

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

**RPC
Representatives**

Bethany:
Michael Calhoun
(Vice Chair)

Branford:
Charles Andres

East Haven:
Sal Brancati

Guilford:
Matthew Yorzinski

Hamden:
Robert Roscow

Madison:
Joel Miller

Meriden:
David White
(Chair)

Milford:
Jim Quish

New Haven:
Elias Estabrook

North Branford:
Trish Mase

North Haven:
James Giulietti

Orange:
Ralph Aschettino

Wallingford:
Jeffrey Kohan
(Secretary)

West Haven:
Kathleen Hendricks

Woodbridge:
Andrew Skolnick

To: Regional Planning Commission
From: Eugene Livshits, Senior Regional Planner
Subject: Thursday, November 8, 2018 RPC Meeting at 5:15pm at SCRCOG, 127 Washington Ave, 4th Floor West, North Haven, CT 06473

AGENDA

1. Administration

1.1. Minutes of the October 11, 2018 RPC Meeting **1**

2. Action Items

2.1. City of West Haven: Proposed Zoning Map Change at 697 Forest Road from R-1 Residential to PF Public Facilities. Submitted by: Private Applicant. Received: October 9, 2018. Public Hearing: November 14, 2018. **2**

2.2. Town of Orange: Proposed Zoning Regulation Amendment to provide Special Standards for Farm Wineries. Submitted by: Private Applicant. Received: October 10, 2018. Public Hearing: November 20, 2018. **8**

2.3. City of Milford: Proposed Zoning Regulation Amendments to Sections 5.2.1, 5.2.5, 5.3.6, and 11.2 regarding Electronic Digital Billboard Signs. Submitted by: Private Applicant. Received: October 15, 2018. Public Hearing: TBA. **12**

2.4. City of West Haven: Proposed Zoning Regulation Amendment to allow Gas or Fuel Stations by Special Permit in the Waterfront Design District. Submitted by: Private Applicant. Received: October 25, 2018. Public Hearing: November 27, 2018. **17**

3. Other Business

The agenda and attachments for this meeting are available on our website at www.scrkog.org. Please contact SCRCOG at (203) 234-7555 for a 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.

La Agenda y Adjuntos para esta reunión están disponibles en nuestro sitio web en www.scrkog.org. Favor en contactar con SCRCOG al (203) 234-7555 para obtener una copia de la Agenda en un idioma distinto al Inglés. Ayudas/servicios auxiliares e intérpretes para personas de Dominio Limitado del Inglés serán proporcionados con dos semanas de aviso.

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, October 11, 2018 Meeting

Present: David White, Michael Calhoun, Jeffrey Kohan, Sal Brancati (2.1), Charles Andres, Elias Estabrook, Andrew Skolnick, Ralph Aschettino, Eugene Livshits

1 Administration

1.1 Minutes of the August 9, 2018 RPC meeting.

Motion to accept the minutes as presented: Jeffrey Kohan. Second: Charles Andres Vote: Unanimous. Abstain: Ralph Aschettino, Michael Calhoun, Andrew Skolnick, Elias Estabrook.

2 Statutory Referrals

2.1 Town of Bethany: Amendment to Plan of Conservation and Development

By resolution, the RPC has determined that the amendment to the Plan of Conservation and Development for the Town of Bethany appears to be consistent with the policies and goals identified in both the State and Regional Plans of Conservation and Development.

Motion: Jim Quish. Second: Charles Andres. Abstain: Sal Brancati Vote: Unanimous.

3 Other Business

3.1 Discussion of RPC Annual Dinner: The Graduate Club in New Haven was recommended for the venue of the event. Housing was discussed as the general topic for the presentation. Several components were mentioned as the potential focus including Affordability, at-risk homeless, housing policy and legislation, and demographics and trends.

Motion to Adjourn: Jeffrey Kohan. Second: Andrew Skolnick. Vote: Unanimous.

Referral 2.1: City of West Haven

Subject:

Proposed Zoning Map Change at 697 Forest Road from R-1 Residential to PF Public Facilities

Staff Recommendation:

The proposed zoning map change 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 has submitted a proposed zoning map change at 697 Forest Road and a portion of 693 Forest Road from R-1 Residential to PF Public Facilities. The 5.4-acre area is owned by Yale University and is adjacent to other properties owned by the university, including their athletic fields. Yale University seeks the zone change to construct an athletic facilities maintenance building on the property, which is permitted in the PF zone by special permit. The property abuts the New Haven town line.

Communication:

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



CITY OF WEST HAVEN, CONNECTICUT

Planning and Development Department

City Hall | 355 Main Street | First Floor West Haven, Connecticut 06516-0312
Phone 203.937.3580 Fax 203.937.3742



RECEIVED

October 5, 2018

TO: South Central Regional Council of Governments ✓
City of New Haven

OCT 9 2018

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

RE: Planning and Zoning Application # ZM 18-045

The City of West Haven hereby refers the following application to your agency for your review, in accordance with Section 8-3b of the Connecticut General Statutes and Section 86 of the West Haven Zoning Regulations:

Zone Map Change Application – Yale University Application; Application # ZM 18-045

- Applicant proposes to change the zoning of the property located at 697 Forest Road and a portion of 697 Forest Road from the R-1 (Single Family Residential) District to the PF (Public Facilities) District, pursuant to Section 86 of the West Haven Zoning Regulations.

The West Haven Planning and Zoning Commission plans to hold a public hearing on this application on Wednesday, November 14, 2018 at 7:00 PM in the Harriet North Room, West Haven City Hall, 355 Main Street, West Haven.

The complete file for this application is available for review in our office. Please submit any comments on the proposed application by the date of this public hearing if possible. Thank you for your assistance. Please contact me if you have any questions on this application.

Sincerely,

David W. Killeen
Assistant City Planner



CITY OF WEST HAVEN, CONNECTICUT

Planning and Development Department

City Hall | 355 Main Street | Third Floor
Phone 203.937.3580 Fax 203.937.3742

West Haven, Connecticut 06516-0312
E-Mail: planning@cityofwesthaven.com



CITY HALL 1898-1967

APPLICATION FOR CHANGE TO ZONING MAP

1. Location of Property: List All Street Addresses

Street Address	Tax Map – Parcel	Area [<input type="checkbox"/> Sq. Ft or <input checked="" type="checkbox"/> Acres]	Present Zone	Proposed Zone
693 Forest Road	076-0004-0-0000	1.17 acres	R1	PF
697 Forest Road	072-0070-0-0000	4.54 acres	R1	PF

2. What change or changing conditions make passage of this amendment necessary?

See Attachment A

3. What other circumstances (i.e., public health, safety or general welfare) would justify the amendment?

See Attachment A

4. Property Owner Information & Consent

Name Yale University
By: John Bollier, VP for Facilities and Campus Development

Daytime Phone: (203) 432-6754

Firm

☒ Business ☐ Home

Street Address 2 Whitney Avenue

☐ Fax: _____ ☐ Cell: _____

City New Haven State CT ZIP 06520

☒ E-mail john.bollier@yale.edu

Dated: _ October 4, 2018


Signature of PROPERTY OWNER

5. Applicant Information & Certification (Fill in ONLY if not the same as the Owner.)

Name

Daytime Phone:

Firm

☐ Business ☐ Home

Street Address

☐ Fax: _____ ☐ Cell: _____

City _____ State _____ ZIP _____

☐ E-mail _____

Check One: ☐ Option Holder ☐ Tenant ☐ Other (Describe): _____

Dated: _____

Signature of APPLICANT

6. Counsel Information

Name Joseph Hammer

Daytime Phone: (203) 752-5081

Firm Day Pitney LLP

☒ Business ☐ Home

Street Address 195 Church St., 15th Floor

☐ Fax: _____ ☐ Cell: _____

City New Haven State CT ZIP 06510

☒ E-mail jhammer@daypitney.com

7. a. Attach Property Description (deed or legal description) and Survey Map of Existing Zoning and Proposed Change

b. Provide statement of how zone change is consistent with Plan of Conservation and Development and City's land use policies.

Attachment A

The applicant, Yale University, is seeking to amend the Zoning Map of the City of West Haven in order to change the zoning designation 697 Forest Road and a portion of 693 Forest Road from R1 to PF (Public Facilities). The area proposed for rezoning is approximately 5.4 acres (the "Property"). The University has owned the Property since the 1930s, and it is contiguous to other property of the University located to the east in West Haven and to the north in New Haven on which University athletic facilities have been located for many years.

The parcel known as 697 Forest Road would be changed in its entirety to PF. A portion of the parcel known as 693 Forest Road would be changed to PF, beginning approximately 190 feet east of Forest Road and extending to the eastern property line of the parcel. The remaining western portion of the 693 Forest Road parcel adjacent to Forest Road would remain R1.

The University seeks the zone change so that it may construct an athletic facilities maintenance building on the Property which will support the University's athletic facilities in the area, with maintenance and athletics equipment storage and office and administrative space for grounds maintenance staff. University use (public and private educational institutions and ancillary recreational facilities) is permitted in the PF zone by special permit.

The Property is especially well-suited for use supporting surrounding University athletic facilities given its proximity and connection to those facilities. In addition, the Property is contiguous to large areas of property zoned PF. The purposes of the PF district include providing uses and services supportive of education. Existing PF zones are located in multiple areas throughout West Haven and are commonly adjacent to residential districts.

The proposed PF zoning designation will provide a higher degree of zoning review than the existing R1 zoning because all uses allowed in the PF zone require a special permit from the Planning and Zoning Commission. By contrast, a residential subdivision of multiple single-family homes is permitted in the R1 zone on an as-of-right basis.

The proposed zone change is consistent with the West Haven Plan of Conservation and Development, will not adversely impact the surrounding area, and is consistent with the purposes of zoning. The proposed change is also in accord with the City's comprehensive plan as reflected in its Zoning Regulations and Zoning Map, given the nature of the PF zone, the connection of the Property to other areas currently zoned PF, and the location of other PF zoned property within the City of West Haven.

LEGAL DESCRIPTION OF COMBINED PROPOSED ZONE CHANGE AREAS

That certain real property located in the Town of West Haven, County of New Haven and State of Connecticut shown as "PROPOSED ZONE CHANGE AREA (R1 TO PF) = $\pm 197,914$ s.f. (± 4.5 AC.)" and "PROPOSED ZONE CHANGE AREA (R1 to PF) = $\pm 38,661$ S.F. (± 10.89 AC.)" on that certain map entitled "ZONE CHANGE MAP, MAP DEPICTING LAND TO BE REZONED FROM R1 TO PF OWNED BY YALE UNIVERSITY 693 & 697 FOREST ROAD WEST HAVEN, CONNECTICUT SCALE 1"=30' DATE OCTOBER 3, 2018 PROJECT NO. 1653-12" prepared by Milone & MacBroom, and being more particularly bounded and described as follows:

Beginning at a point located on the easterly line of Forest Road which point marks the southwesterly corner of 693 Forest Road, said point being located $N00^{\circ}56'22''W$ a distance of 395.17 feet from a CHD monument; thence turning and running $S88^{\circ}40'52''E$ along land N/F Jonathan D. Spence & Ann-Ping Chin a distance of 190.14 feet to the TRUE POINT OF BEGINNING; thence running in a northerly direction through land N/F of Yale University a distance of $68.14 \pm$ feet to a point which marks the southeasterly corner of land N/F Jason S. Handley & Grace Y. Handley; thence running $N00^{\circ}55'24''W$ along land N/F Jason S. Handley & Grace Y. Handley and N/F Nikolas Elevitch, partly by each, in all a distance of 86.52 feet to a point; thence running $N00^{\circ}47'53''W$ along land N/F Nikolas Elevitch, N/F Gregory L. & Sandry R. Riley and N/F Benedict J. Yorke, Jr. & Tammy L. Davies-Yorke, partly by each, in all a distance of 310.65 feet to a point on the boundary line between the Town of West Haven and the City of New Haven; thence turning and running in a southeasterly direction along said boundary line a distance of $581.51 \pm$ feet to a point which marks the northeasterly corner of the land herein described; thence turning and running $S09^{\circ}54'33''W$ along other land N/F Yale University a distance of 414.83 feet to a point which marks the southeasterly corner of the land herein described; thence turning and running $N88^{\circ}40'52''W$ along land N/F Jonathan D. Spence & Ann-Ping Chin a distance of 499.44 feet to the point and place of beginning.



Referral 2.2: Town of Orange

Subject:

Proposed Zoning Regulation Amendment to provide Special Standards for Farm Wineries

Staff Recommendation:

The proposed zoning 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 has submitted a proposed zoning regulation amendment to provide Special Standards for Farm Wineries. The amendment allows farm wineries in the Residential zone on lots of 5-acres or more, with buildings set back at least 50 feet from property and street lines. The winery may operate from 11:00 AM to 6:00 PM Sunday through Thursday, and 11:00 AM to 9:00 PM Friday and Saturday. One special event is permitted in the tasting room each calendar month, with no more than 4 of such events after 6:00 PM per calendar year. Additional events shall require special permit approval. The farm winery must have 1 parking space for each of the maximum number of employees required at any one time. The tasting room must have parking as required by restaurants, and the retail sales area as required by other retail sales.

Residential Districts in the Town of Orange are adjacent to Milford, West Haven, New Haven, and Woodbridge.

Communication:

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



Town of Orange, Connecticut
Zoning Department

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

PHONE: (203) 891-4743
FAX: (203) 891-2185
www.orange-ct.gov

October 10, 2018
CERTIFIED MAIL
camento@scrcog.org

RECEIVED

OCT 10 2018

SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS

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

PETITION TO AMEND THE ORANGE ZONING REGULATIONS -


-Submitted by Stellato Realty L.L.C.-

To amend the Orange Zoning Regulations to provide Special Standards for a "Farm Winery".

Dear Mr. Amento:

In accordance with the Connecticut General Statutes, enclosed for your review is the above referenced Petition. The tentative Public Hearing date on this matter is November 20, 2018. A copy of these application materials was also sent to you in a PDF file via email.

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

Very truly yours,

Paul Dinice,
Zoning Administrator
& Enforcement Officer

enclosures

cc: TPZC Members

V. Marino, Esq.

J. Zeoli, First Selectman

PROPOSED REGULATIONS

Section 383-14 Definitions:

Add: **FARM WINERY: ANY PLACE OR PREMISES, COMPRISING A MINIMUM OF FIVE (5) ACRES ON WHICH FRUIT IS GROWN AND WINE/WINE PRODUCTS (LIMITED TO WINE AND BRANDIES DISTILLED FROM GRAPE PRODUCTS AND OTHER FRUIT PRODUCTS, INCLUDING GRAPPA AND EAU-DE-VIE) ARE MANUFACTURED, STORED AND SOLD, MEETING THE PERMIT REQUIREMENTS OF CONNECTICUT GENERAL STATUTES §30-16 (AS AMENDED) AND APPLICABLE DEFINITIONS AND GUIDANCE OF TITLE 22 (AS AMENDED) OF THE CONNECTICUT GENERAL STATUTES.**

Add to Section 383-27 new subparagraph:

O. Farm Winery

Add to Chapter 114:

SECTION 383-143.6 SPECIAL STANDARDS FOR FARM WINERIES

FARM WINERIES SHALL CONFORM TO THE FOLLOWING STANDARDS:

- A. MINIMUM LOT AREA: 5 ACRES**
- B. MINIMUM SETBACK OF BUILDING, SALES AREA, AND MANUFACTURING/PROCESSING AREA FROM STREET LINE AND PROPERTY LINE: 50 FEET**
- C. IN ADDITION TO A FACILITIES FOR MANUFACTURING, STORAGE, AND SALES, FARM WINERIES MAY INCLUDE, (I) TASTING ROOMS, INCLUDING SERVING AND BAR AREAS, OF NOT MORE THAN A TOTAL OF 1500 SQUARE FEET; (II) OFFICES TO BE USED ONLY IN CONJUNCTION WITH THE OPERATION AND BUSINESS OF THE FARM WINERY.**
- D. HOURS OF OPERATION OF THE FARM WINERY TASTING ROOM SHALL BE LIMITED TO 11:00 A.M. TO 6 P.M. SUNDAY THROUGH THURSDAY AND 11:00 A.M. TO 9:00 P.M. FRIDAY AND SATURDAY.**
- E. RETAIL AND WHOLESALE OF WINE BY THE GLASS AND BOTTLE TOGETHER WITH APPURTENANT SALE OF WINERY RELATED PRODUCTS.**
- F. ONE SPECIAL EVENT SHALL BE PERMITTED EACH CALENDAR MONTH PROVIDED NO MORE THAN 4 OF SUCH EVENTS SHALL BE HELD AFTER 6:00 P.M. IN ANY CALENDAR YEAR AND SUCH EVENTS SHALL BE LOCATED WITHIN THE TASTING ROOM AS SHOWN ON THE APPROVED SITE PLAN. ADDITIONAL EVENTS SHALL REQUIRE TEMPORARY SPECIAL PERMIT APPROVAL FROM THE PLAN AND ZONING COMMISSION.**

SECTION 383-173 F. Whenever two or more classifications provided in §383-174 shall apply to a use of land, buildings or other structures, the standard requiring the larger number of parking spaces shall apply, but where separate parts of a building or structure are used for purposes requiring a different number of parking spaces, the number of required spaces shall be determined by adding the number of spaces required for each part. **FARM WINERIES SHALL HAVE 1 SPACE FOR EACH OF THE MAXIMUM NUMBER OF EMPLOYEES REQUIRED AT ANY ONE TIME FOR PLANTING, MAINTAINING AND HARVESTING THE VINEYARD AND THE PRODUCTION, MANUFACTURE, BOTTLING AND BUSINESS OPERATION OF THE VINEYARD. ANY TASTING ROOM, SHALL HAVE PARKING AS REQUIRED FOR RESTAURANTS OR OTHER FOOD SERVICE ESTABLISHMENTS AND RETAIL SALES AREA AS REQUIRED**

FOR RETAIL AREA IN SECTION 383-174. DRIVEWAY WIDTH FOR FARM WINERIES MAY BE 9 FEET FOR ONE WAY TRAFFIC AND 18 FEET FOR TWO WAY TRAFFIC AT ALL PARKING ANGLES.

Referral 2.3: City of Milford

Subject:

Proposed Zoning Regulation Amendments to Sections 5.2.1, 5.2.5, 5.3.6, and 11.2 regarding Electronic Digital Billboard Signs

Staff Recommendation:

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

Background:

A private applicant has submitted proposed zoning regulation amendments to Sections 5.2.1, 5.2.5, 5.3.6, and 11.2 regarding Electronic Digital Billboard Signs. The amendment sets standards for electronic digital billboard signs, stating that a billboard with a face size of 14' x 48' shall not exceed 0.3 foot-candles. It also provides standards for how to measure the foot-candle level. Electronic billboards shall be permitted in LI, CDD-1, CDD-3, ICD and ID Zoning Districts. Electronic billboards are limited to the conversion of existing commercial advertising signs, or as new ground signs in the allowed districts on property which abuts the I-95 roadway.

The regulation defines Electronic Digital Billboard Signs as changing content no more frequently than once every 10 seconds, must not contain moving displays, and must utilize dimming software.

Impacted areas in the City of Milford are within 500 feet of Orange and West Haven.

Communication:

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



City of Milford, Connecticut

Founded 1639
70 West River Street ♦ Milford, Connecticut ♦ 06460-3317
www.ci.milford.ct.us

Department of Permitting
and Land Use

David B. Sulkis,
City Planner

Zoning Regulation Amendment #17-12

TO:

<input checked="" type="checkbox"/>	South Central Regional Council of Governments
<input checked="" type="checkbox"/>	Greater Bridgeport Regional Planning Council
<input checked="" type="checkbox"/>	City Attorney, City of Milford
<input checked="" type="checkbox"/>	State of CT DEEP
<input checked="" type="checkbox"/>	City of West Haven, City Clerk
<input checked="" type="checkbox"/>	Town of Stratford, City Clerk
<input checked="" type="checkbox"/>	Town of Orange, City Clerk

FROM: David B. Sulkis, City Planner/DBS

DATE: 4/09/18; Revised 10/9/2018

RE: **Proposed Zoning Regulation New Definitions and Text Revision to Sections 5.2.1, 5.2.5, 5.3.6, 11.2**

RECEIVED

OCT 15 2018

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

In accordance with Milford Zoning Regulations 10.3 and CT General Statute's 8-3b and 22a-104, the distribution of the following proposed regulation changes is submitted for your agency's review and comment. Please provide this office with acknowledgment of your receipt of this memorandum and provide your comments or approval within 35 days of the above date.

EXISTING TEXT:

5.2.1 General Purpose: This regulation of outdoor lighting applies to both permanently installed outdoor light fixtures and temporary installation of lighting for special events (i.e. carnivals, grand openings), and is necessary to prevent misdirected or excessive artificial light, caused by inappropriate or misarranged light fixtures that produce direct glare, light trespass, and also that such regulation is necessary to improve or maintain nighttime public safety, utility and security.

PROPOSED TEXT: (Changes indicated in bold italicized text)

5.2.1 General Purpose: This regulation of outdoor lighting applies to both permanently installed outdoor light fixtures and temporary installation of lighting for special events (i.e. carnivals,

grand openings), and is necessary to prevent misdirected or excessive artificial light, caused by inappropriate or misarranged light fixtures that produce direct glare, light trespass, and also that such regulation is necessary to improve or maintain nighttime public safety, utility and security. *Electronic Digital Billboard Signs shall be exempt from the provisions of this Section 5.2., except as provided in Section 5.2.5.*

PROPOSED TEXT: (Changes indicated in bold italicized text)

(NEW) 5.2.5 – Electronic Digital Billboard Signs shall conform to the following standards in lieu of providing a Lighting Plan as set forth in section 5.2.4:

- 1. Illumination produced by an Electronic Digital Billboard Sign with a face size of 14' x 48' shall not exceed 0.3 foot-candles of illumination over ambient light levels as measured by a foot-candle meter from a distance of 250 feet perpendicular to the Sign face as certified by a licensed architect or engineer.***
- 2. Measurements shall be taken as close to perpendicular to the face of the Electronic Digital Billboard Sign face as practical.***
- 3. If site conditions will not allow measurements from 250', or in the event it is found not to be practical to measure the foot-candle level of a Digital Billboard Sign at the 250' distance prescribed above, a measurer may opt to measure the Sign at any of the alternative measuring distances described in the table set forth below. In the event the sign measurer chooses to measure the Sign using an alternative measuring distance, the prescribed foot-candle level above ambient light shall not exceed the prescribed levels, as certified by a licensed architect or engineer, based on the alternative measuring distances set forth in the following table:***

<u>Alternative Measuring Distance</u>	<u>Prescribed Foot-Candle Level</u>
<i>100</i>	<i>1.88</i>
<i>125</i>	<i>1.2</i>
<i>150</i>	<i>0.83</i>
<i>200</i>	<i>0.47</i>
<i>250</i>	<i>0.3</i>
<i>275</i>	<i>0.25</i>
<i>300</i>	<i>0.21</i>
<i>325</i>	<i>0.18</i>
<i>350</i>	<i>0.15</i>
<i>400</i>	<i>0.12</i>

(NEW) 5.3.6(A) – Electronic Digital Billboard Signs.

5.3.6(A) – Electronic Digital Billboard Signs in LI, CDD-1, CDD-3, CDD-5, ICD and ID Zoning Districts:

Subject to all other provisions and limitations of these Regulations, Electronic Digital Billboard Signs shall be allowed in LI, CDD-1, CDD-3, CDD-5, ICD and ID Zoning Districts, subject to a zoning permit and the following additional conditions and safeguards. Electronic Digital Billboards shall:

- 1. Be limited to the conversion from conforming and legal non-conforming Commercial Advertising Signs existing as of the effective date of this Regulation to an Electronic Digital Billboard Sign provided that there is no increase in the non-conformity including but not limited to height, distance, size and location requirements.***
- 2. Be erected as a ground sign and located on real property in the LI, CDD-1, CDD-3, CDD-5, ICD and ID Zoning Districts, which abuts the non-access highway line of the I-95 road system or an access ramp or Right of Way with respect thereto (hereinafter collectively the “I-95 Corridor”).***
- 3. Comply with the provisions of section 5.2.5.***
- 4. Have the illuminated display facing the I-95 Corridor at an angle of 90 degrees or less at the point nearest the sign structure.***
- 5. Have the illuminated display located no more than a distance of 200 feet from the I-95 Corridor.***
- 6. Except as specifically set forth in this subsection, the restrictions in Sections 5.3.7.9 and 5.3.7.16 shall continue in full force and effect. Electronic Digital Billboard Signs shall not be considered “flashing signs or advertising devices” or “Electronic message signs” for the purposes of these Regulations.***
- 7. Subject to the requirements of this section, V-Type Commercial Advertising Signs and/or Back to Back Commercial Advertising Signs (where they currently exist on the effective date of this regulation) shall be allowed under the definition of Electronic Digital Billboard Signs, notwithstanding anything else in these regulations to the contrary.***

Article XI Definitions; Section 11.2 OTHER TERMS:

PROPOSED TEXT: (Changes indicated in bold italicized text)

(NEW) Signs, Electronic Digital Billboard. ***An Electronic Digital Billboard Sign is a billboard that displays digital images that are changed remotely. Electronic Digital Billboard Signs shall conform to the following:***

1. *Change content no more frequently than once every ten (10) seconds;*
2. *The static display shall not move, appear to move or change in intensity;*
3. *Must automatically adjust the brightness to not exceed 0.3 foot-candles above ambient light conditions measured at a distance of 250', or must meet the foot-candle level prescribed for Alternative Measuring Distance, as prescribed in Section 5.2.5;*
4. *Must have an ambient light sensing device installed on the sign structure that will adjust the brightness as ambient light conditions change;*
5. *Must utilize dimming software; and*
6. *Light produced by an Electronic Digital Billboard Sign with a face size of 14' x 48' shall not exceed 0.3 foot-candles over ambient light levels measured at a distance of 250', or must meet the foot-candle level prescribed for Alternative Measuring Distance, as prescribed in Section 5.2.5.*

(NEW) Signs, LED Display. *A flat panel display which uses an array of light-emitting diodes as pixels for a static visual display.*

(NEW) Signs, Commercial Advertising, V-Type. *A structure with two (2) sign faces forming the shape of the letter "V" when viewed from above, with an angle between the two faces of not more than 60 degrees.*

(NEW) Signs, Commercial Advertising, Back to Back. *A structure with two (2) parallel sign faces oriented in opposite directions.*

REASON FOR CHANGE:

To allow modernization and conversion of existing conforming and legal non-conforming billboards abutting the I-95 Corridor to Electronic Digital Billboard Signs.

A petition for substantially the same change in regulations has previously been filed:

Yes ____ No X if yes, date of hearing: [date]

This regulation change is proposed by:

Petitioner: Mr. Dominick DeMartino through his agent Kevin J. Curseaden, Esq.

Cc: James Quish, Chairman, P & Z
Joseph D. Griffith, Director, DPLU

Referral 2.4: City of West Haven

Subject:

Proposed Zoning Regulation Amendment to allow Gas or Fuel Stations by Special Permit in the Waterfront Design District

Staff Recommendation:

The proposed zoning amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region.

Background:

A private applicant has submitted a proposed zoning regulation amendment to allow Gas or Fuel Stations by Special Permit in the Waterfront Design District (WD District). Current regulations do not allow Gas or Fuel Stations, including Convenience Stores, in the WD District. The applicant expressed interest in constructing a gas station and convenience store at 35 Kimberly Avenue, located across the street from the Haven site.

West Haven's WD District is within 500 feet of the City of New Haven.

Communication:

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

City of West Haven, Connecticut
Planning and Development Department

City Hall | 355 Main Street | First Floor West Haven, CT 06516-0312
Phone: (203) 937-3580

October 22, 2018

TO: West Haven Harbor Management Commission
 CT DEEP
 SCRCOG
 City of New Haven

RECEIVED

OCT 25 2018

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

RE: Planning and Zoning Application # ZR 18-048

The City of West Haven hereby refers the following application to your agency for your review, in accordance with Section 8-3b, Section 22a-104 and 22a-113p of the Connecticut General Statutes:

Text Change Application – Mohammad Khan, File # # ZR 18-048

- Applicant proposes to amend Table 39.2 to add gas or fuel station, including convenience store, as a permitted use by Special Permit approval of the Planning and Zoning Commission in the Waterfront Design (WD) District.

The West Haven Planning and Zoning Commission plans to hold a public hearing on this application on Tuesday, November 27, 2018 at 7:00 PM in the Harriet North Room, City Hall, 355 Main Street, West Haven, CT.

Copies of the full application is available for review in the office of Planning and Development from 9:00 AM to 5:00 PM, Monday through Friday. Please submit any comments by the date of the public hearing. Thank you for your assistance. Please contact me if you have any questions on this application.

Sincerely,

David W. Killeen
Assistant City Planner



CITY OF WEST HAVEN, CONNECTICUT

Planning and Development Department

City Hall | 355 Main Street | Third Floor
Phone 203.937.3580 Fax 203.937.3742

West Haven, Connecticut 06516-0312
E-Mail: planning@cityofwesthaven.com



CITY HALL 1898-1967

APPLICATION FOR CHANGE TO ZONING REGULATIONS

1. Article and Section of Zoning Regulations

table 39.2

2. What special condition or reason makes passage of this amendment necessary?

See attached

3. What other circumstances (i.e., public health, safety or general welfare) would justify the amendment?

See attached

4. Applicant Information

Name Mohammad Khan

Daytime Phone: 2034836464

Firm Shahani Inc

☒ Business ☐ Home

Street Address 58 Nicole Rd

☒ Fax: 2034831537

☐ Cell: 2036270028

City Branford State CT ZIP 06405

☒ E-mail shahaniinc@sbcglobal.net

Dated: 10/19/18

Mohammad Khan
Signature of APPLICANT

5. Counsel Information

Name

Daytime Phone: _____

Firm

☐ Business ☐ Home

Street Address

☐ Fax: _____ ☐ Cell: _____

City _____ State _____ ZIP 06405

☐ E-mail _____

6. Provide Text of Proposed Change

See attached

(Please additional sheets as necessary to provide the Planning and Zoning Commission with a complete set of amendments and a thorough understanding of the proposed changes.)



CITY OF WEST HAVEN, CONNECTICUT Planning and Development Department

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CITY HALL 1898-1967

PUBLIC HEARING AND NOTICE REQUIREMENTS FOR APPLICATIONS TO AMEND THE ZONING REGULATIONS

Section 86 of the West Haven Zoning Regulations requires that applicants publish a display ad in a local daily and a local weekly newspaper to notify the public of your proposed amendment to the Zoning Regulations. You must complete an Affidavit that you mailed the Notice of Public Hearing as required and bring the Affidavit to your Public Hearing, along with copies of the display ads. Present the affidavit and the copies of the display ads to the Clerk at the meeting.

DISPLAY AD REQUIREMENTS

- 86.1.1 **A display ad** in a **local daily newspaper**, at least 4 inches by 5 inches in size, with bold lettering to clearly describe the proposed amendment to the Zoning Regulations, **and**
- 86.1.2 **A display ad** in a **local weekly newspaper**, at least one quarter page in size, with bold lettering to clearly describe the proposed amendment to the Zoning Regulations
- 86.1.3 **APPROVAL OF DISPLAY AD:** A proof of the proposed display ad shall be provided for approval of the Planning and Development staff at least one week prior to it being placed in either newspaper.

PUBLIC HEARING REQUIRED

A public hearing will be held. At such public hearing, the applicant may be heard and any other person may be heard to speak in favor of or against the application.

LEGAL NOTICE

Notice of the time and place of such hearing will be published by the Department of Planning and Development in the New Haven Register.

Revised December 2017



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CITY HALL 1896-1967

AFFIDAVIT OF PUBLICATION

I SWEAR THAT THE REQUIRED DISPLAY ADS WERE PUBLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF THE WEST HAVEN ZONING REGULATIONS.

I HAVE ATTACHED A COPY OF THE DISPLAY ADS THAT WERE PUBLISHED IN A LOCAL DAILY AND A LOCAL WEEKLY NEWSPAPER.

Muhammad S. Khan

APPLICANT SIGNATURE

MOHAMMAD. S. KHAN

PRINT NAME OF APPLICANT

58 Nicole Rd, Branford, CT 06405

APPLICANT ADDRESS

FILE NUMBER

DATED

, 20

SWORN TO BEFORE ME THIS

DAY OF

,20

NOTARY PUBLIC

MY COMMISSION EXPIRES ON

Revised December 2017

2. The reason I am requesting the passage of this amendment is because I have a desire to own and operate a locally owned fuel station in the City of West Haven. This amendment is necessary for me, personally, so I can proceed with the purchasing of this property and the development of this location. However the changing of this regulation can potentially help other locally run business; for example, the Citgo gas station that can now improve its site to reach an aesthetically pleasing look that will represent the City of West Haven in its true manner.

3. The necessary circumstances that justify this amendment start with the location of this property. This property is located right across the future Haven Mall, which will be driving traffic in and out within the area. As the City of West Haven is aware, there is a Citgo fuel station located 52 Elm Street, this is the nearest fuel station and the next one is a Shell located at 658 Campbell Avenue. Customers coming in and out of this area should have the option to travel to a variety of fuel stations, not a single option. This not only will restrict monopoly of business, it will restrict inflation of gas and convenience store prices. 35 Kimberly Avenue will not only be a fuel station, convenience store but, if approved, can be a restaurant location as an attachment. This will open the opportunity for numerous jobs and can make this site a destination site for the City of West Haven and even in the State of Connecticut. I will vow to commit to upstanding cleanliness of site as well as a diverse, locally sourced staff and operation to maintain a reputable operation in the City of West Haven. I have built up sties in urban, rural and historic districts and can give references upon request.

6. This document is in request to alter zoning regulations in section 39.2 for the City of West Haven. The regulations in 39.2 state and describe the regulations needed for a commercial development in a waterfront design district.

Currently, a Gas or Fuel station incl. Convenience Store is not permitted in a WD district/ mixed use zoning district. As a local fuel distributor in the fuel industry for approximately 20 years, I am requesting to build a fuel station with a convenience store on 35 Kimberly Avenue, which is located in the WD District. I am requesting that table 39.2 be altered to SP (special permit) under mixed use for "Gas or Fuel Station incl. Convenience Store" so I can legally proceed to properly apply to build desired business. If change is granted, I will do everything to abide by City laws and restricts.

For furthermore questions and concerns please do not hesitate to contact me at 2036270028 or shahaniinc@sbcglobal.net

Thank you for taking the time to read and consider my request.

TABLE 39.2 SUMMARY TABLE OF USES IN COMMERCIAL, MIXED USE, INDUSTRIAL & OTHER DISTRICTS

KEY	USE CATEGORY	Commercial		Mixed Use								Industrial		Other		
		NB	RB	RPD	RCPD	CBD	CD	SCR	SRR	WD	TOD	LM	IPD	OS	PF	PRD
	Vehicle Service, Repair, including Body Work	SP	SP	SP	SP	X	SP	X	X	X	X	SP	X	X	X	X
	Carwash	SP	SP	SP	SP	X	SP	X	X	X	X	SP	X	X	X	X
	Gas or Fuel station, incl. Convenience Store	SP	SP	SP	SP	X	SP	X	X	X	X	SP	X	X	X	X
	Motor Vehicle Junkyard	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
O.	Heavy Commercial															
	Building Materials or Lumber Yard	X	SP	X	X	X	X	X	X	X	X	R	X	X	X	X
	Farm/Construction Equipment Sale & Service	X	SP	X	X	X	X	X	X	X	X	R	X	X	X	X
	Farm Supply Sale, Service	X	SP	X	X	X	X	X	X	X	X	R	X	X	X	X
	Plant Nursery	X	SP	X	X	X	X	X	X	X	X	R	X	X	X	X
P.	INDUSTRIAL															
	Industrial Offices	X	X	X	X	X	X	X	X	R	X	R	SP	X	X	R
	Light Manufacturing, processing or assembly of goods without vaporous, liquid, or solid discharge	X	X	X	X	X	X	X	X	R	X	R	SP	X	X	R
	Manufacturing, processing or assembly of goods (not noxious, hazardous or dangerous)	X	X	X	X	X	X	X	X	R	X	R	SP	X	X	R
	Manufacturing															
	With On-Site Inventory & Material Storage.	X	X	X	X	X	X	X	X	R	X	SP	X	X	X	R
	Involving smelting, forging or plating of metal, rubber or similar materials.	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	X
	Processing facility for animals or fish or their by-products.	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	X
	Recycling Facility for reuse, bundling, reconstruction of materials such as paper, cans, bottles, bulk vegetation (leaves, wood, etc.).	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	X
	Research & Development Laboratories	X	X	X	SP	SP	SP	X	X	R	SP	R	SP	X	X	R
	Waste handling, processing or storage	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	X
Q.	STORAGE															
	Interior Storage															
	of Non-Hazardous Materials	R	R	X	R	SP	R	X	X	R	X	R	R	SP	SP	R
	of Hazardous Materials	X	SP	X	X	X	X	X	X	X	X	SP	SP	SP	SP	SP
	Self-Storage	X	SP	X	X	X	X	X	X	X	X	SP	X	X	X	X
	Outside Storage															
	as Accessory Use only	SP	SP	X	SP	SP	SP	X	X	SP	X	R	SP	SP	SP	SP
	as Principal Use	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	X
	Recycling Facility	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	X
	Warehousing	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	R
R.	TRANSPORTATION															
	Bus, Train or other Mass Transit Station	X	R	X	X	X	R	X	X	SP	R	SP	SP	X	SP	R
	Tractor-Trailer Facility, service area or warehouse w. high volume truck operation	X	X	X	X	X	X	X	X	X	X	R	X	X	X	X
	Public Roadway	R	R	R	R	R	R	R	R	R	R	R	R	SP	R	R
S.	OTHER															
	Billboard subject to §43. Limitations	X	SU	X	X	X	X	X	X	X	X	SU	X	X	X	X
	Common and/or Joint Use Parking	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP

TABLE OF USES IN COMMERCIAL, INDUSTRIAL, MIXED-USE & OTHER DISTRICTS

PROPOSED

TABLE 39.2 SUMMARY TABLE OF USES IN COMMERCIAL, MIXED USE, INDUSTRIAL & OTHER DISTRICTS

KEY	USE CATEGORY	Commercial		Mixed Use								Industrial		Other		
		NB	RB	RPD	RCPD	CBD	CD	SCR	SRR	WD	TOD	LM	IPD	OS	RF	PRD
	Vehicle Service, Repair, including Body Work	SP	SP	SP	SP	X	SP	X	X	X	X	SP	X	X	X	X
	Carwash	SP	SP	SP	SP	X	SP	X	X	X	X	SP	X	X	X	X
	Gas or Fuel station, incl. Convenience Store	SP	SP	SP	SP	X	SP	X	X	SP	X	SP	X	X	X	X
	Motor Vehicle Junkyard	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
O.	Heavy Commercial															
	Building Materials or Lumber Yard	X	SP	X	X	X	X	X	X	X	X	R	X	X	X	X
	Farm/Construction Equipment Sale & Service	X	SP	X	X	X	X	X	X	X	X	R	X	X	X	X
	Farm Supply Sale, Service	X	SP	X	X	X	X	X	X	X	X	R	X	X	X	X
	Plant Nursery	X	SP	X	X	X	X	X	X	X	X	R	X	X	X	X
P.	INDUSTRIAL															
	Industrial Offices	X	X	X	X	X	X	X	X	R	X	R	SP	X	X	R
	Light Manufacturing, processing or assembly of goods without vaporous, liquid, or solid discharge	X	X	X	X	X	X	X	X	R	X	R	SP	X	X	R
	Manufacturing, processing or assembly of goods (not noxious, hazardous or dangerous)	X	X	X	X	X	X	X	X	R	X	R	SP	X	X	R
	Manufacturing															
	With On-Site Inventory & Material Storage.	X	X	X	X	X	X	X	X	R	X	SP	X	X	X	R
	Involving smelting, forging or plating of metal, rubber or similar materials.	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	X
	Processing facility for animals or fish or their by-products.	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	X
	Recycling Facility for reuse, bundling, reconstruction of materials such as paper, cans, bottles, bulk vegetation (leaves, wood, etc.).	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	X
	Research & Development Laboratories	X	X	X	SP	SP	SP	X	X	R	SP	R	SP	X	X	R
	Waste handling, processing or storage	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	X
Q.	STORAGE															
	Interior Storage															
	of Non-Hazardous Materials	R	R	X	R	SP	R	X	X	R	X	R	R	SP	SP	R
	of Hazardous Materials	X	SP	X	X	X	X	X	X	X	X	SP	SP	SP	SP	SP
	Self-Storage	X	SP	X	X	X	X	X	X	X	X	SP	X	X	X	X
	Outside Storage															
	as Accessory Use only	SP	SP	X	SP	SP	SP	X	X	SP	X	R	SP	SP	SP	SP
	as Principal Use	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	X
	Recycling Facility	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	X
	Warehousing	X	X	X	X	X	X	X	X	X	X	SP	X	X	X	R
R.	TRANSPORTATION															
	Bus, Train or other Mass Transit Station	X	R	X	X	X	R	X	X	SP	R	SP	SP	X	SP	R
	Tractor-Trailer Facility, service area or warehouse w. high volume truck operation	X	X	X	X	X	X	X	X	X	X	R	X	X	X	X
	Public Roadway	R	R	R	R	R	R	R	R	R	R	R	R	SP	R	R
S.	OTHER															
	Billboard subject to §43. Limitations	X	SU	X	X	X	X	X	X	X	X	SU	X	X	X	X
	Common and/or Joint Use Parking	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP

TABLE OF USES IN COMMERCIAL, INDUSTRIAL, MIXED-USE & OTHER DISTRICTS