To: Regional Planning Commission  
From: Eugene Livshits, Senior Regional Planner  
Subject: Thursday, February 14, 2019 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 January 10, 2019 RPC Meeting

2. **Action Items**


   2.2. City of Milford: Proposed Zoning Regulation Amendment to Section 4.1.1 - Structures or Accessory Buildings in Residential Districts. Submitted by: City of Milford. Received: January 17, 2019. Public Hearing: TBD


3. **Other Business**

The agenda and attachments for this meeting are available on our website at [www.scrcog.org](http://www.scrcog.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.

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Senior Regional Planner
Subject: Minutes for Thursday, January 10, 2019 Meeting
(5:30 pm at The Graduate Club, New Haven, CT).

Present: Michael Calhoun, Jeffrey Kohan, Charles Andres, Andrew Skolnick, Ralph Aschettino, Kevin Curry, Trish Mase, Sal Brancati (after 2.2), Stacey Davis, David White, Eugene Livshits

1 Administration

1.1 Minutes of the December 13, 2018 RPC meeting.

Motion to accept the minutes as presented: Kevin Curry. Second: Andrew Skolnick. Vote: Unanimous.

2 Statutory Referrals

2.1 Town of Cheshire: Proposed Zoning Regulation Amendments to Section 30 Schedule A regarding Accessory Apartments

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.


2.2 Town of Southington: Proposed Zoning Regulation Amendments to create Section 3-09 regarding Age Restricted Cluster Housing Zones.

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.

3 Other Business

3.1 Nomination of Officers and Executive Committee Members:

Chairman: Michael Calhoun
Vice Chairman: Jeffrey Kohan
Secretary: Charles Andres

Executive Committee:
Michael Calhoun
Jeffrey Kohan
Charles Andres
James Giulietti
Robert Roscow
Ralph Aschettino
Jim Quish

Motion to accept slate of Officers and Executive Committee Members: Ralph Aschettino.
Second: Jim Quish. Vote: Unanimous

Motion to Adjourn: Ralph Aschettino. Second: Jeffrey Kohan. Vote: Unanimous.
Referral 2.1: Town of Orange

Subject:

Proposed Zoning Regulation Amendment to increase the maximum square foot gross floor area for convenience marts

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 in the Town of Orange has proposed an amendment to Section 383-143 – Special standards for convenience marts, gasoline pumps, and/or the sale of gasoline. The amendment has increased the maximum square foot of gross floor area (retail convenience mart) from 2,800 square feet to 5,000 square feet. Convenience marts, gasoline pumps and/or the sale of gasoline is permitted in the C-1 District subject to Special Standards. The C-1 Zone is adjacent to the City of West Haven.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
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 Alfred Benesch & Co. for property owner Alliance Energy LLC
To amend the Orange Zoning Regulations to increase the maximum square foot
gross floor area for a convenience mart.

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 February 19,
2019. 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: TFZC Members
    V. Marino, Esq.
    J. Zeoli, First Selectman
ORANGE TOWN PLAN & ZONING COMMISSION

PETITION TO AMEND ZONING REGULATIONS AND/OR ZONING MAP
(public hearing required)

Applicant  Ryan Scrittorale, P.E., Alfred Benesch & Co. – agent for property owner

Mailing Address  120 Hebron Avenue

Glastonbury, Ct  Zip  05033

Telephone  860.494.4361  Email  rscrittorale@benesch.com

Property Owner  Alliance Energy LLC

Mailing Address  36 East Industrial Drive

Branford, CT  Zip  06405

Telephone  781.786.6344  Fax

PETITION TO AMEND REGULATIONS?  ✓  ZONING MAP?

Signature of Property Owner

Signature of Applicant

Date  1/4/2019  Date  1/7/2019

FOR OFFICE USE ONLY:

Date Received

Application Fee Paid

Meeting Scheduled

Action Taken

Applicant Notified

Date of Publication
Zoning Amendment Text Change

Town of Orange, CT
Chapter 383: Zoning

Article XIV. Special Uses

§ 383-143. Special standards for convenience mart, gasoline pumps, and/or the sale of gasoline.

Original Text:

Convenience marts, gasoline pumps and/or the sale of gasoline in the Commercial C-1 district as provided for in § 383-42C shall conform to the following additional standards:

B. Gasoline pumps and/or the sales of gasoline shall be permitted only in conjunction with the use of the premises as a motor vehicle service station and/or motor vehicle repair garage and/or a retail convenient mart with less than 2,800 square feet of gross floor area. No site containing more than 2,800 square feet of gross floor area for retail sales shall be permitted to have gasoline pumps and/or to sell gasoline.

Amendment:

Convenience marts, gasoline pumps and/or the sale of gasoline in the Commercial C-1 district as provided for in § 383-42C shall conform to the following additional standards:

B. Gasoline pumps and/or the sales of gasoline shall be permitted only in conjunction with the use of the premises as a motor vehicle service station and/or motor vehicle repair garage and/or a retail convenient mart with less than 5,000 square feet of gross floor area. No site containing more than 5,000 square feet of gross floor area for retail sales shall be permitted to have gasoline pumps and/or to sell gasoline.
Referral 2.2: City of Milford

Subject:

Proposed Zoning Regulation Amendment to Section 4.1.1 - Structures or Accessory Buildings in Residential Districts

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:

The City of Milford has proposed a zoning regulation amendment to Section 4.1.1.7. The Section does not allow a structure or accessory building to be constructed to house animals unless the buildings are located at least 100 feet from any street and 50 feet from any lot line. The amendment would exempt the keeping of poultry (in accordance with Section 3.1.3.4) from this regulation. The regulations would be applicable in all residential zoning districts.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
Amendment #42-18

TO:

South Central Regional Council of Governments
Greater Bridgeport Regional Planning Council
City Attorney, City of Milford
State of CT DEEP
City of West Haven, City Clerk
Town of Stratford, Town Clerk
Town of Orange, Town Clerk

FROM: David B. Sulkis, City Planner/DBS

DATE: December 4, 2018

RE: Proposed Changes to the City of Milford Zoning Regulations:
Article 4 Section 4.1.1 Structures or Accessory Buildings in Residential Districts: 4.1.1.7

In accordance with Milford Zoning Regulations 10.3 and CT General Statutes 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:

Article 4, Section 4.1.1 Structures or Accessory Buildings in Residential Districts:

4.1.1.7 No structure or accessory building shall be constructed to house animals unless such buildings are located at least 100 feet from any street and 50 feet from any lot line.

PROPOSED TEXT: (Changes indicated in bold italicized text and/or as Strikethrough text)

4.1.1.7 No structure or accessory building shall be constructed to house animals unless such buildings are located at least 100 feet from any street and 50 feet from any lot line, except the keeping of poultry in accordance with Section 3.1.3.4.

REASON FOR CHANGE:

Coordinate with Section 3.1.3.4

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

Yes ☒ No ☒ ☒ if Yes, date of hearing:

This regulation change is proposed by: Petitioner: ☒ P&Z Board or ☒ Planning and Zoning Board Subcommittee

C: Chairman, P & Z
Chairman, P & Z Regulations Sub-Committee
Director, DPLU
Referral 2.3: City of Meriden

Subject:

Proposed Zoning Regulation Amendments to Section 213-7, Definitions, and Section 213-51, Sale of Alcoholic Liquor

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:

The City of Meriden has proposed Zoning Regulation Amendments to Section 213-7 – definitions and 213-51 – Sale of Alcoholic Liquor. Definitions have been added for the following terms “Bar”, “Nightclub”, “Restaurant”.

The additional amendment to Section 213-51, removes a 1,500 foot distance requirement for restaurants and hotels. The amendment would also allow the sale of alcoholic liquor in 4 additional zoning districts: “C-4 – Convenience or Neighborhood Commercial”, “NCDD – Neighborhood Commercial Design District”, “RDD – Regional Development District” and “TOD Civic District”.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
January 4, 2019

TO THE HONORABLE CITY CONCIL OF THE CITY OF MERIDEN:

Meriden Planning Department respectfully petitions the Meriden City Council acting as the Meriden Zoning Commission to AMEND the text of its Zoning regulation at Article II Section 213-7, Definitions, and at Article II Section 213-51, Sale of Alcoholic Liquor, with the proposal set forth on the attachment hereto entitled “Proposed Zoning Regulation Amendment”.

Respectfully,

[Signature]

Renata Bertotti, AICP
Director of Planning, Development and Enforcement
ADD DEFINITIONS:

BAR: An establishment where the main use is to serve spirituous liquors to be consumed on the premises. Food may or may not be served. Usually a counter and stools are present.

NIGHTCLUB: An establishment engaged primarily in offering entertainment to the general public, in the form of music for dancing or live or recorded performances. The establishment may or may not engage in the preparation and retail sale of alcoholic beverages for consumption on the premises.

RESTAURANT: An establishment where food and drink are regularly prepared, served and consumed primarily within the principal building, or in an outdoor seating area to the general public. The establishment may have a separate area, or lounge, where alcoholic beverages are served with or without full food service, provided the area is accessory to the primary use in: 1) square feet; or 2) sales.

AMEND 213-51 TO READ:

SALE OF ALCOHOLIC LIQUOR - DRAFT § 213-51. Sale of alcoholic liquor.
A. The sale of alcoholic liquor at retail under any valid class of permit, as defined in § 30-15, as amended, of the Connecticut General Statutes, issued by the Liquor Control Commission of the State of Connecticut for consumption either on the premises or off the premises, shall be permitted only in the following districts, as established by § 213-8 of this chapter:

   (1) C-1 Central Commercial District.
(2) C-2 General Commercial District.

(3) C-3 Highway Commercial District.

(4) C-4 Convenience or Neighborhood Commercial District (5) R-4 Multiple-Family/Professional Office District.

(6) M-1 Research, Development and Manufacturing District, under a hotel or restaurant permit issued by the Liquor Control Commission of the State of Connecticut.

(7) M-4 Planned Industrial District.

(8) NCDD Neighborhood Commercial Design District

(9) RDD Regional Development District

(10) TOD-HC TOD Historic Commercial.

(11) TOD-P TOD Park.

(12) TOD-H TOD Hanover (on primary and secondary streets).

(13) TOD-C TOD Civic (on primary and secondary streets).

(14) TOD-G TOD Gateway (on primary and secondary streets).

B. No building or premises shall be used for the sale of alcoholic liquor at retail for consumption off the premises under any class of permit, as defined in § 30-15, as amended, of the Connecticut General Statutes, which may be issued by the Liquor Control Commission of the State of Connecticut, if the main front entrance to the permit premises shall be located within a one-thousand-five-hundred-foot radius, measured in a straight line, from the main front entrance of any other permit premises used for the sale of alcoholic liquor at retail for consumption off the
premises under any class of permit issued by the Liquor Control Commission of the State of Connecticut. The above distance requirement is not applicable to any building or premises located in a shopping center development (§ 213-7B) of at least 50,000 square feet of gross floor area located on a lot of a minimum area of four acres.

C. No building or premises shall be used for the sale of alcoholic liquor at retail for consumption on the premises under any class of permit, as defined in § 30-15, as amended, of the Connecticut General Statutes, which may be issued by the Liquor Control Commission of the State of Connecticut, if the main front entrance to the permit premises shall be located within a one-thousand-five-hundred-foot radius, measured in a straight line, from the main front entrance of any other permit premises used for the sale of alcoholic liquor at retail for consumption on the premises under any class of permit issued by the Liquor Control Commission of the State of Connecticut. The above distance requirement is not applicable to any building or premises located in a shopping center development (§ 213-7B) of at least 50,000 square feet of gross floor area located on a lot of a minimum area of four acres.

D. The distance set forth in Subsection C above will be reduced to zero for restaurants and hotels.

E. Within the TOD area that liquor is permitted, the distance set forth in Subsection C above will be reduced to zero for bars or nightclubs that obtain a special permit from the Planning Commission.

F. Notwithstanding the distance restrictions set forth above in this section, any permittee using a permit premises for the sale of alcoholic liquor under any class of permit issued by the Liquor Control Commission of the State of Connecticut shall be allowed to move such permit premises
within a radius of 750 feet of the old permit premises, provided that said new location is within a
district in which the sale of alcoholic liquor at retail is permitted under this chapter, and
provided, further, that said removal shall be in accordance with the Liquor Control Act and the
rules and regulations of the Liquor Control Commission and, more particularly, the need for said
removal is a result of hardship or caused by reason of the commencement of an eviction action
against such permittee from the particular permit premises for which the original permit was
issued. All other provisions of this chapter shall be applicable except the distance restrictions set
forth within this section.

G. The provisions of this section shall not be deemed to be retroactive, except that any permit
premises being used for the sale of alcoholic liquor under any class of permit issued by the
Liquor Control Commission of the State of Connecticut prior to the effective date of this chapter,
which use is not in conformity with the provisions of this chapter and which shall be voluntarily
discontinued for a period of more than 60 days, may not be resumed unless such use shall
thereafter conform to this chapter.

H. The words "alcoholic liquor" are meant to conform to the definition of "alcoholic liquor" as
set forth in the Connecticut State Liquor Control Act, as set forth in Chapter 545 of the
Connecticut General Statutes (§ 30-1).

I. The distance restrictions contained in this section shall not apply to the sale of alcoholic liquor
at retail under a club permit as defined in § 30-15, as amended, of the Connecticut General
Statutes, issued by the Liquor Control Commission of the State of Connecticut for consumption
on the premises, and such clubs may be permitted as a special exception only in the following
districts, as established by § 213-8:
(1) C-1 Central Commercial District.

(2) C-2 General Commercial District.

(3) C-3 Highway Commercial District.

(4) M-4 Planned Industrial District.

(5) R-4 Multiple-Family/Professional Office District.

and may be permitted by a special permit from the Planning Commission in the following districts:

(6) TOD Sub-Districts that permit liquor.
Referral 2.4: City of Derby

Subject:
Proposed Zoning Regulation Amendments pertaining to Electronic Signs in Shopping Centers

Staff Recommendation:

Background:

A private applicant in the City of Derby has proposed amendments to Section 195-67 – Electronic Message Displays. The amendment would add the following language “To provide advertising signage for commercial shopping centers over 100,000 square feet where the commission deems appropriate” as one of the subsections under the purpose of the regulations. In addition, the amendment would permit the use as a special exception in the B-1 Zone. The minimum duration of the message or display would be thirty seconds, while in the existing regulations it is 15 minutes in the P Zone (permitted by Special Exceptions).

The size of the sign would be a maximum of 100 square feet in area per side and 200 square feet in total area of both sides in the B-1 zoning district. The limitation is only applicable to the electronic display portion of the sign; the non-electronic portion of the signage would be at the discretion of the commission. The maximum height is proposed to be increased to 25 feet (20 feet existing regulations). In the B-1 Zone if the property abuts a state highway and the right of way line is more than 15 feet from the edge of the pavement, the commission may reduce the setback up to the state right of way line.

The B-1 Zone is adjacent to the Town of Orange.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
PLANNING & ZONING COMMISSION  
1 ELIZABETH ST., DERBY, CT 06418  

APPLICATION FOR CHANGE OF ZONE OR ZONE TEXT CHANGE  

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

DATE SUBMITTED: December 31, 2018  
FEE: $1,000.00

1. APPLICANT: 49 PERSHING DRIVE, LLC
2. ADDRESS: c/o Atty. Dominick Thomas, 315 Main Street, Derby, CT 06418
3. TELEPHONE #: 203-735-9521  E-MAIL: djt@cohen-thomas.com
4. INTEREST: (X) Owners ( ) Agent
5. Other persons, firms or corporations represented by applicant: N/A
6. ADDRESS:
7. TELEPHONE #:
8. INTEREST: ( ) Owners ( ) Agent
9. LOCATION OF PROPOSED CHANGE: N/A

10. LEGAL DESCRIPTION OF PROPERTY: LOTS ( ) BLOCK ( ) ADDITION ( )

11. AREA OF SUBJECT PROPERTY - SQ. FEET OR ACRES: N/A

12. PRESENT ZONE: N/A

13. PROPOSED ZONE: N/A

14. Describe briefly the nature and expected effect of the change. Be sure to include an explanation legal basis for the proposal: either (a) the error in the map as approved by city council, or (b) the changed or changing conditions making the proposed change necessary:

THE PROPOSED TEXT CHANGE IS TO PERMIT ELECTRONIC SIGNS IN THE BUSINESS-1 (B-1) ZONE FOR SHOPPING CENTERS WITH 100,000 SQUARE FEET OR GREATER OF BUILDING.

15. Use and development proposed for the property to be re-zoned, including time schedule for such development: N/A

16. Exhibits submitted, number & kind: PROPOSED TEXT CHANGE LANGUAGE.

[Signature]

Applicant’s Signature
DOMINICK J. THOMAS, JR.
ATTORNEY FOR APPLICANT

RECEIVED
JAN 14 2019  
SOUTH CENTRAL REGIONAL COUNCIL OF GOVERNMENTS
Section 195-67


(1) The City of Derby, acting by and through its Planning and Zoning Commission, finds it necessary for the promotion and preservation of the public health, safety and welfare, to regulate the location, construction, size, brightness, operation, messaging, and maintenance of signs that display electronic messages. Electronic signs have been found to have a direct impact on traffic safety, pedestrian safety, community appearance and property values. Electronic signs that display messages are highly visible have wide viewing angles, during the day and night and are designed to attract the attention of persons in viewing sight lines for an extended period of time.

The purposes of the regulations promulgated in this Section include:

(a) To eliminate potential hazards to motorists and pedestrians using the public streets, sidewalks, and rights-of-way;

(b) To safeguard and enhance property values;

(c) To control nuisances;

(d) To protect government investments in public buildings, streets, sidewalks, traffic control and utility devices, parks, and open spaces;

(e) To eliminate excessive and confusing sign displays;

(f) To promote the public health, safety, and general welfare;

(g) To provide advertising signage for commercial shopping centers over 100,000 square feet where the commission deems appropriate, and

(h) To provide for fair and consistent enforcement of the regulations set forth herein.

(2) Any sign utilizing electronic message displays in whole or in part must meet the following operational standards:

(a) The use of electronic signs shall only be permitted by Special Exception in
the P and B-3 Zones. The message must have a minimum duration of fifteen (15)
minutes and/or be a static display in the P zone and thirty (30) seconds in the B-1 zone, and be limited to
text only. No portion
of any electronic message display shall fluctuate in light intensity or use
intermittent, strobe or moving light or light that changes in intensity in
sudden transitory bursts, streams, zooms, twinkles, sparkles or in any
manner creates the illusion of movement. No portion of any electronic
message display shall change its message or background in a manner or by
a method of display characterized by motion or pictorial imagery, or
depicts action or a special effect to imitate movement, or the presentation
of pictorials or graphics displayed in a progression of frames that give the
illusion of motion or the illusion of moving objects, moving patterns or
bands of light or expanding or contracting shapes; and
(b) Electronic message displays shall be limited to no more than one (1) sign
per lot;
(c) Electronic message displays shall be limited to no more than sixteen
(16) square feet in area per side, and no more than thirty-two (32) square
feet in total area of both sides combined in the P zone and no more than one hundred (100) square feet
in area per side and no more than two hundred (200) square feet in total area of both sides combined in
the B-1 zone. The size limitation shall apply to the electronic display portion of the sign. Additional non-
electronic signage or structure shall be permitted at the discretion of the Commission;
(d) No electronic message display shall be closer than ten (10) feet to any
property line abutting a street or closer than six (6) feet to any other lot
line PROVIDED THAT, in the B-1 zone if the property abuts a State Highway and the Right of Way line is
greater than fifteen (15') from the edge of pavement the Commission may reduce the setback up to the
State Right of Way Line;
(e) No electronic message display shall exceed twenty-five (25') feet in height;
(f) No illumination from an electronic message display shall cause
objectionable glare onto or toward any residential properties. In addition,
no illumination from such sign shall interfere with the safe movement of
motor vehicles on public thoroughfares;
(g) Electronic message displays shall not display any off-premises advertising:

(h) Audio speakers or any form of pyrotechnics are prohibited in association with a sign.

195-71 SIGNS PERMITTED BY DISTRICT:

C.

(4) Shopping centers occupying less than 10 acres: One freestanding sign not exceeding 50 square feet per side, solely to identify the center. Shopping centers in the B-I District occupying 10 acres or more; One freestanding sign identifying the center and its occupants, the allowable sign area for said sign shall equal .75 square feet for each linear foot of the front wall of the building but in no event shall the total area of a sign face per side exceed 300 square feet.

Due to the complexities of site design and occupancy associated with large shopping centers in excess of 100,000 gross square feet and similar mixed use developments, the Commission may permit signs, including electronic signs and the number and location of signs, differing from the standards contained in this section by granting a special exception for an Alternative Signage Program when the Commission finds that:

(a) Such signage program would be consistent with the purpose and intent of this Article XI; and

(b) Such signage program would result in a more comprehensive and attractive arrangement and display of signs that could otherwise be accomplished under the standards of this article.