000 square feet of habitable space is occupied by Permitted uses as set forth in Section 383.65 or Special uses as set forth in Section 383.66. In no event shall more than one bank be permitted on any such parcel.

[add]

G. Child care and preschool development facilities serving the general public, only when located on a parcel of a minimum of forty (40) acres upon which a minimum of 175,000 square feet of habitable space is occupied by Permitted uses as set forth in Section 383.65 or Special uses as set forth in Section 383.66. In no event shall more than one child care and preschool development facility be permitted on any such parcel

Provided further that:

(1) The Director of Health of the Town shall attest that the proposed site plan and facilities comply in all respects with applicable Town and State laws and regulations.

- B. Laboratories for research, testing and development; printing and publishing establishments.
- C. Office buildings for business and professional establishments, excluding those establishments which primarily provide services to customers and clients on the premises.
- D. Warehousing of goods or materials manufactured on the same lot or warehoused for distribution and sale or resale and wholesale business.
- E. Freight and materials trucking businesses when clearly accessory and subordinate to another permitted use on the same lot.
- F. Repairing and servicing of motor vehicles when clearly accessory and subordinate to another permitted use on the same lot.
- G. Public utility substations, telephone equipment buildings and switching stations; water supply pump stations and storage facilities; public utility transmission lines; public utility maintenance facilities.
- H. Buildings and facilities of the Town of Orange, State of Connecticut, and federal government, excluding corporate or proprietary uses unless otherwise permitted above.
- I. Railroad rights-of-way and storage sidings.
- J. Signs as provided in Article XIX.
- K. Accessory uses customary with and incidental to any aforesaid permitted use, provided such accessory uses are located on the same lot with the use to which they are accessory; such uses may include, but are not limited to, off-street parking and loading spaces, and eating, recreation and auditorium facilities primarily for persons employed on the lot and not open to the general public.

§ 383-66. Special uses.

- A. On-premises child care and preschool development facility, when located on the same parcel or an abutting parcel of a user employing no fewer than 500 employees (the "employer") for a permitted use within the Light Industrial No. 2 Zone, provided further that: **[Amended 6-6-2005]**
 - (1) At least one-half of the clients served by the facility must be children of employees or children of family members of employees of the employer.
 - (2) The balance of the clients served by the facility may be children of employees or children of family members of employees of other employers located within the Light Industrial No. 2 Zone or children of employees of the on-premises child care and preschool development contractor.
- B. Hotels, provided that: **[Added 2-1-2005]**

- (1) The hotel use contains not less than 100 sleeping rooms for transient lodging, where a sleeping room shall mean a transient lodging unit which consists of a bedroom, may include common areas and kitchen facilities, and designed for independent occupancy;
 - (2) The hotel has frontage on I-95 and Marsh Hill Road;
 - (3) Maximum height of structures shall not exceed four stories or 60 feet, whichever is less;
 - (4) The hotel shall provide function space consisting of conference facilities and/or banquet rooms at the rate of not less than 15 square feet per sleeping room, with a minimum requirement of 2,000 square feet. Said space is in addition to floor area required for supporting office space, storage, kitchen area and similar support uses. All function space shall be located within the principal hotel structure.
 - (5) In addition, a hotel proposal under this subsection may also include a restaurant facility as accessory and subordinate to the hotel and subject to a special permit approval. Such facility may be located within the hotel structure or in a detached structure, and said restaurant shall be a full-service facility where patrons are served by waitstaff and only when seated at tables. Such use may include a bar area and limited take-out, incidental to the primary permitted use, but shall specifically exclude drive-through service and establishments where customers are served primarily at take-out counters.
- C. Stores and other buildings and structures where goods are sold or service is rendered primarily at retail and developed as a unitary development, where "unitary development" is defined as consisting of one or more buildings and structures of quality design, consistent architectural design continuity, having a single architectural theme that unites all components, and where goods are sold or service is rendered, primarily at retail. Said development shall be in accordance with and conform to the additional requirements and standards as provided in Article XIV. [Added 5-12-2005]
- D. Conference and training centers for use by companies, corporations, organizations, and groups for events, executive, management or educational training purposes, or meetings of their officers, directors, shareholders, members and/or employees. [Added 5-12-2005]
- E. Indoor recreational facility providing opportunity for athletic activities, sports training and therapy in an enclosed building, but shall not include the following: [Added 11-6-2006]
- (1) Bowling alleys;
 - (2) Billiard pool halls;
 - (3) Amusement devices, meaning any mechanical, electric or electronic device used or designed to be operated for entertainment or as a game of skill by the insertion of a piece of money, coin, token or other article into said device or by paying money to have it activated.

Referral 2.2: Town of Southington

Subject: Proposed Zoning Regulation Amendments to Sections 9-01, 12-10.1, 12-10.2, 12-10.3 and 14-02

Staff Recommendation:

The proposed Zoning Regulation Amendments do not appear to cause any inter-municipal impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Southington has proposed Zoning Regulation Amendments to Sections 9-01, 12-10.1-12-10.3 and 14-02.

In Section 9-01 the statement “or by following the zoning permit process.” was added in the context of building permits issued in any zone for any use other than for single family dwellings in an approved subdivision or an approved building lot. The existing regulations only allow permits if site development plans, prepared in accordance with Section 9-03, have been approved by the Planning and Zoning Commission. Another provision that has been added involves exceptions pertaining to submitting a site plan for any structural alterations or additional parking. The proposed exceptions are additions less than 100 sq. ft. in size for space that is not for public occupancy on sites that have existing site plans require the zoning permit process and zoning permits shall be used for changes in use on an existing site where no shovel in ground work is taking place and no additional parking is required.

The next set of amendments in Sections 12.10.1-12.10.3 will allow the Town Planner to waive the minimum off-street parking requirements and refer applications for parking waivers to the parking authority. In the existing regulations only the Commission has the authority.

The amendments in Section 14-02.1 – Zoning Permits add the following provisions: “Zoning permits are to be used for change in use where no shovel in the ground work is taking place and no additional parking is required.” “The zoning permit process can be used to trigger the request for parking waivers from parking authority for sites in the CB zone with existing site plans.” “Zoning permits shall be the process for additions to existing sites plans which are not for public occupancy and no larger than 100 square feet.”

Communication: In researching this proposal, I spoke to the planning staff for Southington and notified the adjacent municipalities in the South Central Region.

PLANNING AND ZONING DEPARTMENT

P.O. BOX 610 SOUTHTON, CONNECTICUT 06489

Phone: (860)276-6248 / Fax: (860)628-3511

Via email

July 18, 2012

RPC Referral
South Central Regional COG
127 Washington St., 4th Fl
North Haven, CT 06473



RE: Proposed Zoning Regulation Amendment – Sections 9-01, 12-10.1, 12-10.2, 12-10.3
and 14-02.1 (ZA #566)

Dear Sir or Madam:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of a proposed zoning text revision intended to clarify what requires a site plan and what can be approved or accomplished with the zoning permit process.

The Planning and Zoning Commission anticipates opening the public hearing on this item on September 4, 2012. The complete file is available for review in the Planning Department, the Town Clerk's office and on the web page. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6248.

Respectfully,


Mary F. Savage Dunham, AICP
Town Planner

enclosures

I:\Planning and Zoning\REFERRALS\ZA #566\referral letter.doc

RPC Referral Submission Form

South Central CT Regional Planning Commission

Please mail to:

Re: RPC Referral
South Central Regional COG
127 Washington Avenue, 4th Floor West
North Haven, CT 06473

1.) General Information:

Date Sent: 7/18/12

Subject: 2A# 566

Applicant Name: Town of Southington

Property Address (if applicable): _____

Town/City: Southington

Referral is from a private individual

Referral is from the Town/City Planning Department or the P & Z Commission

Public Hearing Date: 9/4/12

2.) Statutory Responsibility:

Application involves a subdivision of land within 500 feet of a town/city border

Application involves a proposed change to a town/city zoning regulation

If neither, applicant requests a voluntary RPC review for informational purposes

Material is for informational purposes only; an RPC resolution is not necessary

Other: _____

3.) Process:

Material sent "Return Receipt Requested" (as required by law) / Pdf to RPO's

Information on proposed change included

Existing language included (if applicable)

4.) Preferred contact regarding this RPC referral:

Name: Mary Savage Dunham

Telephone Number: 860-276-6248

E-mail Address: Savage m@southington.org

Comments: _____

Questions: (203) 234-7555

South Central Regional Council of Governments | <http://www.scrkog.org>

PROPOSED NEW TEXT = BOLD ITALICS
PROPOSED DELETIONS = [ITALICS]

9-01 AUTHORIZATION AND APPROVAL OF PLANS

No building permits shall be issued in any zone for any use other than for single-family dwellings in an approved subdivision or an approved building lot, unless site development plans, prepared in accordance with Section 9-03 herein, have been approved by the Planning and Zoning Commission[.] *or by following the zoning permit process.*

For any property where there is an existing building, and/or site plan has already been approved by the Commission and the proposed use requires any exterior structural alterations or additional parking per Section Twelve, a site plan shall be submitted to the Planning and Zoning Commission for review and approval[.], *with the following exceptions: Additions less than 100 sq. ft. in size for space that is not for public occupancy on sites that have existing site plans require the zoning permit process; and, zoning permits shall be used for changes in use on an existing site where no shovel in ground work is taking place and no additional parking is required.*

However, the Commission, in its sole discretion, may waive some of the requirements of Section 9-03 herein based upon the proposed use and/or addition in relation to existing conditions of the subject premises and neighboring properties. The Commission may not waive the requirements of sidewalks in any zone, except in accordance with the criteria set forth in Section 9-03.9.C.

PROPOSED NEW TEXT = BOLD ITALICS
PROPOSED DELETIONS = [ITALICS]

12-10 **MUNICIPAL PARKING FACILITIES**

12-10.1 Subject to the provisions of Section 9 *and 14*, the Commission *or Town Planner* may waive the minimum off-street parking requirements for any use hereafter constructed, reconstructed, or enlarged if said use is located in a Central Business Zone and can be reasonably served by an existing off-street municipal parking facility.

12-10.2 The Commission *or Town Planner* shall refer said application *for parking waivers* to the Parking Authority who shall review and report *back* to the Commission *or Town Planner* within 30 days as to the adequacy of the existing off-street municipal parking facility for handling the contemplated additional users at the time of application.

12-10.3 Subject to a favorable review from the Parking Authority, the minimum required off-street parking spaces for the use in question may be reduced *[by the Commission]* in accordance with the following schedule:

Walking Distance	Reduction Factor
0-100 feet	100%
101-200 feet	75%
201-300 feet	50%
301-400 feet	25%
Over 400 feet	0%

The walking distance shall be measured in straight lines along public rights-of-way or established pedestrian access ways extending between the nearest entrance of the proposed building and the nearest vehicular or pedestrian entrance to the existing off-street municipal parking facility.

PROPOSED NEW TEXT = BOLD ITALICS
PROPOSED DELETIONS = [ITALICS]

14-02.1 Zoning Permits

No land shall be used and no building or other structure shall be constructed, reconstructed, extended, enlarged, substantially altered or used, in whole or in part, for any purpose until a zoning permit for the proposed work or use has been issued by the Zoning Enforcement Officer. A zoning permit is not required for repairs or alterations to existing buildings or structures, providing that such work does not increase the floor area of any building or structure, increase the number of dwelling units on the property, and does not change the actual use thereof. A zoning permit shall not be required for accessory buildings in residential zones which are less than 150 square feet in area, providing they are not placed on a permanent foundation.

Zoning permits are to be used for change in use where no shovel in the ground work is taking place and no additional parking is required.

The zoning permit process can be used to trigger the request for parking waivers from parking authority for sites in the CB zone with existing site plans.

Zoning permits shall be the process for additions to existing site plans which are not for public occupancy and no larger than 100 square feet.

- A. No zoning permit shall be issued by the Zoning Enforcement Officer for a structure or use which requires site plan approval, granting of a special permit or special exception, or other action by the Planning and Zoning Commission, Zoning Board of Appeals, or Inland Wetlands Agency without first receiving approval of the agency or agencies involved.