

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

**RPC
Representatives**

Bethany:
Bob Harrison

Branford:
Charles Andres

East Haven:
Vacant

Guilford:
Matthew Yorzinski

Hamden:
Robert Roscow

Madison:
Joel Miller

Meriden:
Kevin Curry

Milford:
Robert Satti

New Haven:
Elias Estabrook

North Branford:
Trish Mase

North Haven:
James Giulietti

Orange:
Vacant

Wallingford:
Jeffrey Kohan

West Haven:
Kathleen Hendricks

Woodbridge:
Andrew Skolnick

To: Regional Planning Commission
From: Eugene Livshits, Senior Regional Planner
Subject: Thursday, February 13, 2020 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 09, 2020 RPC Meeting

1

2. Action Items

- 2.1. Town of Orange: Proposed Zoning Map Amendment - (48 Boston Post Rd) Commercial (C-1) to Light Industrial (LI-1). Submitted by: Private Applicant. Received: January 8, 2020. Public Hearing: February 18, 2020
- 2.2. City of West Haven: Proposed Zoning Regulation Amendments pertaining to Active Adult Communities. Submitted by: City of West Haven. Received: January 17, 2020. Public Hearing: February 25, 2020
- 2.3. Town of North Haven: Proposed Zoning Regulation Amendments pertaining to Mixed-Uses in the Commercial (CN) Districts. Submitted by: Private Applicant. Received: January 27, 2020. Public Hearing: March 02, 2020

3

15

21

3. Other Business

The agenda and attachments for this meeting are available on our website at www.scrkog.org. Please contact SCRCOG at (203) 234-7555 for a copy of agenda in a language other than English. Auxiliary aids/services and limited English proficiency translators will be provided with two week's notice.

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

127 Washington Avenue, 4th Floor West, North Haven, CT 06473

www.scrkog.org T (203) 234-7555 F (203) 234-9850 elivshits@scrkog.org

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, January 09, 2020 Meeting
(5:15 pm at Michael's Trattoria Restaurant, 344 Center Street, Wallingford, CT 06492)

Present: Bob Harrison, Charles Andres, Sal Brancati, Robert Roscow, Kevin Curry, Elias Estabrook, Trish Mase, James Giuliatti, Jeffrey Kohan, Andrew Skolnick

1 Administration

1.1 Minutes of the August 08, 2019 RPC meeting.

Motion to accept the minutes as presented: Andrew Skolnick. Second: James Giuliatti.
Vote: Unanimous.

2 Statutory Referrals

2.1 City of Meriden: Proposed Zoning Regulation Amendments pertaining to Keeping of Poultry.

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

3.1 Election of Officers and Executive Committee Members:

Chairman: Jeffrey Kohan
Vice Chairman: Charles Andres
Secretary: Kevin Curry

Executive Committee:
Jeffrey Kohan
Charles Andres
Kevin Curry
James Giuliatti
Sal Brancati
Elias Estabrook
Bob Harrison

Motion to accept slate of Officers and Executive Committee Members: Kevin Curry.
Second: Andrew Skolnick. Vote: Unanimous

4 Other Business

- 4.1 The summaries of the September, October, November and December meetings were provided to the Commission for informational purposes.

Motion to Adjourn: Kevin Curry. Second: Sal Brancati. Vote: Unanimous.

Referral 2.1: Town of Orange

Subject:

Proposed Zoning Map Amendment -
(48 Boston Post Rd) from Commercial (C-1) to Light Industrial (LI-1)

Staff Recommendation:

The proposed zoning map amendment does not appear to cause inter-municipal impacts to the towns in the South Central Region if the setback from the residential district boundary in West Haven is applicable. There does not 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 to rezone the property at 48 Boston Post Road from C-1 to LI-1. The property is 15.37 acres and was the location of a Lowes Home Center. The property can be accessed via Boston Post Road and Carlson Road, and the rear of the site is adjacent to the City of West Haven.

The zoning of the adjacent properties in West Haven is R-2. In Orange the surrounding zones are LI-1, C-1 and C-2. The surrounding land uses in Orange consist of retail, services, light industrial, warehouse and distribution, trucking, transportation and additional commercial uses.

There is no access from the property into the City of West Haven, and there appears to be a buffer separating the residential subdivision in West Haven from the property. The parcel adjacent to the west boundary of the parcel is already zoned LI-1 and to the east the parcel is zoned C-2.

The list of permitted uses in the LI-1 and C-1 Zoning Districts is included within the Agenda Packet.

Communication:

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



Town of Orange, Connecticut

Zoning Department

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

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

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JAN - 8 2020

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

January 3, 2020
CERTIFIED MAIL
camento@scrcog.org

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 MAP -


-Submitted by Paul Kaplan and his assigns.

**To amend the Orange Zoning Map. To change property known as
48 Boston Post Road (Owned by Lowes Home Centers Inc Site 621)
from Commercial C-1 to Light Industrial LI-1.**

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 18, 2020. A Copy of the Existing Regulation & Proposed Amendment is attached. An electronic copy was sent to you in a PDF file via email.

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

Very truly yours,

Paul Dinice,
Zoning Administrator
& Enforcement Officer

enclosures

cc: TPZC Members

V. Marino, Esq.

J. Zeoli, First Selectman

ORANGE TOWN PLAN & ZONING COMMISSION

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

Applicant Paul Kaplan and his assigns

Mailing Address c/o Attorney Kevin Curseaden

PO Box 31, 3 Lafayette Street, Milford, CT Zip 06460

Telephone c/o Attorney Curseaden 203.874.9500 Fax 203.882.7247

Property Owner LOWES HOME CENTERS INC SITE 621

Mailing Address _____

_____ Zip _____

Telephone _____ Fax _____

PETITION TO AMEND REGULATIONS? NO ZONING MAP? X

Pending Admin. Corp. Approval

Signature of Property Owner _____

_____ Date _____

Signature of Applicant _____

_____ Date Jan 3 2020

FOR OFFICE USE ONLY RECEIVED

Date Received JAN 03 2020

Meeting Scheduled _____

Applicant Notified _____

Application Fee Paid

PAID

Action Taken _____

Date of Publication _____

CHECK LIST

PETITIONS TO AMEND THE TEXT OF THE ZONING REGULATIONS

The following information is required:

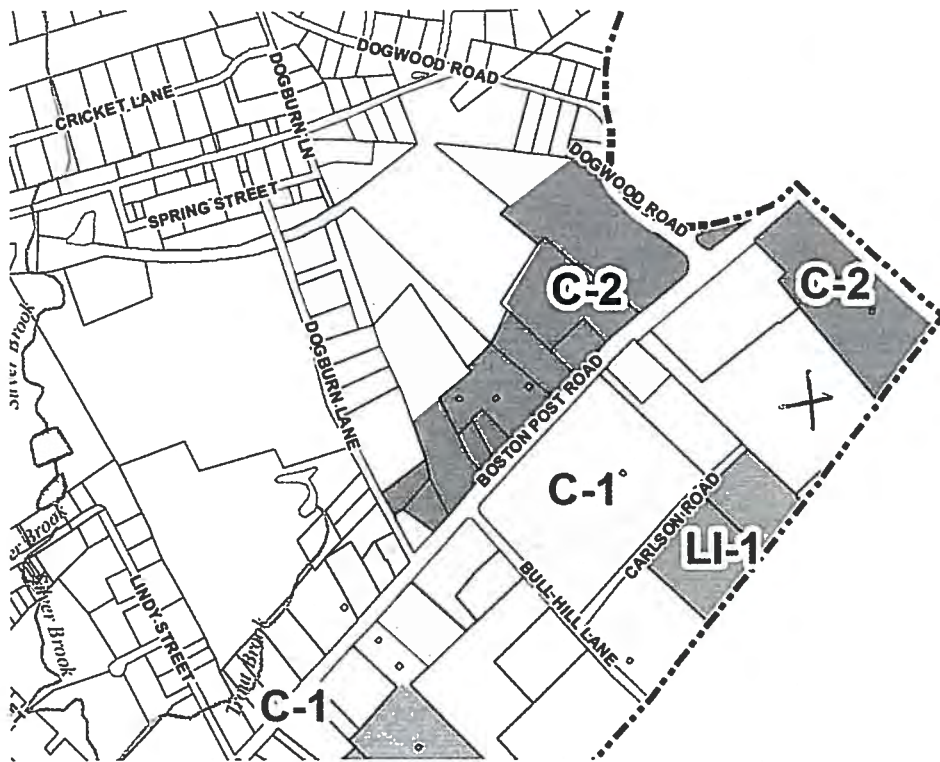
- | | |
|--|------------|
| 1. Fifteen (15) copies of this completed application form | <u>N/A</u> |
| 2. Fifteen (15) copies of the precise wording of the existing text | <u>N/A</u> |
| 3. Fifteen (15) copies of the proposed text | <u>N/A</u> |

PETITONS TO AMEND THE ZONING MAP

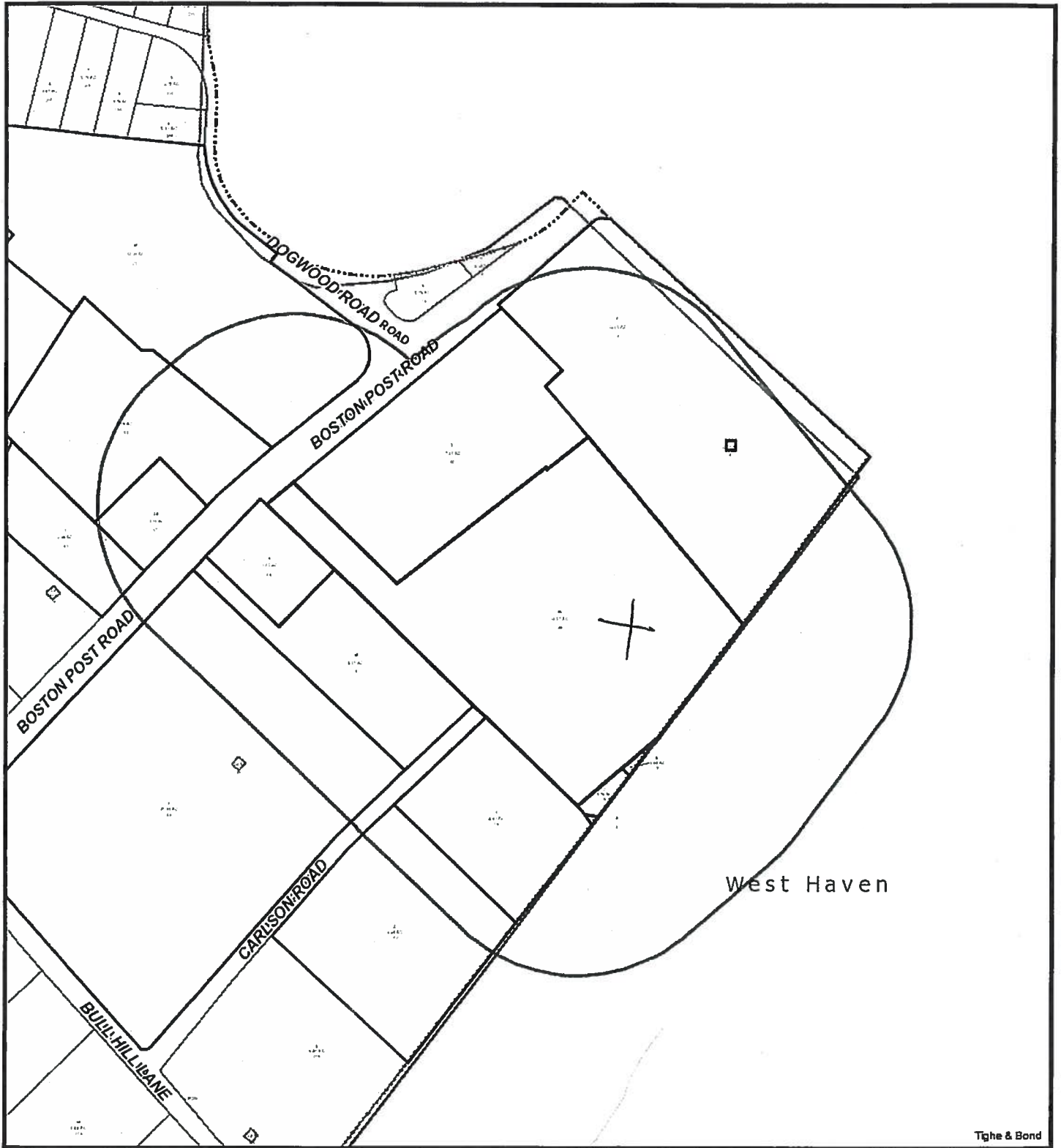
The following information is required:

- | | |
|---|---------------------|
| 1. Fifteen (15) copies of this completed application form | <u>Provided</u> |
| 2. Fifteen (15) copies of a map drawn to a scale of not less than 200 feet to the inch, covering that area of the proposed zone change and all area in the Town of Orange within 500 feet of the proposed change, displaying the existing and proposed zoning district boundary lines, the existing property lines and the names of the current property owners as indicated by the Town of Orange Assessor's records | <u>See enclosed</u> |
| 3. Existing Zone <u>C-1</u> Proposed Zone <u>LI-1</u> | |
| 4. List of adjoining property owners (see page 3) | <u>See attached</u> |
| 5. Narrative description of the subject property and its boundaries | <u>The subject</u> |

Property is 48 Boston Post Road and consists of 15.37 acres and was most recently a Lowe's store. It is a flag shaped lot that has access from two roads, Boston Post Road (Route 1) and Carlson Road. It abuts the City of West Haven to the rear of the site, the C-1 & LI-1 zones to the west and the C-2 zone to the east. The surrounding uses in are a mix of retail, services, gym (The Edge) and light industrial, warehouse and distribution, trucking, transportation, mixed commercial.



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JAN 03 2020



Tight & Bond

12/30/2019 3:50:45 PM

Scale: 1"=400'

Scale is approximate

The information depicted on this map is for planning purposes only.
It is not adequate for legal boundary definition, regulatory
interpretation, or parcel-level analyses.



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JAN 03 2020

§ 383-57. Permitted uses.

- A. Manufacture, processing or assembling of goods.
- B. Laboratories for research, testing and development; printing and publishing establishments.
- C. Office buildings for business and professional establishments, excluding those establishments which primarily provide services to customers and clients on the premises.
- D. Warehousing and wholesale business.
- E. Lumber and building material businesses; commercial storage, sale and distribution of fuel.
- F. Freight and materials trucking businesses, bus terminals.
- G. Repairing and servicing of motor vehicles when clearly accessory and subordinate to another permitted use on the same lot.
- H. Public utility substations, telephone equipment buildings and switching stations; water supply pump stations and storage facilities; public utility transmission lines; public utility maintenance facilities.
- I. Buildings and facilities of the Town of Orange, State of Connecticut, and federal government, excluding corporate or proprietary uses unless otherwise permitted above.
- J. Railroad rights-of-way and storage sidings.
- K. Signs as provided in Article XIX.
- L. Accessory uses customary with and incidental to any aforesaid permitted use, provided such accessory uses are located on the same lot with the use to which they are accessory; such uses may include but are not limited to off-street parking and loading spaces, and eating, recreation and auditorium facilities primarily for persons employed on the lot and not open to the general public.

§ 383-58. Special uses.

(Reserved)

§ 383-59. Prohibited uses.

- A. Cemeteries.

- B. Retail stores; commercial entertainment facilities; restaurants; motor vehicle service stations and repair garages; veterinary hospitals; undertakers' establishments; contractors' storage yards; concrete mixing plants; and slaughter houses.
- C. Dwellings.

§ 383-60. Lot area, shape and frontage.

- A. Minimum lot area: two acres.
- B. Minimum dimension of square: 200 feet.
- C. Minimum frontage: 50 feet.

§ 383-61. Height.

- A. Maximum height: 40 feet.

§ 383-62. Setbacks.

- A. From street line: 50 feet.
- B. From rear property line: 35 feet.
- C. From other property line: 35 feet.
- D. From residence district boundary line: 50 feet.
- E. Projections into setback area: five feet.

§ 383-63. Building bulk and coverage. [Amended 4-17-2007]

- A. Maximum floor area: 80%.
- B. Maximum ground coverage: 40%.

§ 383-64. Site plan.

Prior to approval of any application for a certificate of zoning compliance, a site plan shall be submitted and approved in accordance with the provisions of Article XIII.

§ 383-41. Permitted uses.

- A. Stores and other buildings and structures where goods are sold or service is rendered primarily at retail.
- B. Business and professional offices; banks and other financial institutions; medical and dental clinics.
- C. Clothes and fabric cleaning laundry service consisting of on-premises facilities for service at retail, including self-service at retail, including self-service, or agencies for off-premises cleaners and laundries.
- D. Indoor restaurants and other food and beverage service establishments where customers are served only when seated at tables or counters and all of the seats are located within an enclosed building, unless approved under § 383-42D. **[Amended 3-7-2006]**
- E. Indoor theaters and assembly halls.
- F. Hotels and motels, provided all facilities are connected to the Town sanitary sewerage system.
- G. Motor vehicle service stations and motor vehicle repair garages including automobile, truck, trailer and farm equipment repairing; painting and upholstering. Establishments for the sale of new or used trailers or farm equipment or rental thereof, provided, however, that the sale or rental of such trailers or farm equipment is the primary use of the premises and is not conducted as an accessory use to another use of said premises. Such use may include gasoline pumps and/or the sale of gasoline by special permit.
- H. Undertaker's establishments.
- I. Veterinary hospitals.
- J. Printing and publishing establishments occupying not more than 5,000 square feet of floor area.
- K. Bowling alleys; billiard or pool halls.
- L. Manufacture, processing or assembling of goods for sale only on the premises and at retail.
- M. Painting, plumbing, electrical, sheet metal, carpentry, woodworking, blacksmith, welding, and machine shops occupying not more than 5,000 square feet of floor area.

- N. Churches and places of worship; parish halls; schools; colleges; universities; educational, religious, philanthropic and charitable institutions; membership clubs, lodges, community houses.
- O. Buildings, uses and facilities of the Town of Orange.
- P. Off-street parking facilities.
- Q. Signs as provided in Article XIX.
- R. Public utility substations and telephone equipment buildings provided that there is no outside service yard or outside storage of supplies.
- S. Water supply reservoirs, wells, towers, pump stations, storage facilities and treatment facilities.
- T. Buildings, uses and facilities of the State of Connecticut or federal government.
- U. Accessory uses customary with and incidental to any aforesaid permitted uses.

§ 383-42. Special uses.

- A. Drive-through service windows for indoor banks and restaurants and other food and beverage establishments, provided the service windows are incidental to the primary permitted use, and freestanding drive-through bank automated teller machines. As used herein "freestanding drive-through automated teller machines" means automated teller machines which are not accessory to a banking facility on premises. **[Amended 4-21-2009]**
- B. Planned residential development uses in accordance with Article XII. **[Amended 10-4-2000]**
- C. Convenience marts, gasoline pumps and/or the sale of gasoline.
- D. Indoor restaurants and other food and beverage service establishments where customers order and receive their order at a service counter and where the food and/or beverage is intended to be consumed primarily while seated at tables or counters within the establishment. **[Added 3-7-2006]**
- E. A food take-out service incidental to the primary intended use, but shall not include the following: **[Added 3-7-2006]**

- (1) Establishments where customers are served primarily at food take-out counters.
 - (2) ¹Establishments where customers are served in a manner intended for consumption of food at outside picnic or dining areas.
- F. Outdoor restaurant seating in accordance with § 383-143.4. **[Added 6-15-2010; amended 9-6-2011]**
- G. Carhop restaurant service where food is brought and served in motor vehicles parked in a specially designed and designated area. **[Added 11-16-2010]**

§ 383-43. Prohibited uses.

- A. Printing and publishing except as permitted under § 383-41J.
- B. Warehousing and wholesale businesses; building contractors' businesses and storage yards; lumber and building materials businesses; freight and materials trucking terminals and businesses; bus terminals; commercial storage, sale and distribution of fuel.
- C. Research laboratories, manufacture, processing or assembling of goods except as permitted under § 383-41L.
- D. Adult use establishments as defined in Article XV.
- E. Car washes, including manual and automated washes.
- F. Establishments for the sale and/or rental of new or used automobiles and/or trucks.

§ 383-44. Lot area, shape and frontage.

- A. Minimum lot area: 25,000 square feet.
- B. Minimum dimension of square: 125 feet.
- C. Minimum frontage: 50 feet.

§ 383-45. Height.

- A. Maximum number of stories: three stories.
- B. Maximum height: 40 feet.

1. Editor's Note: Former Subsection E(2), regarding restaurant establishments with carhop service, was repealed 11-16-2010. This ordinance also redesignated former Subsection E(3) as Subsection E(2). See now Subsection G.

§ 383-46. Setbacks.

- A. From street line: 50 feet.
- B. From rear property line: 50 feet.
- C. From other property line: 12 feet.
- D. From residence district boundary line: 50 feet.
- E. Projections into setback area: five feet.

§ 383-47. Building bulk and coverage.

- A. Maximum floor area: 50%.
- B. Maximum ground coverage: 25%.

§ 383-48. Site plan.

Prior to approval of any application for certificate of zoning compliance, a site plan shall be submitted and approved in accordance with the provisions of Article XIII.

Referral 2.2: City of West Haven

Subject:

Proposed Zoning Regulation Amendments pertaining to Active Adult Communities

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 pertaining to Active Adult Communities (Section 2 and to add Section 13).

In Section 2, a definition has been added for Active Adult Residential Community. The proposed definition is “A residential community developed for the intended purpose of providing a dwelling to occupants age fifty-five (55) and older who are served by suitable recreational facilities and amenities, as permitted by federal and state fair housing laws, including the Fair Housing Act, 42 USC 3601 et seq. and the Housing for Older Person Act (HOP A) (Public Law 104-76 and 109 STAT. 87).” The proposed use will allow for flexibility in the development of alternative housing options for individuals 55 years old and over. In residential districts min. open space requirements range from 50% to 70 percent. In mixed-use districts the min. open space requirement ranges from 20% to 60%.

The purpose, objectives, standards, permitted uses and the approval process for Active Adult Residential Communities has been incorporated in the proposed Section 13. The proposed use is permitted in several residential and mixed-use districts subject to the bulk standards proposed in Table 13.3. The approval process consists of both Special Permit and Site Plan Review. The bulk standards, density and zoning requirements by district can be reviewed in Table 13.3 in the Agenda Packet.

“13.6 Buffer Requirements. When located adjacent to a single-family residential district (R1 and R2), the Planning and Zoning Commission shall review the proximity of this residential community in relation to such residential district and shall require either 1) a distance of 75 feet between any proposed buildings and existing residences in the adjacent District or 2) a specific physical buffer which will be comprised of a berm with evergreen vegetation on top and a landscape plan which will provide sufficient visual buffering of the proposed development.”

The potential zoning districts where the use is permitted are within 500 feet of Milford, New Haven and Orange.

Communication:

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



CITY OF WEST HAVEN, CONNECTICUT

Planning and Development Department

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



January 15, 2019

TO: South Central Regional Council of Governments ✓
State of CT DEEP
City of New Haven, City Clerk
Town of Orange Town Clerk
City of Milford
West Haven Harbor Management Commission

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JAN 17 2020

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

RE: Planning and Zoning Application # ZR 20-002

The City of West Haven hereby refers the following application to your agency for your review, in accordance with Sections 8-3b, 8-3h, 8-7d, 22a-104 and 22a-113p of the Connecticut General Statutes and Section 86 of the West Haven Zoning Regulations:

Text Change Application – West Haven Planning and Zoning Commission – File # ZR-20-002

- Applicant proposes to add a new definition under Section 2 and a new Section 13 to the Zoning Regulations to permit Active Adult Communities in specific Zoning Districts of the City, in order to provide housing options to support a growing elderly population in the City, pursuant to Section 86 of the City of West Haven Zoning Regulations.

The West Haven Planning and Zoning Commission plans to hold a public hearing on this application on Tuesday, February 25, 2020 at 7:00 PM in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT.

Copies of the proposed amendments are enclosed for your review. Please submit any comments on the proposed application by the date of this public hearing. Thank you for your assistance. Please contact me if you have any questions on this application.

Sincerely,

David W. Killeen
Assistant City Planner



CITY OF WEST HAVEN, CONNECTICUT

Planning and Development Department

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

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



CITY HALL 1898-1967

APPLICATION FOR CHANGE TO ZONING REGULATIONS

1. Article and Section of Zoning Regulations

Article 1, Section 2, Definitions; Article 2, Section 10 Residential District Regulations

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

There is a growing elderly population in the City of West Haven, many of whom may be looking for housing and amenities tailored to an active adult population. Current regulations do not specifically provide for this use type: The Planning and Zoning Commission proposes a new section of the regulations to allow Active Adult Communities in specific districts.

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

None

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

Dated: January 15, 2020

Daytime Phone:

☒ Business ☐ Home (203) 937-3580

☐ Fax: ☐ Cell:

☒ E-mail: Dkilleen@westhaven-ct.gov



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

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
ARTICLE 2 AND SECTION 10 RESIDENTIAL DISTRICT REGULATIONS
ACTIVE ADULT COMMUNITIES

ADD A NEW DEFINITION UNDER SECTION 2. DEFINITIONS:

ACTIVE ADULT RESIDENTIAL COMMUNITY: A residential community developed for the intended purpose of providing a dwelling to occupants age fifty-five (55) and older who are served by suitable recreational facilities and amenities, as permitted by federal and state fair housing laws, including the Fair Housing Act, 42 USC 3601 et seq. and the Housing for Older Person Act (HOPA) (Public Law 104-76 and 109 STAT. 87).

ADD A NEW SECTION 13. ACTIVE ADULT RESIDENTIAL COMMUNITIES AS FOLLOWS:

13. ACTIVE ADULT RESIDENTIAL COMMUNITY (AARC)

13.1 Purpose. The purpose of this Section is to encourage developments that provide alternative housing choices for people who are 55 years or older. An Active Adult Residential Community will allow for flexible development of detached or semi-detached single-family dwellings in the various Residential and Mixed-Use Districts of the City (units may only be attached by a garage and not be connected to any living space within the unit). Such a development shall consider the protection of surrounding properties and shall provide for open space and preservation of natural and historic features.

13.2 Objectives. An AARC may receive favorable consideration where a proposed development complies with standards for approval of a Special Permit (Section 85) and where the following conditions are present and the following objectives are achieved:

- a) There is no adverse impact on adjacent properties;
- b) There is sufficient capacity in public infrastructure supporting the development (Sanitary sewer, water supply, road network, utilities, etc.).
- c) Passive and/or active recreation facilities and other amenities are provided by the applicant within the proposed development.
- d) Creative design and careful land planning are accomplished;
- e) Screening/buffering and landscaping is provided, as required.
- f) Water resources and natural and historical features are protected and enhanced where present.

This statement of objectives shall not be subject to variance or exception by any City agency.

13.3 Applicability. An Active Adult Residential Community is allowed in various Residential and Mixed-Use Districts in West Haven, subject to the area and bulk requirements of Table 13.3.

13.4 Permitted Uses. An Active Adult Residential Community consists of a community which includes single-family dwelling units with a generally smaller bedroom mix than traditional residential developments. For an AARC, each unit shall be a minimum of 1,000 square feet and possess a maximum of two bedrooms plus one utility (guest study, etc.) room. Accessory uses such as parking lots, garages, and recreational and community uses are also permitted, to the extent they are designed and intended to serve the permitted occupants of the AARC and are consistent with and appropriate to the needs and interests of those occupants.

13.5. Approval Process. All AARC developments shall require approval of a Special Permit and a Site Plan Review by the Planning and Zoning Commission, pursuant to Section 75 and 85 of the Zoning Regulations. Where located within an area that requires site specific reviews (e.g. Coastal Site Plan Review or Village District review), an AARC development shall also be required to meet those site specific review requirements.

TABLE 13.3
ZONING REQUIREMENTS FOR AARC BY ZONING DISTRICT

Zoning District	Min. Lot Area (SF)	Max. Density (DU/40,000)	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Max. Building Coverage	Max. Impervious Cover	Max. Lot Coverage	Min. Open Space
R1	200,000	5	35	30	50	20%	10%	30%	70%
R2	120,000	7	30	25	45	20%	15%	35%	65%
R3	100,000	10	25	25	25	20%	20%	40%	60%
R4	90,000	12	50	50	50	25%	15%	40%	60%
R5	80,000	15	60	50	60	30%	20%	50%	50%
NB	60,000	25	25	20	25	50%	25%	75%	25%
RPD	60,000	25	50	25	50	25%	15%	40%	60%
RCPD	60,000	15	50	25	50	25%	15%	40%	60%
CBD	60,000	40	0	0	20	30%	50%	80%	20%
SRR	60,000	15	12	0,20	30	30%	20%	50%	50%
WD	60,000	25	12	0,20	25	35%	60%	80%*	30%*
TOD	60,000	50	Varies	Varies	Varies	Varies	Varies	Varies	Varies

* These standards were revised to reflect that some walkways, landscaped courts, and open hardscaped areas could meet the definition of impervious cover and open space. Consequently, the two may exceed 100% when combined.

13.6 Buffer Requirements. When located adjacent to a single-family residential district (R1 and R2), the Planning and Zoning Commission shall review the proximity of this residential community in relation to such residential district and shall require either 1) a distance of 75 feet between any proposed buildings and existing residences in the adjacent District or 2) a specific physical buffer which will be comprised of a berm with evergreen vegetation on top and a landscape plan which will provide sufficient visual buffering of the proposed development.

13.7 Occupancy restrictions. Occupancy within an AARC development shall be restricted as follows:

- (a) Each of the occupied dwelling units shall be occupied only by:
 - [1] A person who is 55 years of age or older (an "age-qualified person");
 - [2] A spouse, companion or relative of an age-qualified person residing in the dwelling unit with the age-qualified person.
 - [3] The spouse, relative or companion of a deceased age-qualified person who had formerly resided in the dwelling unit or who has entered into a long-term care facility, provided that if any surviving spouse, relative or companion of a deceased age-qualified person shall remarry or cohabit then the occupancy requirements of Subsection 13.7 (a) [1] and/or [2] above must be met; or
 - [4] A personal care attendant who is in service to a permitted occupant to attend to that occupant's medical and/or health needs, provided that: the personal care attendant is 21 years of age or older, registered with the Office of Planning and Development, and not paying any form of rent; the occupant in question has a note from his/her doctor stating that the condition of the occupant is such that a personal care attendant is warranted; if the occupant in need of a personal care attendant shall not occupy the dwelling unit for a period in excess of one month, unless extended by the Commission, the personal care attendant shall not live in the dwelling unit.
- (b) No unit may be occupied by a resident who is younger than 18 years of age and only by hardship exception granted by the Board of Directors or other governing body of the AARC condominium community.
- (c) No unit may be occupied by more than three (3) residents.

(d) In all events, at least 80% of the dwelling units shall be occupied by at least one age-qualified person.

13.8 Ownership Structure. The proposed Active Adult Residential Community shall be a Common Interest Ownership Community as defined in Chapter 828 of the Connecticut General Statutes.

a) Reporting Requirements. The "housing facility or community" shall provide to the Commission each year, on the anniversary of the approval of the site plan, documentation regarding age verification of the occupants of all dwelling units sufficient for the Commission to determine there is compliance with the requirements of Section 13.7 of these regulations.

13.9 Parking Requirements

The parking requirements for units in an AARC shall be calculated as the total parking required for the residential units under Table 62.1 of the Regulations plus an additional 10% of the total parking spaces required for the development to provide parking for visitors. Where recreational facilities, clubhouses or other amenity space is provided, the approved site plan should demonstrate a distribution of total spaces so that there will be sufficient parking near these facilities.

13.10 Separation of Units.

The minimum separation distance between livable spaces of the dwelling units in an AARC shall be 25 feet (this is Meriden's requirement. 10 feet was proposed in the recent regulation considered by the Commission.), however, the garages of individual units may be connected.

13.11 Open Space.

The land area not allocated to buildings and/or streets shall be open space and may include certain covered open areas in community facilities, such as patios, walks, walking trails, plazas or covered recreation areas. This space shall be devoted to park, recreation or environmental amenity for the enjoyment of all residents of the development. Improved open space shall be of the same character of land to be developed and shall be designed to capitalize on the

13.12 Recreational Facilities and Amenities.

Since the purpose of an AARC development is to meet the needs of active adults, such developments must be supported by recreational facilities and/or amenities that could promote this lifestyle. Such facilities and amenities may include but not be limited to swimming pools, fitness centers, clubhouses, walking trails, etc. When considering an AARC, the Planning and Zoning Commission shall consider facilities and amenities that are proposed as part of the AARC development and will encourage siting such developments in proximity to other facilities and amenities that are located within a half-mile (2,600 feet) of such development.

All developments must include meaningful facilities and amenities as part of the development.

13.13 Utilities.

a. Sanitary Sewers, Water. AARC developments shall be served by public sanitary sewer lines and public water supply.

b. All electrical, cable, telephone and other service utilities shall be placed underground.

c. Fire hydrants shall be provided on site as directed by the Commission on the recommendation of the Fire District in which the development will be located.

Referral 2.3: Town of North Haven

Subject:

Proposed Zoning Regulation Amendments pertaining to Mixed-Uses in the Commercial (CN) Districts.

Staff Recommendation:

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

Background:

A private applicant in the Town of North Haven has proposed new Section 4.3.4 - Mixed Use Districts.

The amendments include a definition and the approval process in which the uses must be approved by the Planning and Zoning Commission, after a public hearing, subject to conditions as the Commission establishes.

The lot size has to be a minimum of a one half acre, with no residential uses permitted on the first floor. The square footage of residential units cannot exceed fifty percent of the total floor area of the mixed use project. If a proposal exceeds the restriction will need to a Special Permit approval. Standards for passive and/or active recreation include a minimum of 100 square feet per residential unit proposed.

Additional requirements can be reviewed in the agenda packet. The CN District is within 500 feet of Hamden.

Communication:

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



TOWN OF NORTH HAVEN

MEMORIAL TOWN HALL / 18 CHURCH STREET

NORTH HAVEN, CONNECTICUT 06473



REPLY TO: PLANNING & ZONING COMMISSION

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

23 January 2020

RECEIVED

JAN 27 2020

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

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

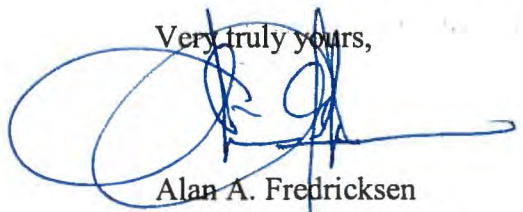
Re: Proposed Amendment to the North Haven Zoning Regulations to add Section 4.2.1.12 and to amend Section 4.3.4 to permit Mixed Uses in Commercial CN Districts.

Dear Mr. Livshits,

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

A Public Hearing for this application is scheduled for 2 March 2020.

Very truly yours,



Alan A. Fredricksen
Land Use Administrator
AAF/lc
Enclosures

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

1-8-20 Date of Receipt
\$150/60 Fee and date paid

P20-03 File Number
Approval date

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

(ADDRESS OF BUILDING OR BLOCK MAP, BLOCK & LOT NUMBER)

ZONE

TOTAL SQUARE FOOTAGE

THIS APPLICATION IS FOR AND MUST INCLUDE THE FOLLOWING:

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

TITLE OF PLAN: _____

Date and most current revision date of plan: _____

CAM site plan review (Submit 14* copies)

x Amend zoning regulations _____ Section to be amended (Submit 8 copies of proposed

Add new Section 4.2.1.12; Amend Section 4.3.4 amendment)

Proposed zone change (Submit 14* copies of location map)

Special Permit _____ Cite regulation that authorized the special permit

Fill permit (Submit 14* copies)

Excavation permit (Submit 14* copies)

Permit to grade or regrade the property (Submit 14* copies of a certified plan showing existing grades and proposed grades)

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

Does the property for which this application is submitted:

Lie within 500' of an adjoining municipality or will traffic or water drainage impact an adjoining municipality

Lie within the Coastal Area Management boundary

Contain any wetlands and/or watercourses

Lie within the Aquifer Protection Zone

Lie within the Channel Encroachment Zone

Lie within the floodplain or floodway

Lie within 50' of the Quinnipiac River or Muddy River

RECEIVED

JAN - 8 2020

TOWN of NORTH HAVEN
LAND USE AND DEVELOPMENT

N/A

ENGINEER'S NAME

Bernard Pellegrino, Esq.

Print Applicant's Name

475 Whitney Avenue, New Haven, CT 06511

Applicant's Address

203-787-2225

203-787-0196

Applicant's Phone Number

Fax Number

Applicant's Signature

N/A

ENGINEER'S PHONE NUMBER

FAX NUMBER

N/A

Print Owner's Name

Owner's Address

Owner's Phone Number

Owner's Signature

PROPOSED REGULATION AMENDMENT

SECTION 4.2 - COMMERCIAL CN DISTRICT

Add 4.2.1.12 Mixed Uses permitted by Section 4.3.4

4.3.4 Mixed Use Districts

The purpose of the Mixed-Use District is to facilitate the integration of diverse but compatible uses into a single development with the goal of creating a community that offers "live, work, and play" opportunities with convenient walking distance of each other. The Mixed-Use District is also being adopted to guide the future growth and development of North Haven in accordance with the Plan of Conservation and Development.

4.3.4.1 Mixed-Use Defined. A building or property that contains both residential and commercial uses. All Bulk Standards shall conform with the regulations established in Section 4.3.

4.3.4.2 Approval. Any use defined under this Section 4.3.4 must be specifically approved by the Planning and Zoning Commission after a public hearing, subject to such conditions as said Board may establish, giving consideration to the effect of the proposed use on present and future dwellings in the vicinity, to the proposed site planning and landscaping, to the conditions affecting traffic safety, to the provisions for parking and to other standards provided in these regulations. Such approval shall also be required for any expansion of any such use or any change in driveway access or other substantial change in site plan affecting the public interest.

4.3.4.3 Restrictions.

Mixed Use residential dwellings shall conform to the following restrictions:

- (a) No single mixed-use project shall be constructed on any one lot which lot size is less than one half (1/2) acre.
- (b) No residential units shall be permitted on the first floor.
- (c) The total square footage of all residential units are not to exceed fifty (50%) percent of the total floor area of mixed-use project. Any mixed use residential project exceeding the allowed square footage percentage must receive special **permit** approval by Planning and Zoning Commission and any additional fire protection measures within the building as recommended by the Fire Marshal.
- (d) Subject to the provisions of this subsection, the building may be of frame construction and complying with all requirements of the building code for mixed-use development.

- (e) The area of the lot shall be suitably landscaped in accordance with the existing Town of North Haven Zoning Regulations.
- (f) The floor area and number of rooms devoted to living area in each family dwelling unit shall be not less than listed below.

<u>Number of Rooms</u>	<u>Minimum Floor Area</u>
1 Bedroom	700
2 Bedroom	800
3 Bedroom	900

- (g) Access to every mixed-use project shall be from an existing or proposed public street. Driveways including ingress and egress shall be clearly marked and shall be located as approved by the Planning and Zoning Commission.
- (h) No permit for any mixed-use project as permitted under this Section shall be issued until the plans therefore shall have been approved by the Planning and Zoning Commission after a public hearing upon due notice pursuant to Section 8.3 of the Connecticut General Statutes. The applicant shall submit to the Commission full plans for the entire project, showing the layout of buildings, proposed entrances and exits and their relation to traffic on public streets, walks, sanitary sewers, storm drains and other utilities, parking spaces, accessory buildings, and all other pertinent features including a landscape plan showing the location, size and type of all landscape elements, **areas for passive and/or active recreation of an area of no less than 100 sq.ft. per residential unit proposed**, together with plan elevations, and other pertinent drawings of all buildings, indicating the area of land spaces for various purposes, the dimensions and floor areas of all buildings and of all family dwelling units.

Mixed Use Commercial dwellings shall conform to the following restrictions:

- (a) No use shall be permitted in any Mixed-Use District **in a CA District** except those listed in Section 4.3.
- (b) No use shall be permitted in any Mixed-Use District **in a CN District** except those listed in Section 4.2.1.