

**SOUTH CENTRAL CONNECTICUT  
Regional Planning Commission**

**RPC  
Representatives**

**Bethany:**  
Michael Calhoun

**Branford:**  
Charles Andres

**East Haven:**  
Sal Brancati

**Guilford:**  
Matthew Yorzinski

**Hamden:**  
Robert Roscow

**Madison:**  
Joel Miller

**Meriden:**  
Kevin Curry

**Milford:**  
Jim Quish

**New Haven:**  
Elias Estabrook

**North Branford:**  
Trish Mase

**North Haven:**  
James Giulietti

**Orange:**  
Ralph Aschettino

**Wallingford:**  
Jeffrey Kohan

**West Haven:**  
Kathleen Hendricks

**Woodbridge:**  
Andrew Skolnick

To: Regional Planning Commission  
From: Eugene Livshits, Senior Regional Planner  
Subject: Thursday, July 11, 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 April 11, 2019 RPC Meeting **1**
- 1.2. Minutes of the June 13, 2019 RPC Meeting **3**

**2. Action Items**

- 2.1. Town of Wallingford: Proposed Zoning Regulation Amendments pertaining to Signs. Submitted by: Town of Wallingford. Received: May 09, 2019. Public Hearing: July 8, 2019 (request made to keep comment period open) **4**
- 2.2. City of West Haven: Proposed Zoning Regulation Amendments pertaining to Short Term Rentals. Submitted by: City of West Haven. Received: June 18, 2019. Public Hearing: July 23, 2019 **7**
- 2.3. City of West Haven: Proposed Zoning Regulation Amendments pertaining to Outdoor Dining. Submitted by: City of West Haven. Received: June 18, 2019. Public Hearing: July 23, 2019 **10**
- 2.4. City of West Haven: Proposed Zoning Regulation Amendments pertaining to Storm Water Runoff. Submitted by: City of West Haven. Received: June 18, 2019. Public Hearing: July 23, 2019 **14**
- 2.5. Town of North Branford: Proposed Zoning Regulation Amendments pertaining to building coverage in R-40 Zoning District. Submitted by: Town of North Branford. Received: June 27, 2019. Public Hearing: July 11, 2019 **20**
- 2.6. Town of North Branford: Proposed Zoning Regulation Amendments to add Section 62.5.6 – Stormwater Management Plan. Submitted by: Town of North Branford. Received: June 27, 2019. Public Hearing: July 11, 2019 **26**
- 2.7. Town of Cheshire: Proposed Zoning Regulation Amendments pertaining to Parking Areas and Accessory Building Setbacks. Submitted by: Private Applicant. Received: June 24, 2019. Public Hearing: July 8, 2019 **40**

**3. Other Business**

*The agenda and attachments for this meeting are available on our website at [www.scrkog.org](http://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](http://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, Senior Regional Planner  
Subject: Minutes for Thursday, April 11, 2019 Meeting at 5:15 pm at SCRCOG, 127 Washington Avenue,  
4<sup>th</sup> Floor West, North Haven, CT 06473

**Present:** Michael Calhoun, Jeffrey Kohan, James Giulietti, Sal Brancati, Andrew Skolnick, Elias Estabrook,  
Kevin Curry, Robert Roscow; Eugene Livshits

**1 Administration**

*1.1 Minutes of the March 14, 2019 RPC meeting.*

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

**2 Statutory Referrals**

*2.1 City of West Haven: Proposed Zoning Regulation Amendments to table 39.2 and to add “Recycling Processing Facility”*

The referral was amended and the updated material was presented to the Regional Planning Commission.

The proposed zoning regulation amendments may have potential for inter-municipal impacts if located within 500 feet of a residential zone within an adjacent community. There do not appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound.

Motion: James Giulietti. Second: Andrew Skolnick. Vote: Unanimous.

*2.2 Town of Cheshire: Proposed Zoning Regulation Amendments to Section 44a – Affordable Housing Development*

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: Robert Roscow. Second: Kevin Curry. Vote: Unanimous.

*2.3 Town of Branford: Proposed Zoning Regulation Amendments to add Farm Event Venue as a use and the applicable standards*

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: Kevin Curry. Second: Andrew Skolnick. Vote: Unanimous.

**SOUTH CENTRAL CONNECTICUT  
Regional Planning Commission**

---

*2.4 Town of Durham: Proposed Zoning Regulation Amendments pertaining to Commercial Kennels*

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: Kevin Curry. Second: Andrew Skolnick. Vote: Unanimous.

**3 Other Business**

Motion to Adjourn: Robert Roscow. Second: Jeffrey Kohan. Vote: Unanimous.

**SOUTH CENTRAL CONNECTICUT  
Regional Planning Commission**

---

**DRAFT - Not yet approved by the Commission**

**MEETING MINUTES**

To: Regional Planning Commission  
From: Eugene Livshits, Senior Regional Planner  
Subject: Minutes for Thursday, June 13, 2019 Meeting at 5:15 pm at SCRCOG, 127 Washington Avenue,  
4<sup>th</sup> Floor West, North Haven, CT 06473

**Present:** Michael Calhoun, Charles Andres, Robert Roscow, Elias Estabrook, Eugene Livshits

**The Regional Planning Commission Meeting on June 13, 2019 did not have a quorum. The referrals were reviewed by consensus of the members present.**

**1 Administration**

*1.1 Minutes of the April 11, 2019 RPC meeting.*

The approval of minutes from the April 11, 2019 meeting will be presented during the July 11, 2019 RPC Meeting.

**2 Statutory Referrals**

*2.1 Town of North Branford: Proposed Zoning Regulation Amendments pertaining to Farm/Outdoor Events*

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC recommends that consideration should be given for regulating amplified outdoor music, which may have potential for inter-municipal impacts. There do not appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

*2.2 Town of Wallingford: Proposed Zoning Regulation Amendments pertaining to Electric Charging Stations*

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC recommends that 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.

*2.3 Town of Madison: Proposed Zoning Regulation Amendments to add Planned Development District*

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC recommends that 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**

## **Referral 2.1: Town of Wallingford**

### **Subject:**

Proposed Zoning Regulation Amendments pertaining to 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 Wallingford has submitted proposed Zoning Regulation Amendments pertaining to Section 2.2 – Definitions and Section 6.9 – Signs. “Sign, Digital – A sign utilizing digital message technology capable of changing the static message or copy electronically. Also known as, and including, Electronic Message Center (EMC), Electronic Sign, Light-Emitting Diode (LED) sign”.

The definition for digital sign has been added in Section 2.2, and the proposed regulations prohibit this type of sign in any district (except as permitted within the regulations). Digital sign displays would be permitted via a permit in the case of vehicle fueling/charging stations. This would be a ground sign with a total 3 digital sign displays. The displays are limited to an area of 10 inches in height and 25 inches in width. Additional restrictions and amendments to sign regulation can be reviewed within the agenda packet.

### **Communication:**

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

## §2.2 SPECIFIC TERMS

Sign, Digital - A sign utilizing digital message technology capable of changing the static message or copy electronically. Also known as, and including, Electronic Message Center (EMC), Electronic Sign, Light-Emitting Diode (LED) sign

Formatted: Font: Not Bold

## §6.9 SIGNS

10/16/05

A. All signs shall conform to the following regulations:

B. Signs not requiring a permit:

26. Signs, not including Advertising Signs (billboards), the content of which is not visible from any property other than the one on which it is located or from a public right-of-way

Formatted: Tab stops: 0.13", Left + Not at 0.5"

C. Signs requiring registration:

12/05/09

1. Temporary ~~business advertising~~-signs, either attached or freestanding, are allowed up to six (6) times per calendar year for a period not to exceed fourteen (14) days per occasion.
2. Temporary ~~business advertising~~-signs shall be subject to the following requirements:
  - a. All signs shall be professionally prepared.
  - b. Only one (1) sign per business may be displayed at any one time, except on corner lots and through lots, which shall be permitted one sign on each street abutting the property.
  - c. Signs shall be placed on the lot on which the business is located, not on any Town or State ROW and shall not block any sight line.
  - d. Signs may be displayed for up to fourteen (14) days per occasion and must be removed by the close of business of the last day. A minimum of fourteen (14) days must elapse before that business may again display a temporary ~~business advertising~~-sign.
  - e. Freestanding signs must be constructed of rigid material and may not exceed 8.5 sq.ft. in size and shall exclude A-frame style signs.
  - f. Wall mounted banners must be constructed of fabric or plastic material and their size shall not exceed one (1) square foot for each lineal foot of the building where the primary entrances and/or display windows are located; maximum 40 sq.ft.
    1. In a mixed-use or multi-tenant building, the total banner area permitted for each business shall be pro-rated on an equitable basis, such as the building face for that tenant.
    2. The maximum size of all banners on a building shall not exceed 40 sq.ft.
  - g. Signs shall not be illuminated.
  - h. Temporary ~~business advertising~~-signs shall not be permitted in R, RU or RM zoning districts.
  - i. The applicant must register prior to the placement of a temporary ~~business advertising~~-sign. Any business that violates any of the requirements of Subsection (2) of these regulations regarding temporary signs shall not be granted a temporary permit registration for one (1) year following the date the violations is recorded.

D. Signs requiring a permit:

4. Signs permitted in TC, CA, CB, DD, RF and I zones: 08/17/18 05/18/97
  - f. Advertising signs (billboards) per standards in §6.9ED.
  - i. In the case of vehicle fueling/charging stations, the permitted

Formatted: Indent: Left: 0"

ground signage may include up to a total of tow (3) digital sign displays, each area not to exceed 10 inches in height and 25 inches in width. Such signage shall count toward and be a part of permitted signage on the site, including but not limited to, permitted number of ground signs, total permitted ground signage, and total permitted signage on the site. Such signage shall also comply with the following:

1. Shall not change more than once in a 24 hour time period, and shall not otherwise move, scroll, flash, blink, change colors, or otherwise utilize special effects;
2. The background for such signage shall be black;
3. The NIT intensity shall be no greater than 5,000 NITs during daylight hours and 3,000 NITs during the evening hours. As required by the Planning and Zoning Commission, Zoning Enforcement Officer, or Town Engineer, the owner or operator of the sign shall provide verification of compliance with this requirement.

F. Prohibited Signs

The following signs are prohibited in any district:

3. Digital Signs, Light-Emitting Diode (LED) strips, and any other signs which involve the electronic or automatic switching of lamps or illuminated tubes, except as expressly permitted in these regulations.
43. Any portable sign, including any sign displayed on a vehicle when such vehicle is used primarily for the purpose of such display.
45. Any sign mounted or posted on any tree or utility pole.
56. All signs not expressly permitted by these regulations.

Formatted: Font: Courier New, Condensed by 0.1 pt

## **Referral 2.2: City of West Haven**

### **Subject:**

Proposed Zoning Regulation Amendments pertaining to Short Term Rentals

### **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 West Haven has proposed zoning regulation amendments in Section 2, Table 39.1 and 39.2, and Table 62.1 pertaining to Short Term Rentals. In Section 2 a definition has been added for the proposed use:

“ ROOM RENTAL, SHORT-TERM (AKA Airbnb, VRBO) – The temporary rental of part or all of a property to any temporary renters for no more than (21) cumulative days during any 6 month period, with no property being used for such temporary rental more than (3) times during any 6 month period.\*

- 1) Occupancy is limited to no more than 4 unrelated adult temporary renters and/or their children, at any one time.
- 2) Owner must reside on premises.
- 3) Use does not transfer to subsequent owner and requires reapproval by the ZBA.
- 4) (Optional): Minimum 70 sf for one person + 50 sf for additional guests, including children.”

The use would be permitted as a Special Exception in the R1 and R2 zoning districts and the Neighborhood and Regional Business Districts. The use would require one additional parking space.

### **Communication:**

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



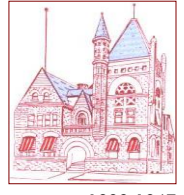


# CITY OF WEST HAVEN, CONNECTICUT

## Planning and Development Department

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

West Haven, Connecticut 06516-0312  
E-Mail: [planning@cityofwesthaven.com](mailto:planning@cityofwesthaven.com)



CITY HALL 1898-1967

## APPLICATION FOR CHANGE TO ZONING REGULATIONS

### 1. Article and Section of Zoning Regulations

Article 1, Section 2, Definitions; Tables 39.1 and 39.2 and Table 62.1

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

Short Term Rentals (such as Airbnb and VRBO) are starting to show up in the City, especially with West Haven's extensive shoreline and growing universities such as UNH and Yale. Other communities are regulating such rentals, and West Haven feels it would be useful to guide how such uses operate in the City.

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

Without a specific regulation in place, there is a risk of this use spreading through the City and compromising the quality of existing neighborhoods and impacting on neighbors.

### 4. Applicant Information

Name Planning and Zoning Commission  
Firm City of West Haven  
Street Address 355 Main Street  
City West Haven State CT ZIP 06516

#### Daytime Phone:

☒ Business ☐ Home (203) 937-3580

☐ Fax: ☐ Cell:

☒ E-mail : [Dkilleen@westhaven-ct.gov](mailto:Dkilleen@westhaven-ct.gov)

Dated: June 14, 2019

Signature of APPLICANT

### 5. Counsel Information

Name: Lee Tiernan, Corporation Counsel  
Firm City of West Haven  
Street Address 355 Main Street  
City West Haven State CT ZIP 06516

Daytime Phone: (203) 937-3600

☒ Business ☐ Home

☐ Fax: ☐ Cell:

☒ E-mail [Ltiernan@westhaven-ct.gov](mailto:Ltiernan@westhaven-ct.gov)

### 6. Provide Text of Proposed Change

Proposed Text is 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.)*

PROPOSED AMENDMENTS TO ZONING REGULATIONS RE:  
AIRBNB/Short Term Rentals

1. Amend Article 1, Section 2, Definitions, by adding the following definition for a new use, “Short-Term Rental”:

ROOM RENTAL, SHORT-TERM (AKA Airbnb, VRBO) – The temporary rental of part or all of a property to any temporary renters for no more than (21) cumulative days during any 6 month period, with no property being used for such temporary rental more than (3) times during any 6 month period.\*

- 1) Occupancy is limited to no more than 4 unrelated adult temporary renters and/or their children, at any one time.
- 2) Owner must reside on premises.
- 3) Use does not transfer to subsequent owner and requires reapproval by the ZBA.
- 4) (Optional): Minimum 70 sf for one person + 50 sf for additional guests, including children.

---

\*The Commission should decide if these standards would work for West Haven

2. Amend Table 39.1 and 39.2 as follows:

- a. Add “Short-Term Room Rental” as a Special Exception Use in the R1 and R2 Districts under Table 39.1.
- b. Add “Short-Term Room Rental” as a Special Exception Use in the Neighborhood and Regional Business Districts under Table 39.2

---

\*Special Exception Uses are reviewed and approved by the Zoning Board of Appeals through a public notice and hearing process, the same process that’s used to evaluate accessory apartments, which are also permitted by Special Use Exception in the above-noted districts. By comparison, Bed and Breakfast Establishments/Tourist Homes are allowed as a Special Permit use in the City’s mixed-use districts (CBD, SCR, SRR, WD and TOD).

3. Amend Table 62.1 as follows:

Under Table 62.1, Section A., after, Accessory Apartment, add:

Use Category	Required Parking spaces	Required Loading Spaces
Short-Term Room Rental	1 additional space	NONE

## **Referral 2.3: City of West Haven**

### **Subject:**

Proposed Zoning Regulation Amendments pertaining to Outdoor Dining

### **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 West Haven has proposed zoning regulation amendments to Section 20.10 – Outdoor Dining. The use would be permitted in all commercial zones. The process would require an initial approval of a large scale outdoor dining area of 5 or more tables (subject to Special Permit Approval. Areas with 4 tables or less would require a temporary permit, issued on an annual basis April 1 to November 1.

The proposed amendments include a Section on General Standards including regulations for Sales and Service; Site Plan; potential requirement for screening; consideration for ingress/egress and pedestrian traffic. The specific requirements can be found in the agenda packet.

### **Communication:**

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

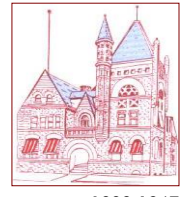


# CITY OF WEST HAVEN, CONNECTICUT

## Planning and Development Department

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

West Haven, Connecticut 06516-0312  
E-Mail: [planning@cityofwesthaven.com](mailto:planning@cityofwesthaven.com)



CITY HALL 1898-1967

## APPLICATION FOR CHANGE TO **ZONING REGULATIONS**

### 1. Article and Section of Zoning Regulations

Section 20.10 Outdoor Dining

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

The City's current regulations require Special Permit approval for any outdoor dining in the City and the current regulations make it difficult for a small restaurant with little indoor seating to participate in the outdoor dining experience. Since the City sees outdoor dining as beneficial to the community, the proposed regulation seeks to: 1) Simplify the approval process for small areas of outdoor dining 2) Establish an annual permit process for review of establishments with outdoor dining and 3) Update the current regulations to compare with those of other Connecticut communities.

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

The regulation seeks to balance public safety, especially with regard to the use of public sidewalks while recognizing the value of providing outdoor dining experiences throughout the City.

### 4. Applicant Information

Name Planning and Zoning Commission  
Firm City of West Haven  
Street Address 355 Main Street  
City West Haven State CT ZIP 06516

#### Daytime Phone:

☒ Business ☐ Home (203) 937-3580

☐ Fax: \_\_\_\_\_ ☐ Cell: \_\_\_\_\_

☒ E-mail : [Dkilleen@westhaven-ct.gov](mailto:Dkilleen@westhaven-ct.gov)

Dated: June 14, 2019

\_\_\_\_\_  
Signature of **APPLICANT**

### 5. Counsel Information

Name: Lee Tiernan, Corporation Counsel  
Firm City of West Haven  
Street Address 355 Main Street  
City West Haven State CT ZIP 06516

Daytime Phone: (203) 937-3600

☒ Business ☐ Home

☐ Fax: \_\_\_\_\_ ☐ Cell: \_\_\_\_\_

☒ E-mail [Ltiernan@westhaven-ct.gov](mailto:Ltiernan@westhaven-ct.gov)

### 6. Provide Text of Proposed Change

Proposed Text is 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.)*

## **20.10 OUTDOOR DINING**

**Outdoor dining service** for **take-out** and **restaurants** is encouraged in all commercial zones and can be accomplished in accordance with the following conditions:

- Initial approval of a large scale outdoor dining area of 5 or more table shall be subject to Special Permit approval of the Planning and Zoning Commission and must follow the general Standards of Outdoor Dining
- In the case of small-scale projects (4 tables or Less) Outdoor Dining may be permitted by issuance of a Temporary Permit by the Commissioner of Planning & Development. The application will be reviewed and assurance that the general standards for outdoor Dining have been met.
- A Temporary Permit will be Issued from April 1, to November 1, each year.

### **20.10.1 GENERAL STANDARDS FOR OUTDOOR DINING**

1. Sales and service may include food and beverages.
  - Outdoor dining may operate during regular business hours of the restaurant operating the outdoor dining but no later than 11:00 pm
  - Any license agreement shall comply with any applicable requirement imposed by the Liquor Control Act of the State of Connecticut, Consumption of alcohol on such property is permitted only in accordance with any liquor permit, provided that such public consumption shall not violate any other state statute, state regulation of municipal ordinance .
2. The site plan shall show the specific location for outdoor seating and service which may include public sidewalks.
  - furnishings for outdoor dining shall consist solely of moveable tables, chairs, and decorative accessories. Furnishings must be kept in a state of good repair and a clean and safe conditions at all times
  - All tables, chairs, trash receptacle, etc shall be removed at the end of each outdoor dining season.
  - Awnings shall be adequately secured and retractable umbrellas over tables must be adequately weighted.
  - Adequate trash receptacles must be provided. and the restaurant is responsible for cleanup of all trash generated from the outdoor dining ( including the restaurant site and surrounding areas)
  - The Outdoor dining must consider safety and flow of pedestrian traffic. Outdoor dining operation shall provide not less than five contiguous feet of sidewalk clear of obstructions to allow unimpeded pedestrian traffic to the street corners
  - When the temporary use ceases , then all evidence of such use shall be removed from the premise.
  - When If said use is to be re-established the applicant must reapply and again meet all conditions and standards of this subsection.
3. Use of public sidewalks shall be in compliance with Section 139.12 of the West Haven City Code.
4. The Planning and Zoning Commission or staff may require a low fence or wall less than three feet in height or landscaped planters surrounding the outdoor dining area.
5. An emergency exit shall be provided.

- Ingress/egress must be maintained between restaurant doorways and the sidewalk. All ADA Accessibility Guidelines , Fire Code and Building Codes should be adhered to. The exit doors of the restaurant should be maintained free of chairs and tables at all times and must be handicapped accessible
- The Outdoor dining must consider safety and flow of pedestrian traffic. Outdoor dining operation shall provide not less than five contiguous feet of sidewalk clear of obstructions to allow unimpeded pedestrian traffic to the street corners

**Note:** The city reserves the right and power to temporarily order the discontinuation of the operation of public outdoor dining at any time because of anticipated or actual problems or conflicts in the use of the sidewalk area. These situations include , but are not limited to festivals, parades, marches, road races, repairs to the street or sidewalk, or any other emergencies occurring in the area

## **Referral 2.4: City of West Haven**

### **Subject:**

Proposed Zoning Regulation Amendments pertaining to Storm Water Runoff

### **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 West Haven has proposed zoning regulation amendments to Sections 25.3.4, 26.2.3, 27.9.3, 60.22, 71.6, 74, and 75.6.4. The amendments are in relation to stormwater and compliance with State regulations pertaining to the MS4 Permit. The amendments include standards for Industrial uses listed under the CT DEEP industrial stormwater general permit to obtain a permit through the CT DEEP based on the SIC Codes. Several of the sections include proposed language pertaining to the stormwater designs, which must be done by a professional engineer in accordance with the 2004 CT Stormwater Quality Manual (latest edition).

The Sections pertaining to Soil Erosion and Sediment Control have proposed language for the SESC Plans to be done in accordance with the CT Guidelines for Soil Erosion and Sediment Control. In Section 75.6.4 – Drainage, now requires calculations for existing and proposed total Directly Connected Impervious Area (DCIA) within the development, including specific standards for on-site water quality volume based on DCIA with 40% or more and standards for DCIA less than 40%. Additional proposed standards can be reviewed within the agenda packet.

### **Communication:**

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

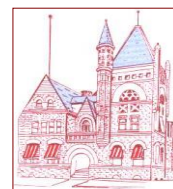


# CITY OF WEST HAVEN, CONNECTICUT

## Planning and Development Department

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

West Haven, Connecticut 06516-0312  
E-Mail: [planning@cityofwesthaven.com](mailto:planning@cityofwesthaven.com)



CITY HALL 1898-1967

## APPLICATION FOR CHANGE TO ZONING REGULATIONS

### 1. Article and Section of Zoning Regulations

Multiple Sections would be affected (Sections 25, 26, 27, 60, 71, 74, and 75)

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

In order to comply with State Regulations for increased local management of storm water runoff (MS4), these regulations will update specific requirements of the City's site plan review procedures and will clarify the requirements for proper storm water management practices.

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

As a coastal community, the City has the increased responsibility of protecting the quality of Long Island Sound. Careful management of storm water runoff is a critical part of providing that protection.

### 4. Applicant Information

Name Planning and Zoning Commission  
Firm City of West Haven  
Street Address 355 Main Street  
City West Haven State CT ZIP 06516

#### Daytime Phone:

☒ Business ☐ Home (203) 937-3580

☐ Fax: ☐ Cell:

☒ E-mail : [Dkilleen@westhaven-ct.gov](mailto:Dkilleen@westhaven-ct.gov)

Dated: June 14, 2019

Signature of APPLICANT

### 5. Counsel Information

Name: Lee Tiernan, Corporation Counsel  
Firm City of West Haven  
Street Address 355 Main Street  
City West Haven State CT ZIP 06516

Daytime Phone: (203) 937-3600

☒ Business ☐ Home

☐ Fax: ☐ Cell:

☒ E-mail [Ltiernan@westhaven-ct.gov](mailto:Ltiernan@westhaven-ct.gov)

### 6. Provide Text of Proposed Change

Proposed Text is 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.)*



PROPOSED MODIFICATIONS TO CITY OF WEST HAVEN ZONING REGULATIONS RE:  
COMPLIANCE WITH MS4 STORMWATER MANAGEMENT REQUIREMENTS

This application proposes the following modifications to the existing Zoning Regulations:

**25.3.4 Supplemental Standards for Special Permit Uses in Industrial Districts.** The Commission shall establish conditions and requirements to protect adjoining property values and to minimize any potential traffic, safety or other hazard. In granting any Special Permit the Commission may:

1. Establish conditions affecting the operation, location and **use** provided same fulfills the purposes of this Section and Article.
2. Require landscape buffers of not less than 75 feet or more than 100 feet when adjoining any district other than Industrial Planned Development Zones.
3. Require a licensed engineer certify that the facility as designed and built will meet all federal, state and local standards for air, water and noise pollution.
4. Industrial uses listed under the CT DEEP Industrial Stormwater General Permit must obtain a permit through CT DEEP based on the Standard Industrial Classification (SIC) codes.

**26.2.3 PVD Master Plan.**

2. A Preliminary Drainage Assessment prepared by a Professional Engineer registered by the State of Connecticut to the level necessary to show the general effect of the proposal on the physical environment of the site and surrounding adjacent lots within 500 feet, including but not necessarily limited to:
  - a. storm water run-off before and after development and how it is to be controlled.
  - b. the impact on existing or proposed improved drainage systems.  
The watershed assessment shall be based on a 100-year storm event.
  - c. All stormwater designs shall be laid out by a professional engineer. All designs must be done in accordance with the 2004 Connecticut Stormwater Quality Manual (latest edition).

**27.9.3 IHZ Master Plan**

2. A Preliminary Drainage Assessment prepared by a Professional Engineer registered by the State of Connecticut to the level necessary to show the general effect of the proposal on the physical environment of the site and surrounding adjacent lots within 500 feet, including but not necessarily limited to:
  - a. storm water run-off before or after development and how it is to be controlled.
  - b. The impact on existing or proposed improved drainage systems.  
The watershed assessment shall be based on a 100-year storm event.
  - c. All stormwater designs shall be laid out by a professional engineer. All designs must be done in accordance with the 2004 Connecticut Stormwater Quality Manual (latest edition).

**60.22 SUBSURFACE DRAINAGE CONNECTION**

60.22.1 **Site Plan** shall show the proposed storm water management system including the location and size of all drainage structures, storm sewers, swales and swale sections, detention basins, outlet lines, and analyses of the effect of said improvements on the receiving outlet pipe and storm sewer and the associated swale and high water elevations for each storm event. All designs for storm water management systems must be done in accordance with the 2004 Connecticut Stormwater Quality Manual (latest edition).

60.22.4 **Storm Water Management Plan.** Any development with more than 10,000 square feet of impervious surface area shall prepare a stormwater management plan, which shall employ best management practices. Said plan shall be prepared by a registered professional engineer and include drainage calculations for existing and proposed conditions for 10, 25 and 100 year storm recurrence intervals. All storm water treatment systems and best management practices must be in accordance with the 2004 Connecticut Stormwater Quality Manual (latest edition).

## **Section 71.6 COASTAL SITE PLAN REVIEW APPLICATION REQUIREMENTS**

**71.6.1 A Coastal Site Plan Review(CSPR)** application.. (no change to first paragraph)..

1. **Plans:**

- showing the location and spatial relationship of **coastal resources** (see Section 71.2.1) on and contiguous to the site, and
- depicting location of the high tide line and mean high water, if applicable, A-zone and V-zone FEMA flood designations, a sediment and erosion control plan, grading plan, stormwater management plan and identification of endangered and/or threatened species on-site
- All Stormwater Management Plans must be in accordance with the 2004 Connecticut Stormwater Quality Manual (latest edition).

## **SECTION 74: SOIL EROSION AND SEDIMENT CONTROL**

### **74.1 AUTHORITY**

The SESC Regulations have been prepared and are adopted in accordance with the provisions of Public Act 83-388, entitled "An Act Concerning Soil Erosion and Sediment Control", and Sections 8-2 and 8-25 of the Connecticut General Statutes, as amended. All Soil Erosion and Sediment Control (SESC) Plans must be in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control (2002 or latest edition).

**74.3.1 When Plan is Required.** A SESC Plan shall be submitted with any application for development when:

1. The site of such development is one-half acre or more, unless exempted in Section 74.5 of these regulations, or when in the course of development:
  - a. More than 30% of the total lot area will be re-graded by more than two (2) feet; or
  - b. More than 800 cubic yards of soil and rock will be moved, removed or added.

All SESC Plans must be in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control (2002 or latest edition).

### **74.4 SESC PLAN REQUIREMENTS**

**74.6.3 Narrative.** The narrative shall describe provisions to adequately control erosion and sedimentation and reduce the danger from storm water runoff both on and off site during and after construction based on the best available practices. Such principles, methods and practices necessary for approval are found in the Connecticut Guidelines for Soil Erosion

and Sediment Control (1988 2002 or latest edition).... (Remainder of this section of the regulations to remain unchanged)

#### 74.5 MINIMUM ACCEPTABLE CONTROL STANDARDS

**74.8.1 Minimum Standards for Individual Control Measures.** The Connecticut Guidelines for Soil Erosion and Sediment Control (1988 2002 or latest edition) shall be the standard. (Remainder of this section of the regulations to remain unchanged)

**74.8.2 Determination of Peak Flow Rates and Volumes of Runoff.** The appropriate method from the Connecticut Guidelines for Soil Erosion and Sediment Control (1988 2002 or latest edition) shall be used ... (Remainder of this section of the regulations to remain unchanged)

**75.6.4 ~~Drainage~~** designs shall be laid out by a professional engineer. ~~Runoff from parking lots, roofs, and driveways shall not cross sidewalks. Drywall size and structure shall be shown or certified by notation. Catch basin and storm sewer construction elevations must be shown. Surface pitch shall \_\_\_\_\_ be \_\_\_\_\_ indicated.~~

#### 75.6.4 Drainage

- a. Designs shall be approved by a professional All designs must be done in accordance with the 2004 Connecticut Stormwater Quality Manual (latest edition). This manual provides guidance on site planning, source control, and stormwater treatment practices.
- b. Developers must provide calculations for existing and proposed total Directly Connected Impervious Area (DCIA) within the development.
  - i. For development or redevelopment of sites that are currently developed with DCIA of **forty percent or more**, retain on-site half the water quality volume for the site. In cases where this entire amount cannot be retained, the developer shall retain runoff volume to the maximum extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice. In cases where the runoff reduction requirement cannot be met, the developer shall submit a report detailing factors limiting the capability of achieving the goal. The report shall include: the measures taken to maximize runoff reduction practices on the site; the reasons why those practices constitute the maximum extent achievable; the alternative retention volume; and a description of the measures used to provide additional stormwater treatment above the alternative volume up to the water quality volume. In the case of linear redevelopment projects (e.g. roadway reconstruction or widening) for the developed portion of the right of way: (1) for projects that may be unable to comply with the full retention standard, alternate retention and treatment provisions may also be applied as specified above, or (2) for projects that will not increase DCIA within a given watershed, the developer shall implement the additional stormwater treatment measures referenced above, but will not be required to retain half the water quality volume.
  - ii. For all new development or redevelopment of site with **less than forty percent DCIA**, retain the water quality volume for the site. If there are site constraints that would prevent retention of this volume on-site (e.g. brownfields, capped landfills, bedrock, elevated groundwater, etc.), documentation must be submitted, for the City's review and written approval, which: explains the site limitations; provides a

description of the runoff reduction practices implemented; provides an explanation of why this constitutes the maximum extent achievable; offers an alternative retention volume; and provides a description of the measures used to provide additional stormwater treatment for sediment, floatables and nutrients above the alternate volume up to the water quality volume. Any such treatment shall otherwise be designed, installed and maintained consistent with the 2004 Connecticut Stormwater Quality Manual (latest edition). In the case of linear projects that do not involve impervious surfaces (e.g. electrical transmission rights-of-way or natural gas pipelines), retention of the water quality volume is not required as long as the post-development runoff characteristics do not differ significantly from pre-development conditions.

- c. Site inspections may be made by the commission during development to ensure compliance with the approved drainage design plan. A site inspector shall have the authority to determine proper installation of any stormwater treatment systems during development, and to determine compliance with maintenance and upkeep of any treatment systems after construction (see Section 75.7 for more detail on maintenance). Annual documents, including annual inspection certification must be submitted to the City of West Haven for proof of maintenance on these treatment systems. The Commissioner of Planning and Development or a designee will have the authority to complete these inspections and enforce these regulations.
- d. The developer will be required to submit all stormwater control plans and agreements. The developer shall be responsible for maintenance and cleaning of all stormwater treatment systems including, but not limited to, detention ponds, sedimentation basins, water quality chambers, infiltration systems, etc. Annual documents, including annual inspection certification must be submitted to the City of West Haven as documentation for proof of maintenance.

## **Section 75.7 Site Plan Enforcement**

**Add the following new paragraph after the second paragraph of the existing regulations:**

In the event that the contemplated development is in noncompliance with these regulations, the Commissioner of Planning and Development or a designee may impose fines.

## **Referral 2.5: Town of North Branford**

### **Subject:**

Proposed Zoning Regulation Amendments pertaining to building coverage in R-40 Zoning District

### **Staff Recommendation:**

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

### **Background:**

The Town of North Branford has proposed the maximum lot coverage by buildings as % of lot Area be increased. The increase is from 10% to 15% within the R-40 Zoning District.

### **Communication:**

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

MAYOR  
MICHAEL J. DOODY  
  
DEPUTY MAYOR  
ROSE MARIE ANGELONI  
  
TOWN MANAGER  
MICHAEL T. PAULHUS



COUNCIL MEMBERS  
ANTHONY S. CANDELORA  
MARIE E. DIAMOND  
JOSEPH E. FAUGHNAN  
GEORGE I. MILLER  
ALFRED D. ROSE  
ROBERT VIGLIONE  
THOMAS ZAMPANO

## TOWN OF NORTH BRANFORD

TOWN HALL 909 FOXON ROAD NORTH BRANFORD, CONNECTICUT 06471-1290  
Building Department (203) 484-6008 Engineering Department (203) 484-6009 Planning & Zoning (203) 484-6010  
Department Fax (203) 484-6018

**SENT VIA EMAIL TO: Eugene Livshits [ELIVSHITS@SCRCOG.ORG](mailto:ELIVSHITS@SCRCOG.ORG)**  
**FAX: (203) 234-9850**

Date: June 27, 2019  
TO: South Central Regional Council of Governments (Regional Planning Agency)  
FROM: North Branford Planning and Zoning Commission

---

Pursuant to the provisions of Section 8-3b of the General Statutes of Connecticut, as amended, the following proposed application is referred to the Regional Agency to review and report on:

- ( ) Proposed subdivision located within 500 feet of another South Central municipality
- (X) Adoption or Amendment of ZONING REGULATIONS affecting the use of a zone within 500 feet of another South Central municipality

The change was originally requested:

- ( ) by municipal agency
- (X) by petition **PZ Application #2019-7 Applicant: North Branford Planning and Zoning Commission**

**Proposed Zoning Regulation Amendment: Appl. #2019-7, Text Amendment** to Section 24 Schedule B Standard 8 Proposal to increase maximum lot coverage by buildings from 10% to 15% in the Residential R-40 Zone. *Applicant: North Branford Planning and Zoning Commission.* The full application is attached.

**Public hearing has been scheduled for July 11, 2019 at 6:30 pm.**

Material submitted herein:

- ( ) Legal Notice ( ) Supporting statements, site map
- ( ) Map of proposed subdivision (X) Text of proposed amendment

Other: See Current Zoning Regulations and Zoning Map on Town Web Site under Planning Department.  
[www.townofnorthbranfordct.com](http://www.townofnorthbranfordct.com)

(Authorizing Signature)

Carey Duques, Town Planner/Planning & Zoning Administrator  
North Branford Town Hall  
909 Foxon Road  
North Branford, CT 06471-0287  
Phone: (203) 484-6010 Fax: (203) 484-6018

---

TOWN OF NORTH BRANFORD  
PLANNING & ZONING COMMISSION

Appl. # 2019-7  
Submission Date: 5/31/19  
Date of Receipt: 6/6/19  
Fee: \$0

Circle One:

**AMENDMENT TO ZONING REGULATIONS**

**AMENDMENT TO ZONING MAP**

Applicant Name: North Branford Planning and Zoning Commission

Mailing Address: Town Hall 909 Foxon Road North Branford

Telephone: (203) 484-6010

Cell #: \_\_\_\_\_

E-mail address: townplanner@townofnorthbranfordct.com

**For TEXT CHANGES, please supply information below:**

Section of Zoning Regulations to Amend: Section 24 Schedule B Standard 8. Maximum lot coverage by buildings as % of lot area; R-40 15%

Full Text of the Proposed Amendment: See attached, proposed changes noted in red

\_\_\_\_\_  
(May attach a separate sheet if necessary)

**For MAP CHANGES, please supply additional information below:**

Address of Property: \_\_\_\_\_

Assessor's Map No: \_\_\_\_\_ Lot #: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Has a previous zone change been requested for this property? \_\_\_\_\_

If so, when? \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell #: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**ALL APPLICATIONS SHALL ADHERE TO THE FOLLOWING:**

1. **SUBMISSION REQUIREMENTS** include a complete and comprehensive statement of the reasons for any proposed change, including any special interest the Applicant(s) may have in such change.



2. **ADJOINING MUNICIPALITIES:** Applications affecting sites within 500 feet of, or affecting, an adjacent municipality require notification to that municipality and to the regional planning agency.

☒ Site is within 500 feet of an adjoining municipality.

☐ Site is not within 500 feet and will not impact any adjacent municipality.

3. **REGIONAL WATER AUTHORITY (RWA) NOTIFICATION:** The applicant must provide written notice to the RWA and to the East Shore District Health Department (ESDHD) when any application is within the watershed of the RWA.

☐ Project is not within watershed of the RWA.

☒ Project is within the RWA's watershed and the RWA and ESDHD have been notified.

**SIGNATURES REQUIRED ON THIS APPLICATION:**

The following is the legal agreement regarding this application which must be signed by the applicant and by all property owners of property for which a zoning map change is requested.

*The undersigned hereby applies for approval of the foregoing Regulation Amendment and/or Zoning Map Change and declares that the statements contained in this application and in all documents and/or drawings submitted as part of the same are, to the best of his/her knowledge and belief, true and accurate as presented.*

APPLICANT(S):

Carey Dugues      Carey Dugues on behalf of PZC 6/6/19  
signature      print name      date

\_\_\_\_\_  
signature      print name      date

OWNER(S):

Carey Dugues      Carey Dugues on behalf of PZC 6/6/19  
signature      print name      date

\_\_\_\_\_  
signature      print name      date





# TOWN OF NORTH BRANFORD

TOWN HALL 909 FOXON ROAD NORTH BRANFORD, CONNECTICUT 06471-1290  
Building Department (203) 484-6008 Engineering Department (203) 484-6009  
Planning & Zoning (203) 484-6010 Department Fax (203) 484-6018

June 6, 2019

## **PZC #2019-7**

### **Reasons for the Proposed Text Amendment to Increase the Permitted Coverage by Buildings in the Residential R-40 Zone**

The reason for this proposed change is to reduce the number of variances that are requested to increase the coverage by buildings on residential lots in the R-40 zone. Approximately 18 variances were granted between 2011 and today for an increase in coverage on a residential lot in the R-40 zone.

The proposed increase is in line with surrounding communities. Killingworth is the only community in the area who limits coverage in a residential zone to 10%. Other communities including, East Haven, Branford, Guilford, North Haven, have a range from 5% (very rural areas in Guilford) to 25% (more densely developed areas of Branford and East Haven).

**PROPOSED TEXT AMENDMENT TO THE ZONING REGULATIONS JUNE 2019  
TOWN OF NORTH BRANFORD, CONNECTICUT**

**DISTRICT – MAP CODE**

STANDARDS	R-80	R-40	RGA	B-1	B-2	B-3	I-1	I-2	I-3	MBP	SED*
1. Minimum lot area (in square feet).	80,000	40,000 60,000+	200,000	40,000	10,000	10,000	25 Ac.	80,000	120,000	40,000	**80000
1.1 Minimum lot area per multiple dwelling unit (in square feet).	N.A	N.A	10,000	10,000^	10,000	10,000	N.A.	N.A.	N.A.	20,000	N.A.
2. Minimum dimension of square on the lot.	200'	150'	150'	150'	100'	100'	None	200'	300'	150'	200'
3. Minimum width of lot along building line.	200'	150'	150'	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
4. Minimum street frontage for each lot.	25'	125'	125'	125'	80'	80'	50'	50'	50'	125'	200'
5. Maximum number of stories of a building.	3	3	3	3	3	3	N.A.	3	3	2.5	3
6. Maximum height of a building or structure.	35'	35'	35'	35'	35'	35'	100'	35'	35'	35'	45'
7. Minimum setbacks:											
7.1 from street line.	50'	50'	50'	50'	50'	30'	100'	50'	100'	50'	50'
7.2 from rear property line.	30'	30',40'++	50'	20'	20'	20'	100'	20'	50'	20'	20'
7.2.1 accessory building from rear property line.	20'	20'	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
7.3 from side or other property line.	20'	15',40'++	50'	20'	20'	20'	100'	20'	50'	20'	20'
7.4 from Residence District boundary line.	N.A.	N.A.	N.A.	50'	50'	50'	125'	50'	100'	50'	50'
7.5 permitted projections	3'	3'	3'	5'	5'	5'	5'	5'	5'	5'	5'
8. Maximum lot coverage by buildings as % of lot area.	10%	<b>15%</b>	20%	25%	25%	25%	10%	30%	25%	25%	30%
8.1 maximum lot coverage by accessory buildings as % of lot area. *** and/or per Section 44.6.f.	2%***	2%***	2%	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
9. Maximum floor area of buildings as % of lot area.	20%	20%	40%	50%	50%	50%	20%	60%	50%	40%	50%
10. Maximum lot coverage by buildings, storage and paving as % of lot area.	30%	30%	40%	80%	70%	60%	30%	80%	60%	60%	60%
11. Minimum floor area (in square feet):	900	900	800	800^	800	800	N.A.	N.A.	N.A.	N.A.	N.A.
11.1 on ground floor for each dwelling.	N.A.	N.A.	400	600^	600	600	N.A.	N.A.	N.A.	575	N.A.
11.2 each dwelling unit in a multiple dwelling.											

Schedule B – Page 1 of 1

\* Effective: 1/20/95

\*\* (Minimum site area) – 800,000 sq.ft.

\*\*\* Effective: 12/08/04

+ Effective: 7/11/86 (Interior Lot Sect. 24.2.2.f)

++ Effective: 6/05/92 (Sect.24.2.2.L.)

^ Effective: 12/29/17

## **Referral 2.6: Town of North Branford**

### **Subject:**

Proposed Zoning Regulation Amendments to add Section 62.5.6 – Stormwater Management Plan

### **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 Branford has proposed to add a Section 62.5.6 – Stormwater Management Plan. The proposed regulations address “construction stormwater runoff control”

The proposed regulations address the items in the “General Permit For The Discharge Of Stormwater From Small Municipal Separate Storm Sewer Systems”.

The Plan must be developed and implemented in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Controls, as amended, the Connecticut Stormwater Quality Manual, as amended, and any applicable stormwater discharge permits issued by the DEEP within the municipal or institutional boundary pursuant to COS 22a-430 and 22a-430b. Erosion and sediment controls must be implemented prior and during construction. Additional measures can be implemented under the Town discretion to protect/improve water quality. The regulation includes standards and requirements that should be included as part of the Plan.

The specific standards, requirements and consideration to be part of the Stormwater Management Plan can be reviewed within the agenda packet.

### **Communication:**

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

MAYOR  
MICHAEL J. DOODY  
  
DEPUTY MAYOR  
ROSE MARIE ANGELONI  
  
TOWN MANAGER  
MICHAEL T. PAULHUS



COUNCIL MEMBERS  
ANTHONY S. CANDELORA  
MARIE E. DIAMOND  
JOSEPH E. FAUGHNAN  
GEORGE I. MILLER  
ALFRED D. ROSE  
ROBERT VIGLIONE  
THOMAS ZAMPANO

## TOWN OF NORTH BRANFORD

TOWN HALL 909 FOXON ROAD NORTH BRANFORD, CONNECTICUT 06471-1290  
Building Department (203) 484-6008 Engineering Department (203) 484-6009 Planning & Zoning (203) 484-6010  
Department Fax (203) 484-6018

SENT VIA EMAIL TO: Eugene Livshits [ELIVSHITS@SCRCOG.ORG](mailto:ELIVSHITS@SCRCOG.ORG)  
FAX: (203) 234-9850

Date: June 27, 2019  
TO: South Central Regional Council of Governments (Regional Planning Agency)  
FROM: North Branford Planning and Zoning Commission

Pursuant to the provisions of Section 8-3b of the General Statutes of Connecticut, as amended, the following proposed application is referred to the Regional Agency to review and report on:

- ( ) Proposed subdivision located within 500 feet of another South Central municipality
- (X) Adoption or Amendment of ZONING REGULATIONS affecting the use of a zone within 500 feet of another South Central municipality

The change was originally requested:

- ( ) by municipal agency
- (X) by petition **PZ Application #2019-10 Applicant: North Branford Planning and Zoning Commission**

**Proposed Zoning Regulation Amendment: Appl. #2019-10, Text Amendment** to add Section 62.5.6 Stormwater Management Plan to the North Branford Zoning Regulations to comply with CT DEEP's small municipal storm sewer systems (MS4) General Permit, to regulate stormwater runoff. *Applicant: North Branford Planning and Zoning Commission.* The full application is attached.

**Public hearing has been scheduled for July 11, 2019 at 6:30 pm.**

Material submitted herein:

- ( ) Legal Notice ( ) Supporting statements, site map
- ( ) Map of proposed subdivision (X) Text of proposed amendment

Other: See Current Zoning Regulations and Zoning Map on Town Web Site under Planning Department.  
[www.townofnorthbranfordct.com](http://www.townofnorthbranfordct.com)

 (Authorizing Signature)

Carey Duques, Town Planner/Planning & Zoning Administrator  
North Branford Town Hall  
909 Foxon Road  
North Branford, CT 06471-0287  
Phone: (203) 484-6010 Fax: (203) 484-6018



TOWN OF NORTH BRANFORD  
PLANNING & ZONING COMMISSION

Appl. # 2019-10  
Submission Date: 6/6/19  
Date of Receipt: 6/6/19  
Fee: \$0

Circle One:

**AMENDMENT TO ZONING REGULATIONS**

**AMENDMENT TO ZONING MAP**

Applicant Name: North Branford Planning and Zoning Commission

Mailing Address: Town Hall 909 Foxon Road North Branford

Telephone: (203) 484-6010

Cell #: \_\_\_\_\_

E-mail address: townplanner@townofnorthbranfordct.com

**For TEXT CHANGES, please supply information below:**

Section of Zoning Regulations to Amend: Add Section 62.5.6 Stormwater Management Plan to comply with CT DEEP's small municipal separate storm sewer systems (MS4) See attached for full text

\_\_\_\_\_  
(May attach a separate sheet if necessary)

**For MAP CHANGES, please supply additional information below:**

Address of Property: \_\_\_\_\_

Assessor's Map No: \_\_\_\_\_ Lot #: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Has a previous zone change been requested for this property? \_\_\_\_\_

If so, when? \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell #: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**ALL APPLICATIONS SHALL ADHERE TO THE FOLLOWING:**

1. **SUBMISSION REQUIREMENTS** include a complete and comprehensive statement of the reasons for any proposed change, including any special interest the Applicant(s) may have in such change.

2. **ADJOINING MUNICIPALITIES:** Applications affecting sites within 500 feet of, or affecting, an adjacent municipality require notification to that municipality and to the regional planning agency.

☒ Site is within 500 feet of an adjoining municipality.

☐ Site is not within 500 feet and will not impact any adjacent municipality.

3. **REGIONAL WATER AUTHORITY (RWA) NOTIFICATION:** The applicant must provide written notice to the RWA and to the East Shore District Health Department (ESDHD) when any application is within the watershed of the RWA.

☐ Project is not within watershed of the RWA.

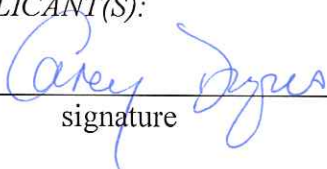

☒ Project is within the RWA's watershed and the RWA and ESDHD have been notified.

**SIGNATURES REQUIRED ON THIS APPLICATION:**


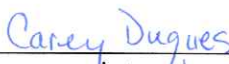
The following is the legal agreement regarding this application which must be signed by the applicant and by all property owners of property for which a zoning map change is requested.

*The undersigned hereby applies for approval of the foregoing Regulation Amendment and/or Zoning Map Change and declares that the statements contained in this application and in all documents and/or drawings submitted as part of the same are, to the best of his/her knowledge and belief, true and accurate as presented.*

APPLICANT(S):


		on behalf of PZC 6/6/19
signature	print name	date
<hr/>		
signature	print name	date

OWNER(S):

	 on behalf of PZC	6/6/19
signature	print name	date
<hr/>		
signature	print name	date

# TOWN OF NORTH BRANFORD

## MEMORANDUM

**TO:** Carey Duques, Town Planner  
  
**FROM:** Kurt A. Weiss, P.E., Town Engineer  
**DATE:** May 29, 2019  
**RE:** Connecticut DEEP MS4 General Permit

---

Effective July 1, 2017, the CT DEEP reissued the MS4 General Permit, with revisions, which covers the discharge of stormwater from small municipal separate storm sewer systems. The goal and intent of the permit is for municipalities to monitor and regulate stormwater discharges, to ultimately improve overall water quality in the state. Attached is a fact sheet prepared by CT DEEP which provides a history and overview of the General Permit. As part of the permit there are six (6) minimum control measures that must be addressed, which are 1) Public Education and Outreach, 2) Public Participation, 3) Illicit Discharge Detection and Elimination, 4) Construction Site Stormwater Runoff Control, 5) Post-construction Stormwater Management, and 6) Pollution Prevention and Good Housekeeping. Some of these measures will require revisions/additions to municipal land use regulations. CT NEMO, with CT DEEP funding, is providing assistance and guidance to municipalities with these measures.

In response to measure 4) Construction Site Stormwater Runoff Control, NEMO has provided draft guidelines for the legal authority requirement over stormwater runoff control.

I have drafted these regulations as Section 62.5.6 - Stormwater Management Plan, for your review, to be included in the Zoning Regulations.

KAW:lw  
Attachments





79 Elm Street • Hartford, CT 06106-5127

[www.ct.gov/deep](http://www.ct.gov/deep)

Affirmative Action/Equal Opportunity Employer

## **GENERAL PERMIT FOR THE DISCHARGE OF STORMWATER FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS REISSUANCE WITH MODIFICATIONS**

### **FACT SHEET**

#### **General Permit Background:**

The DEEP stormwater general permit program was developed pursuant to EPA's Stormwater Rule and Connecticut's stormwater permits are issued under the authority of the National Pollutant Discharge Elimination System (NPDES) and Connecticut General Statutes Section 22a-430 and 22a-430b. Phase I of the EPA Stormwater Rule was published in 1990 and addressed runoff from medium and large municipal separate storm sewer systems (MS4s) with populations greater than 100,000 as well as runoff from industrial and construction activities. Phase II of the Stormwater Rule was published in 1999 and addressed runoff from small MS4s with populations less than 100,000.

The DEEP first issued the General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4 general permit) on January 9, 2004 under this Phase II rule. The general permit has been reissued, without modifications, since 2004. The purpose of the MS4 general permit is to protect waters of the state from urban stormwater runoff through municipal separate storm sewer systems. EPA defines a regulated small MS4 as a municipality that owns and operates a storm sewer system in an Urbanized Area (UA). Urbanized Areas are defined by the federal Census Bureau and consist of densely populated areas surrounding urban centers. The criteria for designating UAs are developed by the Census Bureau and maps of UAs are published after each decennial census. The original maps governing the 2004 general permit were based on the 2000 census. The most recent maps reflect the results of the 2010 census. EPA does not require coverage of municipalities outside of Urbanized Areas but allows the permitting authority (DEEP) to designate additional MS4s outside of Urbanized Areas. There are 113 MS4s, regulated by virtue of having Urbanized Areas, authorized under the current general permit.

The requirements of the current general permit include registration to obtain permit coverage, development and implementation of a Stormwater Management Plan and monitoring of six stormwater outfalls once a year during a rain storm. The Stormwater Management Plan is the cornerstone of the MS4 general permit. It is a document prepared by the MS4 that contains information on its stormwater and municipal infrastructure along with Best Management Practices (BMPs) to reduce and/or eliminate the discharge of pollutants through the storm sewer system to the Maximum Extent Practicable (MEP). MEP is the standard promulgated in EPA's Phase II rule that MS4s are required to meet. The definition of MEP is "to reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice." EPA states that the



MEP standard for MS4 discharges is an “iterative process consisting of a municipality developing a program consistent with specific permit requirements, implementing the program, evaluating the effectiveness of BMPs included as part of the program, then revising those parts of the program that are not effective at controlling pollutants, then implementing the revisions, and evaluating again.” This process continues until the goal of meeting water quality requirements is achieved.

The BMPs in the Stormwater Management Plan are organized into six categories of Minimum Control Measures: public education and outreach; public participation; illicit discharge detection and elimination (IDDE); construction stormwater management; post-construction stormwater management; and pollution prevention and good housekeeping. Each of these categories includes several BMPs to implement the control measure. Certain BMPs are required and the permit provides for additional BMPs to be implemented, as necessary to address pollution, at the discretion of the MS4.

The new MS4 general permit provides significantly more detail on the requirements and implementation of the six Minimum Control Measures as well as expanding certain requirements. A summary of the more significant modifications follows.

#### **Changes in Coverage:**

The original Phase II Stormwater Rule required general permit coverage for MS4s with Urbanized Areas based on *the most recent decennial census*. The 113 MS4s currently covered by the current general permit were determined using the 2000 census, which was the most recent at the time of issuance. Based on the 2010 census, the new general permit will add 8 more towns (Brooklyn, Haddam, Killingly, Mansfield, New Hartford, Plainfield, Sprague and Willington) to this list. The Phase II Stormwater Rule also required coverage of state and federal institutions that it called “non-traditional” MS4s. The new MS4 general permit now includes these institutions such as state and federal prisons, colleges, hospitals and military facilities as MS4s covered by the general permit. Compliance timelines for most elements of the six Minimum Control Measures allow for more time for these new MS4 permittees (institutions and 8 new towns) to comply.

The current MS4 general permit requires implementation of the six Minimum Control Measures throughout the municipality with some additional or alternate measures within the UA portion of the MS4. Under the new MS4 general permit many measures are required only within the UA and those areas outside the UA that discharge to impaired waters or from areas with Directly Connected Impervious Area (DCIA) exceeding eleven percent (11%). The general permit refers to these areas as “priority areas”.

#### **Public Education and Outreach:**

This minimum measure is substantially similar to the current permit but provides more detail on the types of outreach required and the means of conducting the outreach. It specifies outreach targeting pet waste, application of fertilizers, herbicides, and pesticides, and impacts of illicit discharges and improper disposal of waste into the MS4. Outreach materials can be developed or acquired from various sources such as governmental agencies, academia, and/or environmental advocacy organizations and can be disseminated in numerous ways such as flyers,

brochures, door hangers, television public service announcements, and web-based tools. This minimum measure also dictates a timeline for implementation of this program. In addition to these standard requirements, this measure includes additional targeted efforts to address water quality impairments.

#### **Public Participation:**

As with public education and outreach, this measure is not significantly different from the current general permit but the new general permit provides additional detail on the implementation of this requirement. It requires the MS4 to publish a public notice of the availability of its Stormwater Management Plan and Annual Report for public review. It recommends locations for the plan to be available such as the MS4's main office, a local library or other central publicly available location and also a URL where the information may be accessed electronically. This measure requires a minimum of a 45 day comment period to solicit and receive public comment on the Annual Report. The MS4 is also encouraged to enlist local organizations to help implement the elements of its Stormwater Management Plan.

#### **Illicit Discharge Detection and Elimination (IDDE):**

This section addresses how the MS4 identifies, traces and eliminates non-stormwater discharges to its storm sewer system from sources such as sanitary sewer cross-connections, illegal dumping, industrial and commercial wastes, floor drains, animal wastes, lawn management chemicals and wastes. While the overall requirements of this section remain similar to the current general permit, the new general permit provides considerably more detail regarding the legal authorities that are required to implement the IDDE program, the protocol for actually performing the field work to detect and eliminate illicit discharges, mapping requirements, citizen reporting provisions and the timeframe for IDDE program completion. The requirements of this measure are mandated only in the priority areas. The new general permit also contains new requirements for record keeping to document the progress of the IDDE program. In addition to these standard requirements, this measure includes additional targeted efforts to address water quality impairments.

#### **Construction Site Stormwater Runoff Control:**

While containing all of the requirements of the current general permit, this section of the new general permit provides significantly more detail. A good deal of this detail is outlining the legal authorities the MS4 must develop to manage construction site runoff within its jurisdiction. Most of this legal authority will reside within the regulations and policies of the land-use commissions for the MS4. This section will require consistency with the Connecticut Stormwater Quality Manual in addition to the 2002 Guidelines for Soil Erosion and Sedimentation Control already referenced in the current permit. More detail is provided for construction review and inspection, notification of requirements of the DEEP construction general permit, public involvement and long-term maintenance of stormwater treatment ponds. There is also new language requiring the MS4 to develop a plan outlining how all MS4 departments and boards with jurisdiction over land disturbance and development projects will coordinate their functions with one another.



### **Post-construction Stormwater Management:**

The new general permit expands this section to require MS4s to update their land-use regulations to include Low Impact Development (LID) measures, post-construction stormwater retention and other elements of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities, effective October 1, 2013 (construction general permit) in addressing applications for new development and redevelopment. In addition, the MS4 must develop a program to ensure the inspection and long-term maintenance of existing stormwater facilities under the jurisdiction of the MS4 as well as provide, through its land-use regulations, requirements for long-term maintenance of stormwater management measures in new applications for development. In addition to these standard requirements, this measure includes a requirement for the MS4 to map its DCIA. There are also targeted efforts, including prioritizing the use of retrofits, to address water quality impairments.

### **Pollution Prevention and Good Housekeeping:**

This section of the new general permit expands on the requirements of the current general permit and provides additional details on the maintenance of the MS4's property and operations including parks and open space, employee training, the management of pet waste and waterfowl, buildings and facilities, vehicles and equipment, parking lots, snow management practices, street sweeping, leaf management and catch basin cleaning. In addition to these standard requirements, this measure includes a Retrofit Program requiring the reduction of DCIA within the MS4 by retrofits or stormwater retention practices for redevelopment projects. This section also allows and encourages the MS4 to coordinate with other interconnected MS4s and includes targeted efforts to address water quality impairments.

### **State and Federal Institutions:**

As mentioned above, DEEP will now cover state and federal institutions under this general permit. In general, they will be subject to the same requirements as the municipal MS4s. However, in some cases where the BMPs for a particular minimum measure do not directly or easily apply to an institution, an exemption or alternate BMP is provided within the minimum measure.

### **Impaired Waters:**

The DEEP is required by Section 303(d) the federal Clean Water Act to assess its water bodies to determine if they are impaired for a variety of uses and to develop a plan, called a Total Maximum Daily Load plan (TMDL), to eliminate the causes of these impairments and return these waters to designated uses. These water bodies are categorized as impaired waters. The new general permit expands significantly on the requirements of the current general permit regarding how an MS4 must address impaired waters within its boundaries. While there are numerous causes for impairments throughout the state, the majority of impairments (with or without TMDLs) for which stormwater is a potential source, are likely caused by phosphorus, nitrogen, and bacteria. In addition to these, sediment is another significant stormwater pollutant as it can impact water resources through sedimentation and carrying pollutants such as metals and nutrients bound to sediment. Each of the six Minimum Control Measures includes a section detailing which of the BMPs within the measure should receive particular focus and emphasis to address a given impairment. To further address how an MS4 deals with impaired waters, there

are specific monitoring requirements targeting these waters as well as measures to be implemented to address new or increased discharges to impaired waters.

### **Monitoring**

The current MS4 general permit requires the monitoring of six (6) representative stormwater outfalls once a year during a rain storm. The new general permit will transition to outfall screening for discharges to impaired waters only, followed by representative outfall sampling in the last two years of the permit. The outfall screening will be conducted during a rain storm and will only include screening for nitrogen, phosphorus, bacteria or turbidity, dependent on the identified cause of the impairment. Outfalls that exceed certain thresholds will be targeted for follow-up investigation and increased or alternate BMPs within the outfall's drainage area.

## 62.5.6 Stormwater Management Plan

### A. Purpose

1. Developers, construction site operators, or contractors must submit with a Site Plan or Subdivision application, a plan to control construction related impacts, including erosion, sedimentation, and other pollutant sources during construction and land disturbance activities. The plan must be developed and implemented in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Controls, as amended, the Connecticut Stormwater Quality Manual, as amended, and any applicable stormwater discharge permits issued by the DEEP within the municipal or institutional boundary pursuant to CGS 22a-430 and 22a-430b.
2. All development, regardless of the area of disturbance, must implement erosion and sedimentation controls prior to and during construction. Additionally, temporary controls shall be removed from a site and disposed of properly after the site has been stabilized.
3. The Town reserves the right to implement additional measures to protect and/or improve water quality as it deems necessary.

### B. Contents

The Stormwater Management Plan (SMP) shall be included in any application that requires the submission and approval of a Site Plan or Subdivision Plan and shall be consistent with the purposes set herein.

1. The SMP shall be consistent with generally accepted engineering and site planning practices, and shall include best management practices and Low Impact development practices where practical. The plan shall include a summary report describing the nature of the improvement; a SMP improvement plan; supporting computations where appropriate; a description of the construction sequence; and a program for operation, maintenance, and monitoring. A professional engineer shall sign and seal all documents submitted as part of the plan.
2. The design report shall include:
  - A description of existing site and relevant off-site conditions that may be affected by the selection of water quality measures;
  - An evaluation of existing on-site and off-site hydrology including estimates of preconstruction and post-construction development from the 1-, 2-, 10-, 25-, and 100-year, 24-hour storm events;
  - A discussion of the proposed treatment and control measures and their estimated effect on improving the quality of stormwater runoff, specifically for the removal of 80 percent of total suspended solids.
3. The plan shall be designed to:
  - Maintain the predevelopment site hydrology to the maximum extent practical;

- Reduce peak runoff from 2-year, 24-hour post-development event to 50 percent of the predevelopment conditions for that storm event or to the equivalent of the 1-year, 24-hour storm event unless the Commission determines that such reduction is impractical;
  - Provide zero net increase in peak runoff from the 10-, 25-, and 100-year storm events unless the applicant demonstrates that this would be a detriment to downstream properties;
  - Provide treatment of stormwater runoff;
  - Have conveyance systems meeting the applicable provisions of the CTDOT Drainage Manual; and
  - Minimize structural stormwater components and incorporate vegetative measures such as rain gardens and bioretention basins where appropriate.
4. When the proposed development involves modification to an existing developed area, the applicant shall demonstrate that the stormwater quality treatment is being provided to the maximum extent practicable for all undisturbed impervious areas. New impervious areas and existing impervious areas that are disturbed shall meet the standards set forth in these regulations.

C. Inspections

1. The applicant shall notify the Planning Department two (2) business days before starting land-disturbing activity.
2. Periodic inspections of the construction site shall be conducted by the Town designated inspector to ensure compliance with the plan to control construction related impacts to stormwater. The Town reserves the right to conduct inspections, surveillance and/or monitoring of the site at any time.
3. At a minimum, inspections shall include: an initial site inspection prior to approval of any plan; inspection of site erosion controls; inspection of the stormwater management system prior to backfilling of any underground drainage or stormwater conveyance structures; and a final inspection before any required bond is released. The stormwater system shall be inspected to verify its as-built features, and the inspector shall also evaluate the system during a storm event.
4. Upon completion, the applicant shall certify that the project is in accordance with approved plans and specifications, and shall provide inspections to adequately document compliance. The Zoning Enforcement Officer will issue a letter certifying completion upon its receipt and approval of the final inspection and reports, and/or upon otherwise determining that all work was completed in conformance with the approved plans.

D. Operation and Maintenance Plan

1. A long-term Operation and Maintenance (O&M) Plan shall be developed and implemented to ensure that stormwater management systems function as designed. Stormwater management systems include any retention pond, detention pond or other stormwater basin that discharges to or receives discharge from the municipal

separate storm sewer system. This plan shall be reviewed and approved as part of the review of the proposed permanent stormwater management system. Execution of the O&M Plan shall be considered a condition of approval of a development plan. The Planning and Zoning Commission shall require a project applicant to establish a homeowners association or similar entity to maintain the stormwater management system, if it is to be owned and maintained by other than the Town.

2. At a minimum, the O&M Plan shall be sealed and signed by a Professional Engineer and shall identify:
  - a. Stormwater management system(s) owners.
  - b. The party or parties responsible for operation and maintenance including how future property owners will be notified of the presence of the stormwater management system and the requirement for proper operation and maintenance.
  - c. The routine and non-routine maintenance tasks to be undertaken after construction is complete and a schedule for implementing those tasks.
  - d. Log form for recording operation and maintenance activities.
  - e. Estimated operations and maintenance budget.
  - f. The maintenance declaration to be put in place.
  - g. Plan that is drawn to scale and shows the location of all stormwater BMP's in each treatment train along with the discharge point.
  
3. The applicant shall include with the development plan a mechanism for implementing and enforcing the O&M Plan. The applicant shall identify the lots or units that will be serviced by the proposed stormwater management systems. The applicant shall also provide a copy of the legal instrument (deed, homeowner's association, utility trust or other legal entity) that establishes the terms of and legal responsibility for the operation and maintenance of stormwater management systems. In the event that the stormwater management systems will be operated and maintained by the entity, municipality, state agency or person other than the sole owner of the lot upon which the stormwater management facilities are placed, the applicant shall provide a plan and easement deed that provides a right of access for the legal entity to be able to perform said operation and maintenance functions, including inspections. The owner shall keep the O&M Plan current, including making modifications to the O&M Plan as necessary to ensure that stormwater management systems continue to operate as designed and approved. Proposed modifications of O&M Plans including, but not limited to, changes in inspection frequency, maintenance schedule, or maintenance activity along with appropriate documentation, shall be submitted to the Planning and Zoning Commission for review and approval within thirty (30) days of change.

Parties responsible for the operation and maintenance of a stormwater management system shall keep records of the installation, maintenance and repairs to the system, and shall retain records for at least five (5) years.

Parties responsible for the operation and maintenance of a stormwater management system shall provide records of all maintenance and repairs during inspections and/or upon the Town's request.

When the responsible party fails to implement the O&M Plan, the municipality is authorized to assume responsibility for their implementation and to secure reimbursement for associated expenses from the responsible party, including, if necessary, placing a lien on the subject property.

If a project may potentially impact another MS4 such as CT DOT, State or Federal Institutions, or another municipality, applicant must notify the appropriate representative.



## **Referral 2.7: Town of Cheshire**

### **Subject:**

Proposed Zoning Regulation Amendments pertaining to Parking Areas and Accessory Building Setbacks.

### **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 Cheshire has proposed zoning regulation amendments to setbacks for Clubs for golf, tennis, swimming and similar activities.

“Unless located in a 1-1, or 1-2 zone, all club facilities, including club house, pro shop, restaurant, bar, locker rooms, or recreation hall shall be located not less than 200 feet from any property line and parking area and accessory buildings shall be located not less than 20 feet with adequate screening from any property line. If any of the above are located in a 1-1 or 1-2 zone, the normal dimensional requirements set forth in Section 32, Schedule B, shall apply, as well as the normal parking setback requirements for Industrial zones as set forth in Section 33.1 and parking requirements set forth in Section 33.1.7.”

The setbacks for parking areas and accessory buildings have been reduced to 20 feet from 150 feet. The facilities remain with 200 foot setback from any property line.

### **Communication:**

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

RECEIVED

JUN 24 2019

SOUTH CENTRAL REGIONAL  
COUNCIL OF GOVERNMENTS

MEMORANDUM  
TOWN OF CHESHIRE  
PLANNING AND DEVELOPMENT DEPARTMENT  
84 South Main Street  
Cheshire, Connecticut 06410  
Phone 203-271-6670 - Fax 203-271-6688

Date: June 20, 2019

FROM: William S. Voelker, AICP, Town Planner

SUBJECT: Regional Referrals

---

The Cheshire Planning and Zoning Commission received the following and I am forwarding such for regional referral:

TYPE OF APPLICATION

Zone Text Change Petition

AS AMENDED 6/20/19

The Copper Valley Club, Inc.

To amend Section 30, Sch. A

Para 33b

To amend to change parking setback for

Clubs for golf, tennis, swimming and similar activities

From 150' feet to 20' feet with adequate screening from any property line

SCHEDULED DATE OF PUBLIC  
HEARING IF APPLICABLE

To open public hearing 7/8/19 and  
continue – Town Hall – 7:30 p.m.

Existing and Proposed Text

If further information is required, please contact me at the Planning Office at  
(203) 271-6670. We look forward to receiving your comments.

Distribution List:

COG Central Naugatuck Valley

CRCOG

✓ South Central CT RPA

Proposed Text

SECTION 30, SCHEDULE A, PERMITTED USES

33 Clubs for golf, tennis, swimming and similar facilities

- 33.b Unless located in an I-1, or I-2 zone, all club facilities, including club house, pro shop, restaurant, bar, locker rooms, or recreation hall shall be located not less than 200 feet from any property line and parking area and accessory buildings shall be located not less than ~~150~~ 25 20 feet with adequate screening from any property line. If any of the above are located in an I-1 or I-2 zone, the normal dimensional requirements set forth in Section 32, Schedule B, shall apply, as well as the normal parking setback requirements for Industrial zones as set forth in Section 33.1 and parking requirements set forth in Section 33.1.7.

PLANNING DEPARTMENT  
TOWN OF CHESHIRE  
84 SOUTH MAIN STREET  
CHESHIRE, CT 06410

RECEIVED  
Town of Cheshire  
JUN 20 2019  
Planning Dept.