SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Thursday, November 13, 2014 RPC Meeting at 5:15pm in the SCRCOG Offices: 127 Washington Avenue, North Haven, CT 06473

AGENDA

1. Administration
   1.1. Minutes of the October 9, 2014 RPC Meeting

2. Action Items
   2.6. Town of Branford: Proposed Zoning Regulation Amendment pertaining to Section 5.4E, Maximum Building Height. Submitted by: Private Applicant. Received: October 30, 2014. Public Hearing: TBD.

3. Other Business
   3.1. 2015 Meeting Schedule
   3.2. Nominating Committee, Annual Dinner

The agenda and attachments for this meeting are available on our website at www.scr cog.org. Please contact SCRCOG for copy of agenda in a language other than English. Auxiliary aids/services and limited English proficiency translators will be provided with two week’s notice.

"Necesidades especiales: Audio de circuito cerrado para personas con deficiencia auditiva y/o intérprete de lenguaje de signos y traductor para personas con dominio limitado del inglés; son proporcionados por aviso a dos semanas de anticipación. Agenda puede solicitarse en un idioma distinto al inglés contactando a SCRCOG.”
MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, October 9, 2014 Meeting

Present: Kevin DiAdamo (arrived at conclusion of Referral 2.5), Christopher Traugh, Christopher Suggs, Michael Calhoun, James Giulietti, Charles Andres, David White (arrived during review of Referral 2.2), Benjamin Gettinger, Eugene Livshits

James Giulietti chaired the October 9, 2014 Regional Planning Commission Meeting. Kevin DiAdamo (RPC Chairman) arrived during the conclusion of Referral 2.5. Prior to the adjournment of the meeting, Kevin DiAdamo had the opportunity to review and discuss the resolutions passed during the meeting.

1 Administration

1.1 Minutes of the September 11, 2014 RPC meeting.

Motion to accept the minutes as presented: Michael Calhoun. Second: Christopher Traugh. Vote: Unanimous.

2 Statutory Referrals

2.1 Town of Clinton: Proposed Zoning Regulation Amendments pertaining to Section 10.52 – Commercial Oil, Propane, Gasoline Storage Tanks

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: Christopher Suggs. Vote: Unanimous.

2.2 Town of Clinton: Proposed Zoning Regulation Amendments pertaining to Section 24.2.61 – Manufacturing, Processing or Assembling of Goods

There was concern expressed specifically pertaining to permitting via Special Exception in the B-4 Zone manufacturing, processing or assembling of goods occupying more than 15,000 sq. ft. of floor area. The concern was specific to the B-4 Zone adjacent to the Town of Madison.

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendments to Section 24.2.61(a) 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.

There may be potential inter-municipal impacts from the proposed amendment to Section 24.2.61(b) – “Occupying more than 15,000 sq. ft. of floor area” due to the scale of potential development.

Motion to accept as amended: Christopher Traugh. Second: Benjamin Gettinger. Vote: Unanimous.
2.3 **Town of Clinton: Proposed Zoning Regulation Amendments pertaining to Vendors**

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.


2.4 **Town of Clinton: Proposed Zoning Regulation Amendments pertaining to Massage Establishments**

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.


2.5 **Town of Prospect: Proposed Zoning Regulation Amendments pertaining to Medical Marijuana Dispensary and Production Facilities**

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: Christopher Suggs. Vote: Unanimous.

3 **Other Business**

Motion to Adjourn: Christopher Suggs. Second: Michael Calhoun. Vote: Unanimous.
Referral 2.1: Town of Hamden

Subject:
Proposed Zoning Regulation Amendments pertaining to an Institutional Master Plan for Colleges and Universities

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:
The Town of Hamden has proposed a Zoning Regulation Amendment to add subsection 668.2.h – Institutional Master Plan. The regulation will require colleges and universities to have a five year Institutional Master Plan (IMP) approved by the Commission to be permitted in the Zones specified in Table 6.1 of the Hamden Zoning Regulations (R1, R2, R3, R4, R5, T3, T3.5, T4, T5 and NC). In order to get the approved IMP the college or university is required to obtain a Special Permit Approval. The IMP will need to include objectives, mapping and description of the land, buildings, other structures/facilities owned or occupied by the institution, footprints, gross floor areas, heights, utilities, walks, open space, parking areas and number of parking spaces. The IMP will also include the current and projected needs of the institution, detailed student housing plan, and proposed future projects. There would be a Transportation and Parking Management Plan, which would describe the parking provided and groups eligible to use the parking, policies for on-campus parking, transportation services provided and a traffic study for any proposed project. The additional requirements within the IMP and the approval process can be reviewed in the Agenda Packet.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
September 8, 2014

Carl Amento, Executive Director  
South Central Regional Council of Governments  
127 Washington Ave. 4th Floor West  
North Haven, CT 06473-1715

Dear Mr. Amento;

Enclosed is the Proposed Zoning Regulation Amendment 14-943, Proposed Amendment of the Zoning Regulations-Requirement of Institutional Master Plan for Colleges and Universities. The Public Hearing date for this application is November 18, 2014.

Please address any comments to the Hamden Planning Office, Attention Town Planner.

Sincerely yours,

Stacy Shellard  
Administrative Assistant to Boards & Commissions

Enclosures
TOWN OF HAMDEN
APPLICATION TO AMEND THE ZONING REGULATIONS

Pursuant to Sections 702 – 702.12 of the Hamden Zoning Regulations

APPLICANT  Hamden Planning & Zoning Commission  TELEPHONE 203-287-7070
(Name)

ADDRESS  Planning and Zoning Dept., Hamden Gov’t. Center, 2750 Dixwell Ave, Hamden CT 06518
(Street No and Name)  (Town and State)  (Zip Code)

EMAIL ADDRESS OF CONTACT PERSON:  DKOPS@HAMDEN.COM

REGULATION TO BE:  □ AMENDED  □ ADDED or □ DELETED:
Article Number  VI  Section  668.h  Group Use
REQUIREMENT OF INSTITUTIONAL MASTER PLANS FOR COLLEGES AND UNIVERSITIES
CURRENT LANGUAGE  NONE-NEW SECTION

PROPOSED LANGUAGE  SEE ATTACHMENT 1

REASON FOR PETITION FOR CHANGE  SEE ATTACHMENT 2

Have there been any previous petitions for same or similar amendments?  □ YES  □ NO
If YES, list name of applicant

Application to Amend the Zoning Regulations, Revised 07/17/12
ATTACHMENT 1
Proposed Amendment To The Zoning Regulations
To Require Colleges And Universities To Obtain Special Permit Approval Of
Five-Year Institutional Master Plans

Add subsection 668.2.h. Institutional Master Plan

Any college or university shall be permitted in the zones and in the manner specified in Table 6.1, provided that a five-year Institutional Master Plan (IMP) approved by the Commission is in effect. The IMP is subject to the following provisions:

1. It requires Special Permit approval.
2. The IMP shall include such items as:
   A) A Statement of Institutional Aims and Objectives and an explanation of how the IMP advances the aims and objectives of the educational institution.
   B) Map(s) and descriptions of land, buildings and other structures or facilities owned or occupied by the Institution, including footprints, gross floor areas, heights, utilities, walks, open space, parking areas and number of parking spaces.
   C) Current and projected Institutional needs for academic programs, research activities, offices and housing, explaining how they are related to the Institutional Aims and Objectives. In its discussion of housing needs the IMP shall include a detailed Student Housing Plan containing:
      i. The number of full-time and part-time undergraduate (broken down by year) and graduate students attending the institution as of September 15th and projected to attend each year covered by the IMP.
      ii. The number of full-time and part-time undergraduate and graduate students living as of September 15th in housing facilities owned or operated by the Institution, broken down by year (freshman, sophomore, junior, senior and graduate) type of housing (dormitory-apartment- other type of arrangement) and location.
      iii. The number of full-time and part-time undergraduate (broken down by year) and graduate students living as of September 15th off-campus in non-university-owned housing.
      iv. The number and percentage of beds that are currently unoccupied, broken down by location and year of student the beds are designated for.
      v. Any housing requirements or restrictions the Institution places on its students, such as eligibility for on-campus housing and requirements to live on-campus.
      vi. The process by which the Institution directs its students to housing facilities.
      vii. Short and longer-term plans for housing its students on and off-campus, broken down by year (freshman, sophomore, junior, senior and graduate) and type of housing (dormitory-apartment- other type of arrangement).
      viii. Impacts of the Institution's housing demand on housing supply and rental market rates in the neighborhoods adjacent to the campus and where its students are concentrated.
      ix. A plan for mitigating the impacts of student housing demand on surrounding neighborhoods.
      x. A plan to address off-campus student behavioral issues that are incompatible with the surrounding neighborhoods.
      xi. Any other information deemed necessary by the Commission for its evaluation of the proposed development program.

D) Description of proposed future projects, including:
i. Site locations and approximate building/facility footprints.
ii. Uses of each land area, building or structure (classroom, laboratory, office, and parking).
iii. Gross floor area to be added.
iv. Gross floor area to be eliminated through demolition.
v. Parking to be added, moved or removed.
vi. Any other information deemed necessary by the Commission for its evaluation of the proposed development program.

E) Transportation and Parking Management Mitigation Plan describing:
   i. Parking to be provided during the years covered by the plan, broken down by groups eligible to use each lot or facility.
   ii. Policies regarding on-campus parking.
   iii. Transportation services provided by the Institution.
   iv. A traffic study indicating the likely traffic impacts of the proposed projects.
   v. Transportation objectives and mitigation measures intended to address these impacts.

F) A statement of guidelines and objectives for a pedestrian circulation system, including access to active and passive open space.

G) A statement of guidelines and objectives for new and renovated buildings to assure their compatibility with surrounding neighborhoods, minimize potential adverse impacts on historic structures and protect ridge lines and steep slopes.

H) Other information required as part of Special Permit applications. The Commission may waive any of these items if it feels they are not necessary for the proper evaluation of the application.

3. The Commission may attach reasonable conditions of approval.
4. The IMP may be amended at any time through a Major Amendment to the approved IMP.
5. The IMP approval shall expire five years from the date of its original approval by the Commission. Prior to that date a new five-year IMP must be submitted for approval by the Commission.
6. Institutions with an approved IMP are required to provide to the Commission an annual report detailing compliance with their plans by each anniversary of the approval.
7. Institutions with an approved IMP are required to provide student enrollment and housing data current as of September 15th to the Commission by October 1st of each year, including:
   i. The number of full-time and part-time undergraduate (broken down by year) and graduate students registered at the institution.
   ii. The number of full-time and part-time undergraduate and graduate students currently living in housing facilities owned or operated by the Institution, broken down by year (freshman, sophomore, junior, senior and graduate) type of housing (dormitory-apartment- other type of arrangement) and location.
   iii. The number of full-time and part-time undergraduate (broken down by year) and graduate students currently living off-campus in non-university-owned housing.
   iv. The number and percentage of beds in housing facilities owned or operated by the Institution, that are currently unoccupied, broken down by location and year of the students the beds are designated for.
8. Once a five-year plan has been approved, applications for specific building(s), facilities, infrastructure and related items shall also require Special Permit approval or approval of an amendment to an existing Special Permit, as appropriate. No application for specific building(s), facilities, infrastructure and related items shall be approved unless the Commission finds it consistent with the IMP in effect at the time of submission.
ATTACHMENT 2

Reason for Petition

Over the past 25 years the Town of Hamden has witnessed an explosion in the size of the student population as well as the major physical expansion of Quinnipiac University. The growth of the student body has far outstripped the university’s ability to house its students. And given the lack of an off campus “college-town” area students have been forced to seek housing in Hamden’s residential neighborhoods, which has created noise, property maintenance and parking and problems for many residents. At the same time physical expansion has affected the view of the West Rock Ridge line.

The intent of the amendment is to assure that future growth is addresses the imbalance. It will provide the Commission with comprehensive information on expansion plans so that individual projects can be evaluated within the more appropriate, broader context.

The proposed language borrows from both the Boston and Washington, D.C. Zoning Regulations, with appropriate modifications. It would apply to any university or college that wishes to expand its existing facilities or operations in Hamden, as well as any that seeks approval to come to the Town.
1. Applicants are requested to submit any information that was included in the application to the municipality including: site plan, project narrative, sediment and erosion control plan and drainage calculations if applicable.

2. Project address ________________ Town ________________

3. Application for: □ Planning and Zoning □ Inland Wetlands □ Zoning Board of Appeals

4. Project Description: **No project proposed. Amendment to the Zoning Regulations #14-943 re Requiring Colleges and Universities to obtain approval of Institutional Master Plans, on behalf of the Hamden Planning and Zoning Commission**

5. Waste Water Disposal: □ Septic System □ Public Sewer □ None N/A

6. Water Supply: □ Private Well □ Public Water N/A

7. Heating Fuel: □ Oil □ Gas Other __________________________ N/A

Applications involving additions or modifications to single family residences or applications with no site disturbance and no storage or use of hazardous chemicals skip to item 18.

8. Total acreage of project site ________________________________

9. Total acreage of area to be disturbed including structures, additions, paving, and soil disturbance ________________________________

10. Percent of existing impervious surfaces including buildings, roads and pavement __________

11. Proposed increase in impervious surfaces ________________________________

12. Number of existing and proposed floor drains or sump pumps and their point of discharge e.g. sanitary sewer, holding tank, or ground ________________________________

13. Are there any wetlands or watercourses on the property? If so, describe ________________________________

RWA Watershed/Aquifer Project Notification Form
Page 3

*Regional Water Authority Notification Form Revised 05/17/11*
14. Brief description of **existing and proposed** stormwater management system, including roof drainage, paved areas etc., and discharge points e.g. municipal system, drywells, streams, vegetated areas, detention basins etc. Attach drainage plans and calculations if available

15. List of **existing and proposed** underground or above-ground storage tanks including age, capacity and contents

16. List of potentially harmful chemicals stored or used on property (**existing and proposed**) and typical onsite volumes, including but not limited to petroleum products, lubricants, solvents, detergents, and pesticides

17. Describe any wastes generated and their means of disposal

18. Contact Information:

   **Name:** Daniel W. Kops, Jr., Assistant Town Planner

   **Company:** Hamden Planning & Zoning Department

   **Address:** Planning and Zoning Dept., Hamden Gov't. Center,

   2750 Dixwell Ave, Hamden CT 06518

   **Phone:** 203-287-7070

   **Email:** dkops@hamden.com

   **Daniel W. Kops, Jr.**

   **Name of Person Completing Form**

   **Signature**

   **Date** 9/5/14

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*Regional Water Authority Notification Form Revised 05/17/11*
Watershed or Aquifer Area Project Notification Form

REQUIREMENT:

Within seven days of filing, all applicants before a municipal Zoning Commission, Planning and Zoning Commission, Zoning Board of Appeals or Inland Wetlands Commission for any project located within a public water supply aquifer or watershed area are required by Public Act No. 03-53 of the CT General Statutes to notify The Commissioner of Public Health and the project area Water Company of the proposed project by providing the following information.

To determine if your project falls within a public water supply aquifer or watershed area visit the appropriate town hall and look at their Public Drinking Water Source Protection Areas map. If your project falls completely within or contain any part of a public water supply aquifer or watershed you are required to complete the following information.

Note: You will need information obtained from the Public Drinking Water Source Protection Areas map located in the appropriate town hall to complete this form.

Step 1: Have you already notified the CT Department of Public Health (CTDPH) of this project?

☑ No, Go to Step 2

☐ Yes, I have notified DPH under a different project name - Complete steps 4-6

☐ Yes, same name different year - Notification Year Complete steps 4-6

Step 2:

1. Name of public water supply aquifer your project lies within: Wellfields

2. Name of the public water supply watershed your project lies within: Mill River

3. Public Water Supply identification number (PWSID) for the water utility: CT0930011

Step 3: For 1-5 Check all that apply

1. My project is proposing:

☐ Industrial use; ☐ Commercial use; ☐ Agricultural use; ☐ Residential use;

☐ Recreational use; ☐ Transportation improvements; ☐ Institutional (school, hospital, nursing home, etc.);

☐ Quarry/Mining; ☐ Zone Change, Please Describe:

☑ Other, Please describe: Amendment of Zoning Regulations to Require Institut

2. The total acreage of my project is:

☐ Less than or equal to 5 acres ☐ Greater than 5 acres

3. My project site contains, abuts or is within 50 feet of a:

☐ Wetland; ☐ Stream; ☐ River; ☐ Pond or Lake
4. Existing use of my project site is:

- ☐ Grassland/meadow; ☐ Forested; ☐ Agricultural; ☐ Transportation; ☐ Institutional (school, hospital, nursing home, etc.);
- ☐ Residential; ☐ Commercial; ☐ Industrial; ☐ Recreational; ☐ Quarry/Mining

☐ Other Please Describe: No project and no project site

5. My project will utilize:

- ☐ septic system; ☐ existing public sewer; ☐ new public sewer; ☐ agricultural waste facility;
- ☐ existing private well; ☐ new private well; ☐ existing public water supply;
- ☐ new public water supply, if new have you applied for a certificate of public convenience and necessity from DPH? ☐ Yes ☐ No

6. My project will contain this percentage of built up area (buildings, parking, road/driveway, pool):
- ☐ Less than or equal to 20% ☐ Greater than 20% to 50% ☐ Greater than 50%

Step: 4 Applicants Contact Information:

Name: Daniel W. Kops, Jr.

E-mail address: dkops@hamden.com

Telephone: 203-287-7070

Fax number: 203-287-7075

Step 5: Please provide the following if available:

Project name: No project

Project site address: N/A

Town: Hamden

Project site nearest intersection: N/A

Project site latitude and longitude: N/A

E-mail completed form to dph.swpmail@ct.gov
Referral 2.2: Town of North Haven

Subject:
Proposed Zoning Regulation Amendments to add Section 8.8.8 – Outdoor Advertising Signs

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:
The Town of North Haven has proposed to add Section 8.8.8 – Outdoor Advertising Signs to the North Haven Zoning Code. Outdoor Advertising Signs would be permitted by through a Site Plan Application. They would be prohibited in Residential Zones and permitted locations would be properties, which abut the I-91 Corridor. The proposed regulations have specific requirements pertaining to the size, location, height distance requirements and illumination. The “advertising signs shall not by reason of its size, location, content, coloring, or manner of illumination, constitute a detriment to traffic safety by obstructing the vision of drivers, or detracting from the visibility of traffic control devises or closely resembling any official traffic control devise as determined by the Connecticut State Police.” There are additional requirements pertaining to the Sign Permit, Removal of Sign, Abandoned Signs and the Validity of Permit. Specific details pertaining to the proposed requirements for outdoor advertising signs can be reviewed in the Agenda Packet.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
7 October 2014

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 8.8.8 – Outdoor Advertising Signs

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 10 November 2014.

Very truly yours,

[Signature]
Alan A. Fredricksen,
Land Use Administrator
AAF/pdp
Enclosures

cc: First Selectman
    V. Carlson, Chairman, Planning & Zoning Commission
TOWN OF NORTH HAVEN
PLANNING AND ZONING COMMISSION
APPLICATION FORM
(Only one item per form)

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
- 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)
X Amend zoning regulations 8.8* Section to be amended (Submit 8 copies of proposed amendment) ▶ Add new Section 8.8.8
- Proposed zone change (Submit 14 copies of location map)
- 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:
Y 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

N/A

Engineer’s Name

Bernard Pellegrino, Eas

Print Applicant’s Name

475 Whitney Avenue, New Haven, CT 06510

Applicant’s Address

203-787-2225 203-777-2096

Applicant’s Phone Number Fax Number

N/A

Engineer’s Phone Number

Fax Number

N/A

Print Owner’s Name

Owner’s Address

203-777-2096

Owner’s Phone Number

Owner’s Signature

Received

SEP 23 2014

Town of North Haven
Land Use and Development
8.8.8 Outdoor Advertising Signs (NEW SECTION)

8.8.8.1 Outdoor advertising signs that advertise a business, activity, good, service, person or product not located on the premise where the sign is located (hereinafter referred to as "advertising signs") may be permitted, subject to the provisions of this Regulation, upon the approval by the Planning & Zoning Commission of a Site Plan Application held pursuant to these Regulations.

8.8.8.2 The following general standards shall apply:
   a. Advertising signs shall not be permitted in residential zones.
   b. The signs shall be located on properties which abut the Interstate-91 corridor.
   c. Advertising signs shall not exceed an area of nine hundred square feet as per State regulation.
   d. Advertising signs shall not be erected within the established front yard, side yard and rear yard property setback lines for the zone in which it is erected, except that when any of said lot setbacks directly abuts Interstate-91, the advertising sign may be erected within 15' feet of that property line.
   e. Advertising signs shall not exceed a height of sixty (60) feet above the grade of Interstate-91. Said measurement shall be made from the crown of Interstate-91 to the top of the sign area.
   f. Advertising signs shall be so constructed as to withstand a wind load of thirty pounds per square foot. All advertising signs and components thereof shall be maintained in good repair and in a safe, neat, clean and attractive condition.
   g. Advertising signs shall be separated from each other by a distance of at least five hundred (500) feet as measured along the same side of the highway. Advertising signs shall be of a monopole design and may contain two separate faces either back to back or in a V shaped design.
   h. Advertising signs shall not be located within one hundred (100) feet of any public park, playground, or cemetery; nor shall said sign be located within one hundred (100) feet of an adjoining residential district if designed to face directly into such district and be visible therefrom.
   i. Advertising signs may be illuminated provided all light sources shall be designed, shielded, arranged and installed to confine or direct all illumination to the surface of the sign and away from the adjoining properties. Light sources shall not be visible from the street or adjoining properties, except for the signs with exposed neon tubes which shall be permitted in all commercial and industrial districts. Animation of a sign through the use of flashing or blinking lights shall not be permitted. Intermittent variation in the illumination of a sign or as lettering shall be permitted provided that the illumination of any portion of the sign shall not change more than once in any ten second period.
   j. Advertising signs shall not, by reason of its size, location, content, coloring, or manner of illumination, constitute a detriment to traffic safety by obstructing the vision of drivers, or detracting from the visibility of traffic control devices or closely resembling any official traffic control devise as determined by the Connecticut State Police.
   k. Advertising signs shall not be attached or located on any building or property used in whole for residential purposes regardless of how such property is zoned.
   l. Advertising signs shall not display content containing any of the following messages:
1. Morally distasteful messages including but not limited to adult bookshops, clubs and sexually oriented establishments.
2. Religious or racial messages.
3. Controversial issues including but not limited to abortion, gun control, etc.
4. Any such content or advertisers banned by Federal or State law.

m. All "painted" advertising signs shall be on a background affixed to a surface and not painted directly on such surface.

n. Changeable electronic advertising signs may be permitted in accordance with the following additional conditions:
   1. The content of the advertising sign shall not change more frequently than once every eight (8) seconds.
   2. The static phase of the display shall not display any illumination that moves, appears to move or changes in intensity.

8.8.8.3 Sign Permit. Before any sign approved under this Section is erected or relocated, a sign permit issued by the Town building official shall be required. The annual fee for an Outdoor Advertising Sign shall be $25,000.00 per face. Said fee shall be paid upon the issuance of a certificate of zoning compliance to permit the operation of the sign and each year thereafter on or before the renewal date.

8.8.8.4 Removal of Sign. The building official may order the removal of any sign erected or maintained in violation of this regulation. The building official shall provide thirty (30) days notice in writing to the owner of such sign or the building, structure, or premise on which such sign is located to remove the sign or bring it into compliance. The building official may remove a sign immediately and without notice at the cost to the owner, if in his opinion, the condition of the sign presents an immediate threat to the safety of the public.

8.8.8.5 Abandoned Signs. Any sign which becomes unused for a period of six (6) months or more shall be deemed abandoned. An abandoned sign shall be removed by the owner of the sign or the owner of the premises. If the owner fails to remove it, the building official shall give the owner thirty (30) days written notice to remove it. Upon failure to comply with this notice, the building official or his duly authorized representative may remove the sign as provided in this regulation.

8.8.8.6 Validity of Permit. If the holder of the permit fails to commence construction within one (1) year from the date of issuance of the permit, the sign permit shall become null and void.
Subject:
Proposed Zoning Regulation Amendments to delete Sections 3.9.6.1, 5.7.7 and 9.2.2.4

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:
The City of Milford has proposed Zoning Regulation Amendments that would delete the following sections listed below. There are no substitutions for the deleted sections.

- 3.9.61, which enabled the Board to allow continuation of a lawful non-conforming use in the Shopping Center District on the portion of the lot which it occupies, and pro-rate the requirements of these Regulations on the remaining lot area if it deems such modification is within the purpose of intent of the regulations.
- 5.7.7, pertaining to the continuance of legally established filling and removal projects in actual operation and not under a valid Special Permit on the effective date of the regulations.
- 9.2.2.4, pertaining to variances for non-conforming uses or structures becoming null and void after twelve months of being granted

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
TO: Eugene Livshits, Regional Land Use Planner, Connecticut Regional Council of Governments  
    Patrick Carleton, Regional Planner, Greater Bridgeport Regional Council  
    John Gaucher, Environmental Analyst, DEEP  
    Patrick O'Sullivan, Town Clerk, Town of Orange  
    Susan Pawluk, Stratford City Clerk  
    Deborah Collins, City Clerk, West Haven CT  
    Debra Kelly, Assistant City Attorney, City of Milford

FROM : David B. Sulits, AICP, City Planner

DATE: October 21, 2014

RE: Referral of Proposed Milford Planning and Zoning Regulation Changes

We would appreciate you or your council reviewing the following proposed zoning text regulation changes and provide our office with your comments. The text changes in their entirety are attached.

1. **DELETION of Section 3.9.6.1 with no substitution**

2. **DELETION of Section 5.7.7 with no substitution**

3. **DELETION of Section 9.2.2.4 with no substitution**

4. **Section 5.16 DELETE word “shall” and ADD word “should”**

Thank you for your consideration.

C: Benjamin Gettinger, Chairman, P & Z  
    John Grant, Regulation Subcommittee, Chair  
    Joseph Griffith, Director, DPLU
PROPOSED TEXT REGULATION CHANGES BY THE MILFORD PLANNING AND ZONING BOARD
ON OCTOBER 7, 2014

DELETION of Section 3.9.6.1 with no substitution
3.9.6.1 A lot or lots on which a lawful non-conforming use exists at the time of adoption of these Regulations, shall be subject to the foregoing requirements, except that the Board may allow continuation of such use on the portion of the lot which it occupies, and pro-rate the requirements of these Regulations on the remaining lot area if it deems such modification is within the purpose of intent of these Regulations.

DELETION of Section 5.7.7 with no substitution
Existing Operations: Legally established filling and removal projects in actual operation and not under a valid Special Permit on the effective date of these Regulations, may continue operations, provided that once each year, within 65 days after notice by the Board, the owner of such existing project shall present plans showing the present conditions of the property, the extent of excavations contemplated and proposed ultimate development of the property, and further provided that the Board approves said plans subject to such conditions as may be in the best interests of the City and in harmony with these Regulations.

DELETION of Section 9.2.2.4 with no substitution
9.2.2.4 That any variance hereafter granted for a non-conforming use or structure shall become null and void twelve months after such granting, if such non-conforming use or structure shall not have commenced.

Section 5.16 DELETE word “shall” and ADD word “should”
SECTION 5.16 ARCHITECTURAL STANDARDS
The purpose of this regulation is to promote a higher quality and visually appealing streetscape and building form. To encourage traditional New England design elements which include but are not limited to building articulations, pitched roofs, overhangs, projections, reveals, awnings and combinations of natural materials and colors.

To use natural materials in their traditional applications (e.g. wood, stone, brick, glass, metal) and avoid vinyl or aluminum siding, texture-111, Dryvit or similar stucco masonry treatments.

All building materials, texture, and color used on the exterior walls and roof shall should be of traditional styles and shapes and should comply with the requirements set forth below. These standards apply to all sides of the structure. Unless otherwise waived by the Planning and Zoning Board, exterior building materials shall should conform to the following requirements:
Subject:
Proposed Zoning Regulation Amendments pertaining to Commercial Recreational Facilities

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 Clinton has proposed Zoning Regulation Amendments pertaining to Commercial Recreation Facilities. The proposed amendments divide such facilities into three categories: (1) indoor facilities with a footprint of not more than seventy thousand square feet (“Indoor Type A”), (2) indoor recreational facilities with a footprint of not more than forty thousand square feet (“Indoor Type B”), and (3) outdoor facilities. Indoor Type A facilities are prohibited in all non-residential zoning districts, expect for the IP District, where they are allowed by special exception. Outdoor Type B facilities are prohibited in all non-residential zoning districts, except for the I-1, I-2, and I-P Districts, where they are allowed by special exception. Outdoor facilities are prohibited in all non-residential zoning districts, except for the B-4 District, where they are allowed by special exception.

Communication:
In researching this proposal, I notified the adjacent municipality in the South Central Region.
From: Jullie Pudem [mailto:jpulem@clintonct.org]
Sent: Friday, October 24, 2014 1:12 PM
To: Annie Klein; Carol Szymanski (Carol.Szymanski@ct.gov); Eugene Livshits; jangelini@westbrookct.us;
JH Torrance Downes (tdownes@rivercog.org); Planner; ldudek@townofkillingworth.com; Richard
Roberts; Town Clerk (keelers@madisonct.org); TownClerk; Mary Beth Hart (marybeth.hart@ct.gov)
Subject: AR 14-234: Shoreline Ice LLC/Town of Clinton

Please be advised that the above referenced amendment to the Zoning Regulations will be heard at a
public hearing commencing on Monday, December 1, 2014 at 7:00 p.m. in the Green Room of the
Andrews Memorial Town Hall.

Please forward any comments that you may have to:

Planning and Zoning Commission
54 East Main Street
Clinton, CT 06413
Or zoningwetlands@clintonct.org

If you have any questions, please contact this office at (860) 669-6133, Monday through Friday or at
zoningwetlands@clintonct.org.

Sincerely,

Jullie Pudem
Land Use Technician
Planning & Zoning
54 East Main Street
Clinton, CT 06413
(860) 669-6133 Fax: (860) 664-4469
Clinton Land Use Commissions

Petition for Amendment to Regulations
Change of Zone Boundary/Zone Classification

☒ Amend Regulations ☐ Change of Zone Boundary Lines ☐ Change in Zoning Classification
☒ Zoning ☐ Subdivision ☐ Wetlands

Applicant: This information and attachments are to be submitted as 15 individual packets collated and stapled.

1. Applicant: Shoreline Ice LLC
   Mailing Address: 98 Airline Rd, Clinton, CT 06413
   E-Mail Address: joe@maplewoodct.com
   Applicant: Town of Clinton
   Mailing Address: 54 East Main St, Clinton, CT 06413
   E-Mail Address: firstselectman@clintonct.org
   Telephone #: (203) 410-0783
   FAX #: (860) 669-9333
   Cell #: (860) 669-0890

2. Agent: Bershtein, Volpe & McKeon PC
   Mailing Address: 105 Court St, Suite 304, New Haven, CT 06511
   E-Mail Address: cmm@bvmlaw.com
   Agent: Marjorie Shansky
   Mailing Address: 61 East Grand Ave, New Haven, CT 06513
   E-Mail Address: marjorie.f.shansky@snet.net
   Telephone #: (203) 777-5800
   FAX #: (203) 777-5806
   Cell #: (203) 469-3004
   FAX #: (203) 469-9194

3. Person to contact: Christopher M. McKeon
   Daytime Telephone #: (203) 777-5805

Property Information

4. Is the property located in any of the following:
   ☐ Water Company Watershed ☐ CAM Zone ☐ Flood Zone, note zone designation
   ☐ Within 500' of Madison ☐ Within 500' of Killingworth ☐ Within 500' of Westbrook

5. The Clinton Planning and Zoning Commission is hereby required to call a public hearing on all Special Exception applications pursuant to the Zoning Regulations. The Commission may hold a public hearing on any Site Plan application pursuant to the Zoning Regulations. In accordance with the Clinton Zoning Regulations, at least 15 days prior to the public hearing and continuously thereafter until the public hearing, the applicant shall post a notice in accordance with the Clinton Zoning Regulations.

The Owner and applicant hereby grant the Clinton Planning and Zoning Commission, or authorized agents, Zoning Enforcement Officer and the Town Engineer, permission to enter upon the property proposed for Special

 RECEIVED
OCT 6 2014
CLINTON P&Z
Exception, Site Plan or Signage for the purpose of inspection and enforcement of the Zoning Regulations of the Town Of Clinton.

6. Signatures (All are required):

Applicant: [Signature] Print Name: Joseph DeFilippo, Manager Date: 10/6/19

Applicant: [Signature] Print Name: William Fritz, 1st Selectman Date: 10/1/19

Agent: [Signature] Print Name: Christopher M. McKeon Date: 10/3/19

Agent: [Signature] Print Name: Marjorie F. Shansky Date: 10/6/19
FORM FOR SUBMITTING REFERRALS

TO THE LOWER CONNECTICUT RIVER VALLEY

REGIONAL PLANNING COMMISSION

DATE OF SUBMISSION TO THE RIVERCOG: October 24, 2014
DATE OF PUBLIC HEARING: December 1, 2014
TOWN SUBMITTING REFERRAL: Town of Clinton
ABUTTING MUNICIPALITIES OF THE RIVERCOG (IF ANY): Westbrook & Killingworth

SUMMARY OF PROPOSAL:

ZONING TEXT AMENDMENT:

- Add Section 3.4.7: Commercial Recreation Facility Definition with 3 subsections (Indoor Type A, Indoor Type B, Outdoor);
- Amend Section 10.28: Commercial Recreational Facilities to allow Indoor Type A (Max 70,000 sq. ft. footprint), identify Indoor Type B (Max 40,000 sq. ft. footprint), add requirement for traffic study and litter control plan.
- Delete Section 25.4.3 as it is redundant.
- Amend Section 25.10.21 as it is in conflict with existing sections of the Regulations.
- Amend Section 25.11.21 as it is in conflict with existing sections of the Regulations.
- Amend Section 24.2.39 to list Indoor Type A, Indoor Type B and rearrange list to match Section 10.

ZONING MAP AMENDMENT:

SUBDIVISION:

OTHER:

COMMENTS:

This petition has been submitted by the applicant with the Town as a co-applicant as there are sections of the Regulations that needed work because they are in conflict with existing sections of the Regulations. The Regulations Committee will be working on addressing some of the previous comments about municipal buildings regarding square footage.
3.4.2 Camper and Camp Trailers: Any recreational vehicle primarily equipped, designed or converted as a temporary dwelling for camping, recreational and vacation uses. Such vehicle shall be eligible for registration, licensing and insuring for general use on the public highways. This definition shall include reference to travel trailer, pickup camper, motorized camper or tent trailer.

3.4.3 Campground: An area that is occupied or intended or designed or improved for occupancy by transients using recreational vehicles, motor homes, mobile trailers, or tents for dwelling, lodging, or sleeping purposes and is rented out as such to the public. This does not include any manufactured or mobile home parks or communities.

(Amended 1/1/2012)

3.4.4 CGS: Connecticut General Statutes.

3.4.5 Clinic: An establishment where patients are admitted for examination and treatment by one or more physicians, dentists, psychologists or social workers and where patients are not usually lodged overnight.

3.4.6 Club: A non-profit association or membership corporation whose object is the health and recreation of its members and which restricts the use of its premises, building or other facilities to its members and bona fide guests.

3.4.7 Commercial Recreation Facility: Any establishment whose main purpose is to provide the general public with an amusing or entertaining activity and where tickets are sold or fees are collected for the activity.

(a) Athletic/Indoor Type A: A Commercial Recreation Facility with a footprint of not more than seventy thousand square feet (70,000 sq. ft.) which includes, but is not limited to, the following types of activities: indoor pools, indoor ice rinks, indoor sports fields, indoor running/logging tracks, indoor gymnasiums, indoor archery ranges, indoor shooting ranges.

(b) Indoor Type B: A Commercial Recreation Facility with a footprint of not more than forty thousand square feet (40,000 sq. ft.) which includes, but is not limited to, the following types of activities: arcades, laser tag, indoor rock climbing, roller skating rinks, indoor playscapes, skeeball.

(c) Outdoor: A Commercial Recreational Facility which includes, but is not limited to, the following types of activities: golf driving ranges, miniature golf courses, go cart racing, outdoor skate parks, outdoor pools, outdoor tennis courts.

3.4.83.4.9 Commission: Clinton Planning and Zoning Commission.

3.4.8 Congregate Housing: A dwelling(s) providing shelter and services that may include meals, housekeeping, and personal care assistance.

(Amended 1/1/2012)

10.28 Commercial Indoor and Outdoor Recreational Facilities

(Section added 1/1/2012)

10.28.1 Purpose: The purpose of these Regulations is to permit indoor and/or outdoor Commercial recreational facilities in a way that ensures that this use is compatible with the surrounding areas, contributes to the economic viability of the town of Clinton and protects the public health, safety and welfare.

10.28.2 Qualifications: A Special Exception for an indoor and/or outdoor Commercial recreational facility Facility may be granted provided that:

(a) The lot must be served by public water.

(b) The minimum lot area for an outdoor Commercial recreational facility Facility shall be a minimum of eighty thousand square feet (80,000 sq. ft.).

10.28.3 Standards and Qualifications: A Special Exception may be granted provided that the following criteria are met in addition to the standards, criteria and conditions stated in Section 9:

(a) **Athletic Indoor Commercial Recreational Facility Type A:**

(1) The facility shall be located entirely within a structure.

(2) The footprint of each structure shall not exceed seventy thousand square feet (70,000 sq. ft.).

(3) Recreational activities shall not include adult-orientated entertainment establishments, as defined in Section 10.21.

(4) The facility shall only operate between the hours of 5:00 a.m. and 12:00 a.m.

(5) No more than 25% of any structure may be utilized for retail and/or food service as an accessory use.

(i) The retail or food service accessory use shall not operate when the recreational facility is not open for recreational activities.

(b) **Indoor Commercial Recreational Facility Type B:**

(1) Facilities shall be located within a structure that may be easily converted to other uses permitted in the zone.
(1)(2) The footprint of each structure shall not exceed forty thousand square feet (40,000 sq. ft.).

(2)(3) Recreational activities shall not include adult-orientated entertainment establishments, as defined in Section 10.21.

(4)(4) No more than fifty percent (50%) of the open floor area shall be devoted to games and/or entertainment devices and equipment that are electrically or electronically controlled.

(4)(5) Facilities shall only operate between the hours of 5:00 a.m. and 12:00 a.m.

(6) All separate rooms, alcoves and portions of the facility shall be arranged so that there is an attendant within the room or such that the attendant can easily supervise all rooms.

Athletic Facilities:

The total floor area of the structure shall not exceed seventy thousand square feet (70,000 sq. ft.).

No more than 25% of the structure shall be utilized for retail and/or food service.

(b)(c) Outdoor Commercial Recreational Facility:

(1) There shall be a fifty foot (50’) buffer on the sides and rear of the property, and a 30’ landscaped front yard.

(2) There shall be appropriate safety fencing either around the facility or property.

(3) Facilities shall only operate between the hours of 8:00 a.m. and 9:00 p.m.

(4) Lighting shall conform to the following standards:

(i) All fixtures used shall be fully shielded, or be designed to minimize up-light, spill-light and glare.

(ii) The applicant must meet the guidelines established by the current Electrical Institute of Engineers for recreational lighting and all the requirements of these Regulations.
(iii) Poles higher than thirty feet (30') are permitted provided that the Commission considers the impact on the following:

(I) Effects on the existing uses in the area; and

(II) Conservation of surrounding property values and the character of the neighborhood.

10.28.4 Procedures: The applicant shall follow the procedures set forth in Section 4 of these Regulations, in addition to the following:

(a) The applicant shall submit a photometric plan.

(b) The applicant shall submit a landscaping plan.

(c) The applicant shall submit a litter control plan.

(d) If the lot is abutting a residential zone, the applicant shall submit a traffic study.
<table>
<thead>
<tr>
<th>Permitted Use</th>
<th>VZ</th>
<th>B-1</th>
<th>B-2</th>
<th>B-3</th>
<th>B-4</th>
<th>M</th>
<th>I-1</th>
<th>I-2</th>
<th>IP</th>
</tr>
</thead>
<tbody>
<tr>
<td>swimming pools, skateboard parks, other than the facilities of the Town of Clinton</td>
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<tr>
<td>24.2.37 Nature preserves and wildlife sanctuaries</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td>P</td>
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<tr>
<td>24.2.38 Bowling alleys and billiard or pool halls</td>
<td>X</td>
<td>SE</td>
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<td>X</td>
<td>X</td>
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<td>24.2.39 Commercial recreation facilities, not otherwise specified</td>
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<tr>
<td>(a) Athletic Indoor Type A, with a footprint not to exceed 70,000 sq. ft.</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>SE</td>
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<tr>
<td>(b) Athletic Outdoor Type B, with a footprint not to exceed 40,000 sq. ft.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>XSE</td>
<td>X</td>
<td>XSE</td>
<td>XSE</td>
<td>XSE</td>
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<tr>
<td>(c) Indoor Outdoor</td>
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<tr>
<td>24.2.40 (a) Riding academies and boarding stables</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>P</td>
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<td>(b) Commercial kennels</td>
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<td>24.2.41 Veterinary hospitals</td>
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<td>(a) With a ground floor area of less than or equal to 5,000 sq. ft.</td>
<td>SE</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
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<td>n/a</td>
<td>n/a</td>
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<tr>
<td>(a) Occupying less than or equal to 15,000 sq. ft. of floor area</td>
<td>SP</td>
<td>SP</td>
<td>SP</td>
<td>X</td>
<td>SP</td>
<td>SP</td>
<td>SP</td>
<td>SP</td>
<td>X</td>
</tr>
<tr>
<td>(b) Occupying more than 15,000 sq. ft. of floor area</td>
<td>n/a</td>
<td>X</td>
<td>X</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>24.2.42 The keeping and raising of one (1) horse, pony, sheep, cow, goat, pig, burro, donkey, mule, llama or other similar animal for personal or family purposes as a pet on any lot having a minimum lot area of forty thousand square feet (40,000 sq. ft.); one additional animal may be maintained on the lot for each additional forty thousand square feet (40,000 sq. ft.)</td>
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<tr>
<td>24.2.43 Not more than ten (10) chickens, or other poultry, rabbits or similar small animals or any combination thereof, not to exceed a total of ten (10) on a lot, provided that the subject lot meets the minimum lot size requirement for the zone it’s located in. This does not apply to farms as farms are defined.</td>
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<tr>
<td>24.2.44 Nurseries; fruit, vegetables or farm stands; farms; and commercial greenhouses. See Section 26.1.4(g)</td>
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<td>24.2.45 Farmer’s Market</td>
<td>SE</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

P - Zoning Permit from ZEO Required
SP - Site Plan approval from PZC Required
n/a - Not applicable

---

X - Prohibited in District
SE - Special Exception approval from PZC Required

31
meet the minimum lot area in excess of sixty thousand square feet (60,000 sq. ft.) but in no event shall exceed twenty-five percent (25%) of the minimum zone requirement.

25.3 **Corner Lots:** On any corner lot there shall be no building, structure, fence, wall or planting in excess of three feet (3') in height, as measured from curb line, located within a triangular space on the lot bounded by the two intersecting street lines and a straight line connecting a point fifty feet (50') from the intersection so as to obstruct a clear line of sight across the triangle.

25.4 **Coverage and Bulk:**

25.4.1 The aggregate lot coverage of all buildings and other structures on any lot shall not exceed the percentage of lot area specified in the Lot Requirement Schedules.  
(Amended 11/1/2012)

25.4.2 The total floor area of all building and other structures on any lot, excluding basements, shall not exceed the percentage of lot area specified in the Lot Requirement Schedules.  
(Amended 11/1/2012)

25.4.3 In Business, Industrial and Marine Districts, the total footprint of any single building shall not exceed forty thousand square feet (40,000 sq. ft.) in area, except that shopping centers and neighborhood shopping centers and municipal facilities, libraries, community centers, town offices, public works facilities, etc., shall not be subject to this requirement.

25.5 **Minimum Floor Area for Dwellings:** Dwelling shall have the minimum floor areas as specified in the Lot Requirement Schedules.  
(Amended 11/1/2012)

25.6 **Setbacks:**

25.6.1 All lots of the following subdivisions that were developed as either Conservation Subdivisions or Planned Residential Cluster Developments shall have the following setbacks:

(a) Sub. 94: Fox Hill; Sub. 117: Kenilworth IV; Sub. 127: Kenilworth V; Sub. 227: Pembroke West; Sub. 230: Stonewall Acres; and Sub. 264: Taylor Ridge. These Subdivisions are shown on the Zoning Map.

(b) Front Setback: Thirty Feet (30')  
   Side Setback: Fifteen Feet (15')  
   Rear Setback: Thirty Feet (30')

(c) Any Conservation Subdivision approved after January 1, 2005 shall utilize the setbacks provided in Section 10.6 of these Regulations.

25.7 **Special Buffer Requirements:**

9-18-2014
## Lot and Building Standards

<table>
<thead>
<tr>
<th>Clause</th>
<th>Description</th>
<th>R-80</th>
<th>R-60</th>
<th>R-40</th>
<th>R-30</th>
<th>R-20</th>
<th>R-15</th>
<th>R-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>25.10.18</td>
<td>Minimum floor area for two-story dwelling (in sq. ft.)</td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a)</td>
<td>Ground floor</td>
<td>800</td>
<td>800</td>
<td>800</td>
<td>800</td>
<td>750</td>
<td>750</td>
<td>750</td>
</tr>
<tr>
<td>(b)</td>
<td>Total floor area</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
<td>1,000</td>
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<td>1,000</td>
</tr>
<tr>
<td>25.10.19</td>
<td>Minimum floor area for each family in a two-family dwelling (in sq. ft.)</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>500</td>
<td>500</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>25.10.20</td>
<td>Maximum floor area on ground floor for any one building (in sq. ft.)</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>25.10.21</td>
<td>Maximum footprint of any single building, excluding shopping centers and neighborhood shopping centers and municipal facilities except as otherwise specified in these Regulations (in sq. ft.)</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>

* Please see Section 25.6.1 for the setbacks for Conservation Subdivisions. These Subdivisions are shown on the Zone Map.

9/18/2014
<table>
<thead>
<tr>
<th>Lot and Building Standards</th>
<th>V2</th>
<th>B-1</th>
<th>B-2</th>
<th>B-3</th>
<th>B-4</th>
<th>M</th>
<th>L-1</th>
<th>L-2</th>
<th>L-P</th>
</tr>
</thead>
<tbody>
<tr>
<td>25.11.19 Minimum floor area for each family in two-family dwelling (in sq. ft.)</td>
<td>n/a</td>
<td>n/a</td>
<td>500</td>
<td>500</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>25.11.20 Maximum floor area on ground floor for any one building (in sq. ft.)</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
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<td>n/a</td>
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</tr>
<tr>
<td>25.11.21 Maximum footprint of any single building—excluding shopping centers and neighborhood shopping centers and municipal facilities except as otherwise specified in these Regulations (in sq ft.)</td>
<td>10,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>n/a</td>
</tr>
</tbody>
</table>
Referral 2.5: Town of Bethany

Subject:

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:
The Town of Bethany has proposed several Zoning Regulation Amendments. Under General Rules Section 1.1 the amendment would add subsection H, which establishes requirements for Fire Suppression Water Source.

Several definitions have been added to Section 1.2: Agriculture, Barn (Private), Barn (Commercial), Boarding Stable, Horse Farm, Primary Structure, Accessory Use, Accessory Structure, Indoor Riding Arena, and a revision of Lot Area (Buildable). There are two different definitions of Boarding Stable being proposed. The definition for each of the terms can be reviewed in the Agenda Packet.

In Section 3.4, the following would be added to Side Yard and Rear Yard min: accessory structure as a shed of up to 200 square feet located within 20 feet of a side/rear property line. The shed would be able to have electricity but not water service. The amendment to Section 3.4 would also be added to Section 4.1.B and 4.1.C. In addition, a new Subsection “G” would be added to Section 4.1, which establishes approval requirements for private barns and Boarding Stables and Horse Farms. Under permitted uses in Residential Zones, 4.3.C “non-commercial” has been added in front of barn. The Subsection is applicable to accessory buildings incidental to residential occupancy. A new Subsection “D” has been proposed in Section 4.3 pertaining to Accessory Buildings located or proposed to be located on a separate parcel. The additional requirements include for the properties with the principal and accessory use to be owned and
used by the same owner of both properties and the use of the properties and buildings cannot be
independent. The existing Section 4.3.D will be renumbered to 4.3.E. There is an additional
new Section 4.3.F, which the amendment states would replace 4.3.E and pertains to uses
permitted as of right. For the following uses permitted as of right in Section 4.3.F, community
gardening, community based gardening, community supported agriculture, home gardening and
farming as defined in Section 1 and CGS 1-1 (q) best management practices are to be used and
all manure storage areas are to be at least 100 feet from any property line. A new Section, 4.4.L,
has been proposed and it establishes additional requirements for Accessory Structures in
Residential Zones. Section 5.2.B.9 has been proposed and establishes standards for Public
Assembly, which may be permitted by the Commission upon approval of a Special Exception
application.

The amendment to add Appendix 10 establishes requirements for Digital Mapping Data
Submission. A hard copy submission without digital data will be subject to additional fees.
Digital Data submission must be in one of the following formats: AutoCAD (dwg) (dxf), ArcGIS
Shape File (.shp), ArcGIS Export File (eOO) or an ArcGIS personal geodatabase. There are
additional requirements, which can be reviewed in the Agenda Packet.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
October 22, 2014

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

Attention: Mr. Carl J. Amento, Executive Director

Subject: Bethany Zoning Regulation Amendments

Dear Mr. Amento:

Pursuant to Section 8.3.b. of the Connecticut General Statutes, this letter is to serve as notification that the Bethany Planning and Zoning Commission will hold a public hearing in the Commission Room of the Bethany Town Hall, 40 Peck Road on Wednesday, December 3, 2014, beginning at 7:15 p.m. pertaining to the attached amendments to the Zoning Regulations proposed by the Bethany Planning and Zoning Commission.

Comments on the proposed zoning regulation amendments are welcome to be made at the public hearing or submitted in writing for receipt into the hearing record.

Respectfully submitted,

Antonia R. Marek, Clerk
For the Planning and Zoning Commission

Attachment

cc: E. Livshits
ZONING REGULATION AMENDMENTS SCHEDULED FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 3, 2014, AT 7:15 P.M. IN THE COMMISSION MEETING ROOM OF THE BETHANY TOWN HALL, 40 PECK ROAD, BETHANY, CONNECTICUT. THE AMENDMENTS ARE PROPOSED BY THE BETHANY PLANNING AND ZONING COMMISSION

Proposed Bethany Zoning Regulation Amendments

(Proposed changes in italics)

Add the following to Section 1.1 General Rules

H. Fire Suppression Water Source Requirements:
   1) When required by the Fire Department, each water source shall be either a 250,000 gallon natural water source or a 30,000 gallon in-ground tank. This requirement may be waived or modified by written approval of the Bethany Volunteer Fire Department, Water Source Officer.
   2) The standards for fire suppression water source requirements are found in a document of the Bethany Volunteer Fire Department dated February 20, 2014, and as it may be modified.

Proposed amendments to Section 1.2 – Definitions

To add:
Agriculture. Except as otherwise specifically defined, the words "agriculture" and “farming” shall include cultivation of the soil, dairying, 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, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming 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; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term "farm" includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoop houses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The term "aquaculture" means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Nothing herein shall restrict the power of a local zoning authority under chapter 124.
Barn, Private. A structure not primarily intended for habitation or residential purposes, unless specifically permitted by the Commission under a section of these regulations. A structure used by the owner or resident(s) with no commercial activities. May be used for the private use by the owner or resident for the storage of animals, feed, hay, equipment, tack and/or agricultural vehicles.

Barn, Commercial. A structure not primarily intended for habitation or residential purposes, unless specifically permitted by the Commission under a section of these regulations. A structure used by the owner, resident(s) which has been legally used or permitted by the Commission to be used for commercial purposes.

Boarding Stable. A structure and associated land legally used for the feeding, housing and exercising of horses which may or may not be owned by the owner of the property and for which may be operated by the owner or resident(s) for compensation.

Horse Farm. A farm which is used primarily for the keeping, breeding and boarding of horses. A horse farm may include a barn or barns for various customary accessory uses. A horse farm may be operated as a commercial operation.

Primary Structure: A structure in which the principal use as established by the zone, or by proven legal nonconforming use, such as residential use in a residential zone or commercial use in a business and industrial zone, takes place.

Remove Existing Definition of Accessory Use or Structure and Add:

Accessory Use: A use of land or a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use except as otherwise specifically permitted by these regulations.

Accessory Structure: A structure detached from a principal building located on the same lot, except as may be specifically permitted by these regulations, but which must be incidental and subordinate to the principal building under the same ownership.

Indoor Riding Arena: A structure which may or may not have stalls for accommodations for boarding or feeding or storage of tack for a horse or horses, but which does have space for indoor riding or indoor training. An indoor riding arena is considered a commercial use under these Regulations.

Boarding Stable: A structure which is used by the owner for the commercial boarding of horses. Does not include “rough boarding”. A structure and associated land legally used for the feeding, housing and exercising of horses which may or may not be owned by the owner of the property and for which may be operated by the owner or resident(s) for compensation.

Lot Area (Buildable). (Revise as follows) “That minimum amount of land within the Total Lot Area of a lot which is required for determining whether the lot may be approved as a building lot or not. Buildable area is that contiguous portion of a lot exclusive of land undivided by any areas of wetlands soils and watercourses as defined in Section 22a-38 of the Connecticut General Statutes and does not include any access way land area or land in excess of 25% slope.”
Section 3.4 Schedule of Height, Area and yard Requirements: (Amend as follows)

Side Yard min. (ft)* (As written with the following addition)

- An accessory structure as a shed of up to 200 square feet may be located within 20 feet of a side property line. The shed may have electricity but may not have water service.

Rear Yard min. (ft)* (As written with the following addition)

- An accessory structure as a shed of up to 200 square feet may be located within 20 feet of a rear property line. The shed may have electricity but may not have water service.

Buildable Area min. (sq. ft.)* (As written with the following addition)

- As defined herein as Lot Area (Buildable).

Section 4.1.B. (add to existing)

B. No structure shall be erected less than 50 feet from any property line adjacent to any public highway, except permission may be granted by the Zoning Board of Appeals for new buildings to conform with the placement of already existing buildings on the same lot. An accessory structure as a shed of up to 200 square feet may be located within 20 feet of a side or rear property line. The shed may have electricity but may not have water service.

Section 4.1.C. (add to existing)

C. No structure shall be erected less than 50 feet from the property line of any adjoining property. An accessory structure as a shed of up to 200 square feet may be located within 20 feet of a side or rear property line. The shed may have electricity but may not have water service.

To Add new Section 4.1.G.

4.1. G.

1. Barn, Private: May be permitted administratively by the ZEO with the following written confirmations by the applicant:
   a. All required setbacks must be confirmed at application and after construction.
   b. All height and bulk standards to be confirmed after construction as well.
   c. All proposed uses to be stated clearly in writing on the application to the ZEO.

2. Boarding Stable or Horse Farm: Special Permit and site Plan approval by the Commission are Required. Site Plan to clearly show all access, parking circulation, sanitary facilities, maximum number of shows or events per year and maximum hours of operation. Application to clearly indicate all proposed activities and uses, including number of employees (workers) on the site.

3. Only Private (Non-commercial) Barns are eligible for administrative ZEO approval. Barns containing commercial uses, or to be converted to commercial uses must be approved by the Commission.
Amend the following in Section 4.3 Permitted Uses – Residential Zones

4.3.C. - Accessory buildings incidental to residential occupancy such as a tool shed, workshop, greenhouse, storage shed or non-commercial barn shall not be used as a dwelling unit and shall not be permitted on a lot without a primary structure, except as may be provided for as an accessory use, unless otherwise provided in these regulations. (in a boarding stable)

New

4.3.D. - Accessory buildings located or proposed to be located on a separate parcel which is:
   a) Either directly abutting (sharing a common property line for some distance) or across the street or road, and
   b) Which parcel(s) are owned by the same person, party or entity but which do not have a primary (principal) structure on one of the parcels, may be permitted by the Commission by Special Permit after the required public hearing and provided the following standards are met:
      1) The properties with the principal use and the accessory use are to be owned and used jointly by the same owner of both properties. The use of the properties and buildings shall not be independent.
      2) The Commission during the course of the required public hearing, shall be given adequate information and written evidence to the proposed ownership and use of the properties and structures so as to satisfy the requirements of these regulations and to satisfy the Commission that the use of the properties will be able to be conducted in a safe manner which is in accordance with these regulations.
      3) Any permit granted by the Commission for the construction or use of an accessory building shall become null and void and the use of such building shall cease immediately upon the severance of ownership or title of one property from the other. The continued use of an existing accessory building after the property is severed in title from the property containing the principal or primary use shall be subject to all applicable zoning enforcement procedures penalties and fines.

Change 4.3.D. to 4.3.E.

4.3.E. Accessory uses incidental to the above uses are permitted in the residence and in accessory buildings which are incidental to the primary use of the property as a residence.

1. Such uses are limited to the resident and not more than two employees, except as may be provided for under the Connecticut General Statutes for proper operation of family and group day care facilities.
2. A maximum of two (2) accessory uses and a total of two (2) employees per premises may be permitted in accordance with these Regulations.
3. Accessory uses shall not give rise to noise, or odors or create a nuisance or other objectionable or unsightly conditions which are likely to deteriorate property values.
4. Zoning permits from the Commission are required for uses a, b, c and d as follows:
   a. Professional Offices. Maximum of 500 square feet and a maximum of 2 client visits at any time are permitted.
   b. Home Occupations, including licensed day care centers, in accordance with Connecticut General Statutes. Includes home based businesses and customary home occupations.
c. Roadside stands for selling products grown locally, or raised on the premises on which the stand is located. The stand may be a maximum of 100 square feet. The Commission, after consideration of all safety and sightline issues may allow the structure to be located with less than the required setback provided the structure and use are only seasonal in nature.

d. The Commission may permit community based gardening upon submission and consideration of a layout plan, traffic safety controls, including parking and a description of the activity including the number of participants.

5. The non-commercial, breeding, raising and keeping of poultry domesticated animals, including horses and pets and private kennels as defined in Section 1, except as prohibited in Section 6, provided that the owners use best management practices including those for manure management as contained in publications from the Cooperative Extension service, (see appendix A-2) and provided that the animals are the personal property of a resident on the property and are not leased to non-residents of the property.

New Section to replace Section 4.3.E.

4.3.F. The following uses are permitted as of right: Note: Best management practices are to be used for all the following uses as well. All manure storage areas are to be at least 100 feet from any property line for any of these uses.

1. Community gardening, Community based gardening, Community Supported Agriculture, Home gardening.

2. Farming as defined in Section 1. and the Connecticut General Statutes Section 1-1.(q) as follows:

Except as otherwise specifically defined, the words "agriculture" and "farming" shall include cultivation of the soil, dairying, 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, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming 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; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term "farm" includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoop houses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The term "aquaculture" means the farming of the waters of the state.
and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Nothing herein shall restrict the power of a local zoning authority under chapter 124.

3. Any structure or use related to farming, except as prohibited by Section 6.16, provided that any structure erected or used to house swine, or the outside location of any swine pen area must be at least 100 feet from the nearest property line. Silos may exceed 35 feet in height. Barns as defined herein, may exceed 1,000 square feet in area, however if they do they must be at least 100 feet from any property line.

4. Custom farming as defined in Section 1.2 of these Regulations.

**Existing Section 4.3.F. becomes Section 4.3.G.**
**Existing Section 4.3.G. becomes Section 4.3.H.**
**Existing Section 4.3.H. becomes Section 4.3.I.**
**Existing Section 4.3.I. becomes Section 4.3.J.**
**Existing Section 4.3.J. becomes Section 4.3.K.**

**Add New Section 4.4.L. Accessory structures (sheds) in residential zones**

Section: 4.4. L. Accessory structures (sheds) in residential zones:
A. Small storage sheds of 200 square feet or less may be approved by the Commission and located no closer than 20 feet from a side or rear lot line, but may not be located in front of the front setback line based on the following:
   1. Applicant is to notify all abutting (including across the street) property owners within 100 feet of the application and the nature of the application.
   2. The proposed shed shall not be used for housing livestock, including dogs, chickens, farm animals.
   3. The entrance to the shed shall not face the closest property line.
   4. The foundation of the proposed shed shall be only cinder blocks, concrete blocks or solid wood timbers or any other non-permanent foundation.
   5. The shed cannot be used for vehicle or equipment maintenance on a regular basis.
   6. The shed may have electricity, but may not have sanitation, water or other residential amenities.

B. Sheds which are used for the housing of animals must be at least 50 feet from any side or rear lot line and must conform to all aspects of the existing zoning regulations.

C. Any proposed shed must also obtain any required wetlands or health district permits.
Add Section 5.2.B.9. – Public Assembly. The Commission may permit uses involving the public assembly upon the approval of a Special Exception application which addresses at least the following items:

a. Adequate parking, whether dedicated or shared parking, which in the finding of the Commission will adequately serve the number of members of the public which are anticipated to attend events held in the subject venue. Specific, sufficient documentation may be required.

b. Adequate plans for the space whether it is to be constructed all at one time or phased construction over a period of time, which shows, in adequate detail the fact that the public will be able to be accommodated without potential danger to attendees or others who may need to visit the site for whatever reason.

c. Adequate provisions for safe site access and accommodation for all attendees and any emergency personnel as may be needed.

d. Adequate provision for the protection of the health and safety of all abutting property owners, whether on the subject site or on abutting properties.

e. Adequate provision for site lighting both inside and outside the subject structure. Such lighting shall be determined by the proper officials to be safe but shall not trespass of the subject property. Documentation of this requirement may be required by the Commission.

f. Other approvals as may be applicable may be required prior to CO for the proposed use. Such approvals may include Fire Marshal, Health District, Water Authority, Building Official and the like.

g. It should be noted that, depending on the proposed use, a special fee for outside experts maybe required as part of the application review process.

h. Items as required by Section 5.2.B.”
To be added as Zoning Regulation Appendix 10 and Subdivision Regulation Appendix

Digital Mapping Data Submission Requirements

1. Submission of a hardcopy map format, without digital data, will be subject to additional fees.
2. All digital mapping data must be delivered in one of the following formats: (To be verified by Town Engineer or GIS Consultant)
   - AutoCAD dwg.
   - AutoCAD dxf.
   - Arc/Info shape file
   - Arc/Info export file (eOO)
   - ArcGIS personal geodatabase

3. If delivered as a series of tiled CADD files, the features that cross sheet boundaries must precisely match at the join lines.
4. Line features in CADD files will employ line styles for graphically differentiating features, such as dashed lines for unpaved roads. Continuous lines that have been broken to appear like dashed lines are not acceptable.
5. All text in CADD files will be in separate layers. Map features under text should not be erased in order to make the text clearer, such as contour lines and their associated elevation value text.
6. Features must be thematically organized in the CADD or GIS data structure. For example, there must be separate CADD layers for buildings, roads, road centerlines, surface water, wetlands, etc. Having all these features in a single CADD layer or GIS file will not be accepted.
7. The submission of data must also include documentation on the method used to gather the data along with an estimation of the horizontal and vertical accuracy and date of data capture.
8. All features represented in a digitally submitted AutoCAD or GIS drawings must be registered to the CT State Plane Coordinate System using NAD 1983 datum.
SUBDIVISION REGULATION AMENDMENTS SCHEDULED FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 3, 2014, AT 7:15 P.M. IN THE COMMISSION MEETING ROOM OF THE BETHANY TOWN HALL, 40 PECK ROAD, BETHANY, CONNECTICUT. THE AMENDMENTS ARE PROPOSED BY THE BETHANY PLANNING AND ZONING COMMISSION

(Proposed changes in italics)

Section 11.5b)2) Each water source shall be either a 250,000 gallon natural water source or a 30,000 gallon in-ground tank. This requirement may be waived or modified by written approval of the Bethany Volunteer Fire Department, Water Source Officer."

Section 11.5c)3) Add new The standards for fire suppression water source requirements are found in a document of the Bethany Volunteer Fire Department dated February 20, 2014, and as it may be modified.

To be added as Subdivision Regulation Appendix B

Digital Mapping Data Submission Requirements

1. Submission of a hardcopy map format, without digital data, will be subject to additional fees.
2. All digital mapping data must be delivered in one of the following formats: (To be verified by Town Engineer or GIS Consultant)
   - AutoCAD dwg.
   - AutoCAD dxf.
   - Arc/Info shape file
   - Arc/Info export file (eOO)
   - ArcGIS personal geodatabase

3. If delivered as a series of tiled CADD files, the featuresthat cross sheet boundaries must precisely match at the join lines.
4. Line features in CADD files will employ line styles for graphically differentiating features, such as dashed lines for unpaved roads. Continuous lines that have been broken to appear like dashed lines are not acceptable.
5. All text in CADD files will be in separate layers. Map features under text should not be erased in order to make the text clearer, such as contour lines and their associated elevation value text.
6. Features must be thematically organized in the CADD or GIS data structure. For example, there must be separate CADD layers for buildings, roads, road centerlines, surface water, wetlands, etc. Having all these features in a single CADD layer or GIS file will not be accepted.
7. The submission of data must also include documentation on the method used to gather the data along with an estimation of the horizontal and vertical accuracy and date of data capture.
8. All features represented in a digitally submitted AutoCAD or GIS drawings must be registered to the CT State Plane Coordinate System using NAD 1983 datum.
**Referral 2.6: Town of Branford**

**Subject:**
Proposed Zoning Regulation Amendment pertaining to Section 5.4E, Maximum Building Height

**Staff Recommendation:**
The Proposed Zoning Regulation Amendment 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 Town of Branford has proposed a Zoning Regulation Amendment pertaining to Maximum Building Height (Section 5.4E). The proposed amendment would enable the Commission to permit the maximum height for building and other structures to be “measured from the average finished grade measured at the base of such buildings or other structures to the level of the highest roof of such buildings or other structures when a planned development district is proposed for real property located in the General Industrial I District (IG-1).” This applies when a property is located between two public streets that are at unequal elevation and where a building deck is proposed in order to make the grade level, under which covered parking spaces will be provided. Some portion of the property must be located (1) adjacent to a railroad, (2) in the Coastal Management District or (3) in the Town Center Village District. Additionally, the real property must qualify as an “establishment” per the Connecticut General Statutes.

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

TO: Branford Planning and Zoning Commission
c/o Ellsworth McGuigan, Chairman
Branford Town Hall
Branford, Connecticut 06405

DATE: October 29, 2014

RE: REGULATION AMENDMENT APPLICATION Pursuant to Section 9.9 et seq. of the Branford Zoning Regulations, as amended

Dear Commission Members:

The applicant, Metro Star Capital, LLC (the “Applicant”), and the owner, 1 Church Street LLC, also known as One Church Street LLC (the “Owner”), hereby petition the Branford Planning and Zoning Commission (the “Commission”) to amend Section 5.4.E of the Branford Zoning Regulations (the “Regulations”) pursuant to Section 9.9 et seq. of the Regulations. The Applicant hereby represents that it has a legal interest in the Property (as defined below) by virtue of its interest in a purchase and sale agreement with Owner regarding the purchase and sale of the Property.

This application has been delivered to the Commission in anticipation of filing a Petition to Establish a Planned Development District (“PDD”) and Master Plan Application proposing a mixed-use commercial and residential development on a site located near the Branford River which was for many years occupied by the Atlantic Wire Company.

The entire site consists of three (3) parcels: the first parcel being commonly known as 256 Meadow Street, Branford, Connecticut, located on the northern side of Meadow Street directly across from the Second Parcel (as hereinafter defined) and currently used as a dirt and gravel parking lot consisting of approximately 51,638 square feet (the “First Parcel”); the second parcel being commonly known as 1 Church Street, Branford, Connecticut, located on the southern side of Meadow Street, the eastern side of Church Street, the western side of Montowese Street and bordered to the south by railroad tracks owned by the National Railroad Passenger Corporation, where there currently exists a multi-floored industrial building, loading shed, inactive railroad tracks, gravel and other open areas, consisting of approximately 226,006 square feet (the “Second Parcel”); and the third parcel being commonly known as Meadow Street Rear, Branford, Connecticut, located south of said railroad tracks and north of the Branford River and consisting of approximately 55,451 square feet of vacant land (the “Third Parcel” and, together with the First Parcel and the Second Parcel, collectively, the “Property”).

The proposed Master Plan currently consists of ten (10) buildings\(^1\) wherein there will be located approximately 20,000 square feet of commercial space, 4,200 square feet of restaurant

\(^1\) All project-specific numbers referenced herein, such as number of buildings, square feet of commercial and restaurant space, number of dwelling units and number of parking spaces, are approximations and may not reflect
space and 205 residential dwelling units, which consist of studio apartments, one-bedroom and two-bedroom apartments, which will be professionally managed and maintained with on-site leasing and maintenance personnel. Additionally, a building deck will be built on the existing grade of the Second Parcel. Approximately 400 on-street and off-street parking spaces will be provided. The existing Meadow Street between Church Street and Montowese Street will be converted into a one-way westbound road. A new private road will be created which will connect the southern end of Church Street to Montowese Street opposite Pine Orchard Road. Access to the project will be by way of the current and new Meadow Street. This new private road will be accessible and usable by the public, built to Town standards and circulate two-way traffic. All streets and drives will be suitable and adequate to accommodate anticipated traffic and projected development intensity, which will not generate traffic in such amounts as to overload the local street system. The Shoreline Greenway Trail, which currently runs down Meadow Street to Montowese Street, will be incorporated into the project.

Once completed, the three-story buildings will create a new walkable and bike-able neighborhood as part of the Town Center Village District, principally consisting of studio, one-bedroom and two-bedroom residential dwelling units, all of which shall be rental units, and the design of which presently includes high-end fixtures, granite countertop kitchens, a fitness center and recreation facilities for residents. Bicycle storage will be provided on site, and ample tenant storage will be available throughout the buildings, along with a resident common room and a leasing and maintenance office. The commercial spaces will consist of professional offices, retail shops and/or other commercial establishments, along with the restaurant space. The project is located within walking distance of the Branford train station and the Town Center, creating a transit-oriented development.

In order to complete such project, it is necessary to amend the existing text of Section 5.4.E of the Regulations in order to accommodate the development of the Property. As such, the Applicant proposes to amend Section 5.4.E of the Regulations as set forth on Exhibit A, attached hereto and made a part hereof. The proposed regulation amendment meets the purpose of Section 5.4 of the Regulations, and is consistent with the comprehensive plan of the Town and the Plan of Conservation and Development by enhancing the Town Center, providing transit-oriented development, creating greenway linkages, providing trees, providing parking, redeveloping brownfields and creating mixed-use buildings with traditional New England style architecture with walkable streets which are located close to transit and which connect to the overall community structure given the proximity to the Town Center.

This proposed regulation amendment is designed to accommodate the above proposal. The required amendment is consistent with the Town's comprehensive plan, Plan of Conservation and Development, and will not adversely affect the public health, safety and welfare.

The information provided herein complies with the Regulations; however, if any additional information would be helpful to the Commission in its consideration of this petition, please advise as soon as possible and we will promptly respond.

the final project-specific numbers which shall be set forth in the project's PDD site plan application. The Applicant reserves all rights thereto.
APPLICANT:

METRO STAR CAPITAL, LLC

By: ______________________________________________________

Robert H. Smith, Jr.
Its Manager
EXHIBIT A

EXISTING TEXT:

5.4.E Maximum Building Height.
Buildings and other structures shall not exceed a height of 40 feet.

PROPOSED TEXT:

5.4.E Maximum Building Height.
1. Buildings and other structures shall not exceed a height of 40 feet.

2. NOTWITHSTANDING ANYTHING IN THESE REGULATIONS TO THE CONTRARY, THE COMMISSION MAY PERMIT THE MAXIMUM HEIGHT FOR BUILDINGS AND OTHER STRUCTURES TO BE MEASURED FROM THE AVERAGE FINISHED GRADE MEASURED AT THE BASE OF SUCH BUILDINGS OR OTHER STRUCTURES TO THE LEVEL OF THE HIGHEST ROOF OF SUCH BUILDINGS OR OTHER STRUCTURES WHEN A PLANNED DEVELOPMENT DISTRICT IS PROPOSED FOR REAL PROPERTY LOCATED IN THE GENERAL INDUSTRY 1 (IG-1) DISTRICT WHICH REAL PROPERTY IS LOCATED BETWEEN TWO OR MORE PUBLIC STREETS, SUCH STREETS BEING AT DISPARATE OR UNEQUAL ELEVATIONS WHEREBY A BUILDING DECK IS PROPOSED IN ORDER TO MAKE LEVEL THE GRADE AND UNDER WHICH BUILDING DECK COVERED PARKING SPACES SHALL BE PROVIDED, AND ANY PORTION OF SUCH REAL PROPERTY (A) IS LOCATED ADJACENT TO A RAILROAD; (B) IS LOCATED IN THE COASTAL MANAGEMENT DISTRICT; (C) IS LOCATED IN THE TOWN CENTER VILLAGE DISTRICT; AND (D) QUALIFIES AS AN “ESTABLISHMENT” PURSUANT TO SECTION 22A-134 ET SEQ. OF THE CONNECTICUT GENERAL STATUTES, AS AMENDED. SUCH MAXIMUM HEIGHT SHALL NOT APPLY TO THE FOLLOWING WHEN NOT FOR HUMAN OCCUPANCY: SPIRES, ORNAMENTAL CUPOLAS, TOWERS, CHIMNEYS, FLAGPOLES AND SILOS, AS WELL AS FEATURES SUCH AS TANKS AND HEATING, VENTILATING, AIR CONDITIONING, RAILINGS, AND ELEVATOR EQUIPMENT, THAT ARE LOCATED ON THE ROOF OF A BUILDING AND DO NOT OCCUPY MORE THAN 25 PERCENT OF THE AREA OF THE ROOF.
City of Milford, Connecticut

TO: Eugene Livshits, Regional Land Use Planner, Connecticut Regional Council of Governments
Patrick Carleton, Regional Planner, Greater Bridgeport Regional Council
John Gaucher, Environmental Analyst, DEEP
Patrick O’Sullivan, Town Clerk, Town of Orange
Susan Pawluk, Stratford City Clerk
Deborah Collins, City Clerk, West Haven CT
Debra Kelly, Assistant City Attorney, City of Milford

FROM: David B. Sulkis, AICP, City Planner

DATE: October 28, 2014

RE: Referral of Proposed Milford Planning and Zoning Regulation Changes

We would appreciate you or your council reviewing the following proposed zoning text regulation changes and provide our office with your comments. The text changes in their entirety are attached.

1. **NEW - Section 5.8.2.1** SPECIFIC STANDARDS

2. **TEXT CHANGE - Section 5.8.12.1 (2)(a) -**
   
   DELETE the wording "base flood elevation."
   
   ADD the wording "Regulatory Flood Protection Elevation."

3. **TEXT CHANGE Section 5.8.12.1 (2)(b) -**
   
   DELETE the wording "base flood elevation."
   
   ADD the wording "Regulatory Flood Protection Elevation."

4. **TEXT CHANGE Section 5.8.12.3 (4) -**
   
   DELETE the wording "base flood elevation (BFE)."
   
   ADD the wording "Regulatory Flood Protection Elevation."

5. **TEXT CHANGE Section 5.8.13.1 -**
   
   DELETE the wording "base flood elevation."
   
   ADD the wording "Regulatory Flood Protection Elevation."

6. **TEXT CHANGE Section 5.8.13.2 -**
   
   DELETE the wording "base flood elevation."
   
   ADD the wording "Regulatory Flood Protection Elevation."
Referral 2.7: City of Milford

Subject:
Proposed Zoning Regulation Amendments pertaining to Regulatory Flood Protection Elevation

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:
The City of Milford has proposed Zoning Regulation Amendments that would replace “base flood elevation” with “Regulatory Flood Protection Elevation.”

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
City of Milford Planning and Zoning  Proposed Text Regulation Changes

7.  TEXT CHANGE Sections 5.8.13.3(3) –
    DELETE the wording " base flood elevation (BFE). "
    ADD the wording "Regulatory Flood Protection Elevation."

8.  TEXT CHANGE Section 5.8.14.2(1) –
    DELETE the wording " base flood elevation"
    ADD the wording "Regulatory Flood Protection Elevation."

9.  TEXT CHANGE Section 5.8.14.2(4)(b) –
    DELETE the wording " base flood elevation ",
    ADD the wording "Regulatory Flood Protection Elevation"

Thank you for your consideration.

C:  Benjamin Gettinger, Chairman, P & Z
    John Grant, Regulation Subcommittee, Chair
    Joseph Griffith, Director, DPLU

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NEW - Section 5.8.2.1 SPECIFIC STANDARDS – In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 5.8.2, Zoning Applicability, the following standard shall be used to establish the Regulatory Flood Protection Elevation.

(1) All buildings, structures, and uses constructed in whole or in part in flood hazard areas shall be designed and constructed in accordance with the current adopted State Building Code as established in pursuant to Section 29-252-1d of the Connecticut General Statutes.

5.8.12.1 Anchoring:

(2) Manufactured Homes (A and AE Zones):

(a) All manufactured homes placed or substantially improved in A and AE Zones, including "mobile" homes and recreational vehicles placed on a site for 180 consecutive days or longer, shall be elevated so that the lowest floor is above the base flood elevation Regulatory Flood Protection Elevation. This includes manufactured homes located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing manufactured home park in which a manufactured home has incurred substantial damage as a result of a flood; Article V – Supplementary Regulations, continued. Milford, Connecticut Zoning Regulations Page V-62

(b) Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the manufactured (mobile) home will be at or above the base flood elevation Regulatory Flood Protection Elevation. For elevation on pilings, piling foundation must be placed in stable soil no more than 10 feet apart and reinforcement must be provided for pilings more than six feet above the ground level. Lots must be large enough to permit steps.

5.8.12.3 Utilities:

(4) Above ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation Regulatory Flood Protection Elevation on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.

5.8.13.1 Residential Construction: New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation Regulatory Flood Protection Elevation. Such plans shall be certified by a licensed professional engineer or land surveyor that the provisions of this subsection are satisfied.
5.8.13.2 Non Residential Construction: New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation Regulatory Flood Protection Elevation; or, together with attendant utility and sanitary facilities, shall:

(1) Be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water.

5.8.13.3 Manufactured Mobile Homes (VE Zones):

(3) Manufactured (mobile) homes placed or substantially improved in VE Zones in an existing manufactured (mobile) home park or subdivision shall be elevated so that the bottom of the lowest horizontal structural member is at or above the base flood elevation Regulatory Flood Protection Elevation. The manufactured home must also meet all the construction standards for VE Zones as per Section 5.8.14.

5.8.14.2 Construction Methods:

(1) Elevation: All buildings or structures shall be elevated so that the bottom of the lowest supporting member is located no lower than the base flood elevation Regulatory Flood Protection level, with all space below the lowest supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in Section 5.8.14.2 (4).

(4) Space Below the Lowest Floor:

(b) Breakaway walls shall be allowed below the base flood elevation Regulatory Flood Protection Elevation provided they are not a part of the structural support of the building and are designed so as to breakaway under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used.
Referral 2.8: City of New Haven

Subject:
Mill River District Planning Study

Staff Recommendation:
The proposed amendment to incorporate the Mill River District Planning Study into the City of New Haven Comprehensive Plan appears consistent with the policy statements of both the State and Regional Plan of Conservation and Development.

Background:
The City of New Haven has completed a planning study for the Mill River District and will be incorporating the study into the City’s Comprehensive Plan. The study describes the Existing Conditions, Planning Framework, Economic Strategies, Streetscapes, Parking and Transportation, Waterfront Planning, Zoning and Land Use, Building Type Matrix, and Temp. Use Strategies. The study recognizes the revival of New Haven’s Industrial Base and the need to direct growth toward shovel-ready districts. The Mill River would be a targeted district for growth as it has a history of being an economic center and it is in close proximity to Downtown New Haven and existing Regional Transportation Infrastructure. The district has pedestrian infrastructure in place and accessibility to mass transit. Additional information will be presented during the Regional Planning Commission Meeting.

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