

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

**RPC
Representatives**

Bethany:
Mary Shurtleff
(Secretary)

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:
Douglas Combs

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, June 13, 2013 RPC Meeting, 5:15pm @ SCRCOG
Offices: 127 Washington Avenue, North Haven, CT 06473

1. Administration

1.1. Minutes of the May 9, 2013 RPC Meeting **1**

2. Statutory Referrals – June Action Items

2.1. City of Derby: Proposed Zoning Map Amendment to rezone a parcel on New Haven Avenue from R-3 to B-1. Submitted by: Private Applicant. Received: May 28, 2013. Public Hearing: TBD **3**

2.2. Town of North Haven: Proposed Zoning Regulation Amendment to add Section 5.2.1.61 – Recycling Center-Transfer Station. Submitted by: Private Applicant. Received: June 3, 2013. Public Hearing: July 1, 2013. **8**

2.3. Town of Southington: Proposed Zoning Regulation Amendment to add Section 3-08.22 to Housing Opportunity District Regulations. Submitted by: Private Applicant. Received: May 13, 2013. Public Hearing: June 18, 2013. **13**

3. Other Business

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, May 9, 2013 Meeting

Present: Christopher Traugh, Mary Shurtleff, Peggy Rubens-Duhl, Christopher Suggs, Doug Combs, James Giulietti, David White, Richard Szczypek, Eugene Livshits

1 Administration

1.1 Minutes of the April 11, 2013 RPC meeting.

Motion to accept the minutes as presented: Christopher Suggs. Second: Mary Shurtleff. Vote: Unanimous.
Abstentions: Richard Szczypek, James Giulietti, Peggy Rubens-Duhl

2 Statutory Referrals

2.1 Town of Hamden: Proposed Zoning Regulation Amendments to Flood Plain Zones and Special Flood Hazard Areas

By resolution, the RPC has determined that 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.

Motion: Peggy Rubens-Duhl. Second: Christopher Suggs. Vote: Majority.

2.2 Town of Southington: Proposed Zoning Regulation Amendments to Section 2-01.A.5 and Section 2-18R (Definitions)

By resolution, the RPC has determined that 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.

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

Motion to add the referrals from Hamden, New Haven and Clinton to the May Regional Planning Commission Agenda: Peggy Rubens-Duhl. Second: James Giulietti. Vote: Unanimous.

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

2.3 Town of Hamden: Proposed Zoning Regulation Amendments to Section 718.2.i – Review by Independent Consultants

By resolution, the RPC has determined that 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.

Motion: Peggy Rubens-Duhl. Second: Christopher Suggs. Vote: Unanimous.

2.4 City of New Haven: Proposed Zoning Regulation Amendments to Section 56 – Flood Damage Prevention District

By resolution, the RPC has determined that 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.

Motion: Christopher Traugh. Second: Richard Szczypek. Vote: Unanimous.

2.5 Town of Clinton: Proposed Zoning Regulation Amendments to Sections 28.8 and 28.8.5 – Temporary Signs and Sections 10.33.4 (5) and 10.33.4 (6)

By resolution, the RPC has determined that 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.

Motion: Mary Shurtleff. Second: Christopher Suggs. Vote: Unanimous.

Motion to Adjourn: Douglas Combs. Second: Mary Shurtleff. Vote: Unanimous.

Referral 2.1: City of Derby

Subject:

Proposed Zoning Map Amendment to rezone a parcel on New Haven Avenue from R-3 to B-1

Staff Recommendation:

The Proposed Zoning Map Amendments does 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 in the City of Derby has proposed a Zoning Map Amendment to rezone a parcel from the R-3 Zone to the B-1 Zone. The impacted parcel is 480 New Haven Avenue, which is within 500 feet of the Town of Orange. The map amendment will revise the zone line of the parcel. The description states that the amendment is to better accommodate the proposed use. The revised rear parcel will be returned to its natural state and the detention pond will be retained. The property to the east of the impacted parcel is zoned commercial.

Communication: In researching this proposal, I notified the adjacent municipalities in the South Central Region.

Engineering, Planning
Landscape Architecture
and Environmental Science



MILONE & MACBROOM®

May 28, 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

South Central Regional Council of Governments
127 Washington Avenue, 4th Floor West
North Haven, CT 06473-1715

Attention: Eugene Livshits, Regional Land Use Planner

**RE: Proposed Zone Map Change
MMI #1563-18-26**

Dear Mr. Livshits:

The City of Derby Planning & Zoning Commission has received an Application for Change of Zone to a portion of one parcel located on New Haven Avenue from the R-3 zone to the B-1 zone as shown on Derby's Zoning Map. In accordance with Connecticut state statute, the commission is required to give written notice of these changes to the regional planning agencies since the proposed changes affect zones that are within 500 feet of the boundary of an adjoining municipality. Therefore, on behalf of the City of Derby, enclosed herewith is the application for the proposed Change of Zone for your review and comment. Please review and do not hesitate to contact our office with any questions or concerns.

Very truly yours,

MILONE & MACBROOM, INC.

Ryan McEvoy, P.E.
Project Manager

Enclosures

cc: Mayor Anthony Staffieri – City of Derby
Theodore J. Estwan Jr., Chairman – Derby Planning & Zoning Commission
David Kopjanski – Derby Building Official
Joseph Coppola, Esq. – Derby Corporation Counsel

1563-18-26-m2813-1-ltr.doc

Milone & MacBroom, Inc., 99 Realty Drive, Cheshire, Connecticut 06410 (203) 271-1773 Fax (203) 272-9733
www.miloneandmacbroom.com

Connecticut • Maine • Massachusetts • South Carolina • Vermont



App'l Fee \$500
Review Fee \$250
total 750 ch: 2214

PLANNING & ZONING COMMISSION
1 ELIZABETH ST. , DERBY , CT 06418

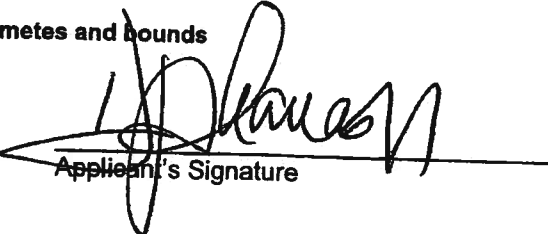
APPLICATION FOR CHANGE OF ZONE OR ZONE TEXT CHANGE

The undersigned applicant hereby requests the Zoning Commission of the City of Derby to change the property hereinafter described in accordance with the state and local zoning laws applicable thereto.

DATE SUBMITTED: May 21, 2013

FEE:

1. APPLICANT: TOWN FAIR TIRE CENTERS OF CONNECTICUT LLC
2. ADDRESS: c/o Atty. Dominick Thomas, 315 Main Street, Derby, CT 06418
3. TELEPHONE #: 203-735-9521 / djt@cohen-thomas.com
4. INTEREST: () Owners () Agent (x) Contract Purchasers
5. Other persons, firms or corporations represented by applicant:
Philip Marcucio (current owner of the property)
6. ADDRESS: 480 New Haven Road / 211 Sentinel Hill Road, Derby, CT 06418
7. TELEPHONE #: Same
8. INTEREST: (x) Owners () Agent
9. LOCATION OF PROPOSED CHANGE: Property immediately to the rear of 480 New Haven Avenue
Portion of Assessor's Map 4-3, Lot 37A
10. LEGAL DESCRIPTION OF PROPERTY: ~~XXXXXX ADDITION~~
11. AREA OF SUBJECT PROPERTY - SQ. FEET OR ACRES:
12. PRESENT ZONE: R-3
13. PROPOSED ZONE: B-1
14. Describe briefly the nature and expected effect of the change. Be sure to include an explanation legal basis for the proposal: either (a) the error in the map as approved by city council, or (b) the changed or changing conditions making the proposed change necessary.
SEE ATTACHED
15. Use and development proposed for the property to be re-zoned, including time schedule for such development.
SEE ATTACHED
16. Exhibits submitted, number & kind:
10 copies of the 500' MAP
10 copies of a map of the zone change are with metes and bounds


Applicant's Signature

ZONE MAP CHANGE CONTINUATION SHEET:

- 14 and 15. The proposed change from R-3 to B-1 will move the existing zone line to the rear of the revised parcel to be know as 480 New Haven Avenue. The zone change will permit the parcel know as 480 New Haven Avenue to be reconfigured so as to better accommodate the proposed use, permit the bays to be placed facing other commercial uses address issues related to the proximity to Two Mile Brook. The revised rear parcel will be returned to its natural state and the detention pond will be maintained. No activity related to the Town Fair Tire Center retail and servicing business will be on the revised rear parcel. The property to the east is zoned commercial and has a home improvement big box retail, a retail store and take-out food establishments.

Referral 2.2: Town of North Haven

Subject:

Proposed Zoning Regulation Amendment to add Section 5.2.1.61 – Recycling Center-Transfer Station

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 in the Town of North Haven has proposed to add Section 5.2.1.61 – Recycling Center-Transfer Station to the General Industrial Districts. A recycling center-transfer station owned by the Town of North Haven, which is currently permitted in the Light Industrial District, would now be permitted in the General Industrial District. The proposed amendment would also allow by Special Permit (approved by Planning and Zoning Commission) a recycling center-transfer station after a public hearing. Considerations need to be given on the effects of the proposed use, including noise, odors, dust, public health, safety and welfare and on land values and uses in the vicinity.

The standards associated with the proposed use can be reviewed in the Agenda Packet.

Communication: In researching this proposal, I notified the adjacent municipalities in the South Central Region.



TOWN OF NORTH HAVEN

MEMORIAL TOWN HALL / 18 CHURCH STREET

NORTH HAVEN, CONNECTICUT 06473



REPLY TO: PLANNING & ZONING COMMISSION

Tel. (203) 239-5321
Fax (203) 234-2130

May 31, 2013

Mr. Eugene Livshits,
Regional Land Use Planner
South Central Regional Council of Governments
127 Washington Avenue - 4th Floor West
North Haven, CT 06473



Re: Proposed Amendment to the North Haven Zoning Regulations
Add Section 5.2.1.61 – Recycling Center – Transfer Station

Dear Mr. Livshits:

In accordance with Connecticut General State Statutes, enclosed please find a copy of the above referenced proposed amendment to the North Haven Zoning Regulations.

A Public Hearing for this application is scheduled for 1 July 2013.

Very truly yours,

Alan A. Fredricksen
Land Use Administrator
AAF/ai

cc: First Selectman
V. Carlson, Chairman, Planning & Zoning Commission

Enclosures

July 1, 2013

Date of Receipt
Fee and date paid
pd 150
pd 60

File Number
Approval date

TOWN OF NORTH HAVEN
PLANNING AND ZONING COMMISSION
APPLICATION FORM
(Only one item per form)

(ADDRESS OF BUILDING OR BLOCK MAP, BLOCK & LOT NUMBER) ZONE TOTAL SQUARE FOOTAGE

THIS APPLICATION IS FOR AND **MUST** INCLUDE THE FOLLOWING:

- Site plan approval (Submit 14* copies of the site plan) ► 1 original and 14 copies of the application
- Certified A-2 Survey
- 2 copies of Bond Estimate Form * 14 PLANS @ 24" x 36"
- Cite the regulation that permits proposed use

TITLE OF PLAN: _____

Date and most current revision date of plan: _____

- CAM site plan review (Submit 14* copies)
- Amend zoning regulations 5.2.1.61 Section to be amended (Submit 8 copies of proposed amendment)
- Proposed zone change (Submit 14* copies of location map)
- Special Permit Cite regulation that authorized the special permit
- Fill permit (Submit 14* copies)
- Excavation permit (Submit 14* copies)
- Permit to grade or regrade the property (Submit 14* copies of a certified plan showing existing grades and proposed grades)

ANSWER ALL QUESTIONS THAT ARE APPLICABLE OR WRITE N/A:

- Does the property for which this application is submitted:
- N/A Lie within 500' of an adjoining municipality or will traffic or water drainage impact an adjoining municipality
- N/A Lie within the Coastal Area Management boundary
- N/A Contain any wetlands and/or watercourses
- N/A Lie within the Aquifer Protection Zone
- N/A Lie within the Channel Encroachment Zone
- N/A Lie within the floodplain or floodway
- N/A Lie within 50' of the Quinnipiac River or Muddy River

RECEIVED

MAY 31 2013

TOWN of NORTH HAVEN
LAND USE AND DEVELOPMENT

ENGINEER'S NAME
Bernard Pellegrino, Esq.

Print Applicant's Name
475 Whitney Avenue, New Haven, CT 06511

Applicant's Address
(203) 787-2225 (203) 777-2096

Applicant's Phone Number Fax Number

[Signature]
Applicant's Signature

ENGINEER'S PHONE NUMBER FAX NUMBER

Print Owner's Name

Owner's Address

Owner's Phone Number

Owner's Signature

5.2.1.61* Recycling Centers – Transfer Stations

5.2.1.61.1 A Recycling Center – Transfer Station owned or operated by the Town of North Haven is a specifically permitted use, and all other provisions of the North Haven Zoning Regulations shall not be deemed to regulate, restrict, nor apply after site plan approval to this use except:

- (a) Any proposed new Recycling Center – Transfer Station within the Coastal Boundary shall also be required to comply with Section 10.2 of these Regulations (Coastal Site Plan Review).**
- (b) The owner of the Recycling Center – Transfer Station shall obtain all necessary local, state, and federal permits. All plans and reports submitted to the Department of Energy and Environmental Protection shall be provided to the Planning and Zoning Commission and where applicable, the Town’s Inland Wetland Commission or any other Town board, commission, agency, or department with jurisdiction over such a use.**

5.2.1.61.2 A Recycling Center – Transfer Station that is privately owned and operated, when specifically approved by the Planning and Zoning Commission by Special Permit, after a public hearing, giving due consideration to the effects of the proposed use, including any noise, odors, or dust that may be emitted from such use, on public health, safety, and welfare and on land values and present and future buildings and uses in the vicinity. Approval of such a facility shall be subject to the following additional requirements:

- (a) The minimum lot area shall be no less than 15 acres;**
- (b) Recycling activities, defined as the delivery or receipt, loading and unloading, processing, storage, treatment, transfer to another on site location, disposal, destruction, or incineration of recyclables and the manufacture or production of goods or energy from recyclables, are prohibited within seventy-five (75) feet of the front lot line and within twenty-five (25) feet of any side or rear lot lines and said areas shall be kept free of debris, litter, equipment, machinery, and motor vehicles;**
- (c) Recycling activities as defined in 5.2.61.2(b), including the loading and unloading of motor vehicles, shall occur indoors or under a structured cover;**
- (d) Outdoor composting and mulch production out of wood products shall be permitted subject to the aforementioned Special Permit considerations;**
- (e) Any outdoor storage areas shall be adequately screened;**

- (f) Any proposed new Recycling Center – Transfer Station within the Coastal Boundary shall also be required to comply with Section 10.2 of these Regulations (Coastal Site Plan Review);
- (g) The owner(s) of the Recycling Center – Transfer Station shall obtain all necessary local, state, and federal permits. All plans and reports submitted to the Department of Energy and Environmental Protection shall be provided to the Planning and Zoning Commission and where applicable, the Town’s Inland Wetland Commission or any other Town board, commission, agency, or department with jurisdiction over such a use. The Planning and Zoning Commission may also refer any application for a Recycling Center – Transfer Station to any department or agency the Commission deems appropriate and may request that any department or agency submit a report to the Commission on matters that are of concern to said department or agency;
- (h) The Recycling Center – Transfer Station shall submit, on an annual basis, a list of streams of recycling to the Director of Public Works for the Town of North Haven or his/her designee. All proposed streams must be permitted by the State of Connecticut DEEP under its “General Permit” standards. In the event the Recycling Center –Transfer Station seeks to amend its permit to seek other recycling streams, said request shall be specifically approved by the Commission, which shall seek the recommendation of the Director of Public Works of the Town of North Haven on such a request;
- (i) Any approved Recycling Center – Transfer Station shall be subject to inspection by the Town of North Haven. Said inspection may include the right to review the applicable records of the facility pertaining to the composition, quantity and point of origin of the materials to be recycled; and
- (j) Any further conditions of approval deemed necessary by the Planning and Zoning Commission to ensure that the proposed use will not be detrimental to the general public and the use and development of neighboring properties.

*Renumber current Sections 5.2.1.61 (Accessory Uses) and 5.2.1.62 (Sign Regulations) to 5.2.1.62 and 5.2.1.63, respectively.

Referral 2.3: Town of Southington

Subject:

Proposed Zoning Regulation Amendment to add Section 3-08.22 to Housing Opportunity District Regulations.

Staff Recommendation:

Background:

A private applicant in the Town of Southington has proposed to add Section 3-08.22 to the Housing Opportunity District (HOD) regulations. The new section contains five subsections. First, an HOD may be located on a parcel of 10 acres or more as long as it is within 1,500 feet of Interstate 84 and serves as a transition zone between residential and non-residential zones. The existing regulations require an HOD to consist of at least 30 acres. Second, buildings may contain more than 6 dwelling units if the buildings are designed to include a handicapped accessible meeting room that can be accessed via internal halls or walkways. Currently, no building can contain more than 6 dwelling units. Third, density shall not exceed 10 units per acre (compared to no more than 8 units per acre). Fourth, at least 1.25 parking spaces shall be provided per dwelling unit. The existing regulations require 2.5 off-street parking spaces for each dwelling unit. Parking spaces in front of garages are counted toward this requirement. Finally, a community center shall not require additional parking spaces if it located within the residential building it serves. The existing regulations require one parking space for every 200 square feet.

There is no introduction to Section 3-08.22, so it is unclear if subsections B through E apply only to HODs that meet the requirements of subsection A or to any HOD.

Communication: In researching this proposal, I notified the adjacent municipalities in the South Central Region.

PLANNING AND ZONING DEPARTMENT

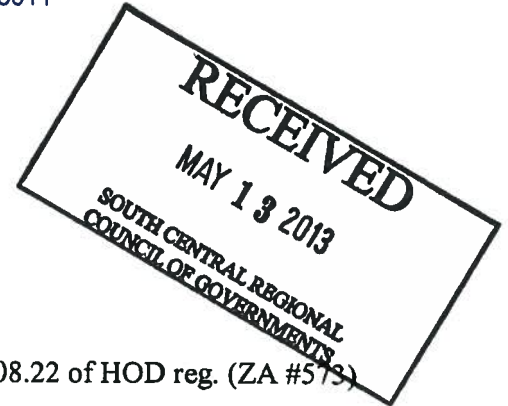
MUNICIPAL CENTER – 196 NORTH MAIN STREET
SOUTHINGTON, CONNECTICUT 06489

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

via email

May 13, 2013

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



RE: Proposed Zoning Regulation Amendment – New Section 3-08.22 of HOD reg. (ZA #573)

Dear Sir or Madam:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of a proposed zoning text revision submitted by Lancaster Land, LLP proposing to add a new section (3-08.22) to the HOD regulations of the Zoning Regulations.

The Planning and Zoning Commission anticipates opening the public hearing on this item on June 18, 2013. 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,

A handwritten signature in blue ink, appearing to read "David Lavallee".

David Lavallee
Acting Town Planner

enclosures

I:\Planning and Zoning\regs folder\revisions\ZA #573\referral letter.doc

Please mail to:

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

RPC Referral Submission Form

South Central CT Regional Planning Commission

1.) General Information:

Date Sent: 5/13/13

Subject: ZA 573 - new section 3-08.22 to HOD regulations

Applicant Name: Lancaster Land, LP

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: 6/18/13

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)

Information on proposed change included

Existing language included (if applicable)

4.) Preferred contact regarding this RPC referral:

Name: Acting Town Planner Dave Lavallee

Telephone Number: 860-276-6248

E-mail Address: LavalleeD@southington.org

Comments: _____

PROPOSED AMENDMENT TO HOUSING OPPORTUNITY DISTRICT ("HOD")
REGULATION: ADDITION OF STANDARDS FOR HOD DEVELOPMENT
RESTRICTED TO OCCUPANTS 62 AND OLDER; **NEW SECTION 3.08-22**

DRAFT: MAY 2013

3-08 HOUSING OPPORTUNITY DISTRICT ("HOD")¹

3-08.1 General

The Housing Opportunity District (HOD) is a class of district that may be established by the Commission and delineated on the Zoning Map upon petition by the owner of property or by any person duly authorized by said owner and after due notice and public hearing as required by law for amendment of these Regulations.

3-08.2 Purpose – The HOD is made part of the Comprehensive Plan of Zoning for the following purposes:

- A. To encourage the construction of housing that is both affordable as defined by State Statutes and is consistent with design and construction standards present in the community.
- B. To assist the Town of Southington in complying with the State Zoning Enabling Act, Connecticut General Statutes § 8-2, as amended by Public Act 91-392, by adopting zoning regulations that promote housing choice and economic diversity, including housing for low and moderate income households.

¹ New, ZA #538, effective 9/22/07

- A. In lieu of § 3-08.4, the HOD may be located on a parcel of 10 or more acres, provided such parcel is within 1,500 feet of Interstate 84 and serves as a transition between residential and non-residential zones.**

- B. In lieu of § 3-08.5.A.2, buildings may contain more than six (6) dwelling units if the buildings are designed to include a handicapped-accessible recreational meeting room that residents can access using internal halls or walkways.**

- C. In lieu of § 3-08.6, density shall not exceed ten (10) units per acre.**

- D. In lieu of § 3-08.9, at least 1.25 parking spaces shall be provided per HOD dwelling unit.**

- E. In lieu of § 3-08.12, a community center shall not require additional parking if located within the residential buildings that it serves.**