



**RPC  
Representatives**

**Bethany:**  
Sharon Huxley

**Branford:**  
Charles Andres

**East Haven:**  
David Anderson

**Guilford:**  
Vacant

**Hamden:**  
Joseph McDonagh

**Madison:**  
Christopher Traugh  
(Secretary)

**Meriden:**  
William Lake

**Milford:**  
Susan Shaw

**New Haven:**  
Karyn Gilvarg

**North Branford:**  
Frances Lescovich

**North Haven:**  
Brian Cummings  
(Vice-chair)

**Orange:**  
Paul Kaplan

**Wallingford:**  
James Fitzsimmons

**West Haven:**  
John Panza

**Woodbridge:**  
Peggy Rubens-Duhl  
(Chair)

**AGENDA**

**To:** Regional Planning Commission  
**From:** Eugene Livshits, Regional Planner  
**Subject:** Agenda for Thursday, December 9, 2010 RPC Meeting, 5:15pm @ SCRCOG Conference Room; 127 Washington Ave, 4<sup>th</sup> Floor West, North Haven, CT 06473

**1. Administration**

- 1.1. Minutes of the November 18, 2010 RPC Meeting
- 1.2. Minutes of the October 14, 2010 RPC Meeting

**2. Statutory Referrals – December Action Items**

- 2.1. Town of Prospect: Proposed Zoning Regulation Amendments to Section 3.1 – Uses by District and Section 2.2 – Definitions. Submitted by: Town of Prospect. Received: November 12, 2010. Public Hearing: December 15, 2010
- 2.2. City of West Haven: Proposed Zoning Regulation Amendments to Section 48 – Telecommunication Regulation. Submitted by: City of West Haven. Received: November 18, 2010. Public Hearing: TBD
- 2.3. City of Milford: Proposed Zoning Regulation Amendment to add Section 5.1.4.2 – Prohibited Drive-thru Windows, Curb Cuts, and Driveways. Submitted by: City of Milford. Received: November 19, 2010. Public Hearing: TBD

**3. Other Business**

- 3.1. 2011 Meeting Schedule
- 3.2. Nominating Committee
- 3.3. RPC Annual Dinner Speaker and Location
- 3.4. OPM Workshop



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

**MEETING MINUTES**

To: Regional Planning Commission  
From: Eugene Livshits, Regional Planner  
Subject: Minutes for Thursday, November 18, 2010 Meeting

**Present:** Peggy Rubens-Duhl, Brian Cummings, Charles Andres, William Lake, Frances Lescovich, Eugene Livshits, Carl Amento

As there was not a full member or executive quorum, the members present decided to discuss the referral items and provide advisory comments.

**1 Administration**

1.1 Minutes of the October 14, 2010 RPC meeting. As there was no quorum, review of the minutes will be postponed until the December 9, 2010 RPC Meeting.

**2 Statutory Referrals**

2.1 Town of Prospect: Proposed Zoning Regulation Amendments to Section 4.13 – Flood plains and Flood Hazard Areas; Article 2.2 – Definitions; Article 15 – Zoning Board of Appeals; and Section IV of the Subdivision Regulations

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the Towns of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound.

2.2 Town of Cheshire: Proposed Zoning Regulation Amendments to Section 46 – Flood Plain Management Regulation

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the Towns of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound.



2.3 Town of Southington: Proposed Zoning Regulation Amendment to Sections 2-01A and 2-19S

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the Towns of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound.

2.4 Town of Madison: Proposed District Boundary Amendments to CA-1, CB-1, and CB-2 Districts and adjacent parcels; proposed amendments to Commercial District Regulations, Section 6, Section 8, and to Customary Home Occupation. Sections 4.1.19, 4.1.24, 4.1.38 are proposed to be deleted

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed Zoning Regulation and Map Amendments do not appear to cause any negative inter-municipal impacts to the Towns of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound.

2.5 Town of Orange: Proposed Zoning Regulation Amendment to create a Transit Oriented Development District

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the Towns of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound.

In addition to the comments above, the Commission noted that the proposed Zoning Regulation should clarify when the proposed Zone Change to a TODD becomes effective.

2.6 Town of Orange: Proposed amendment to incorporate the Edison Road/Marsh Hill Road Corridor Zoning Review Study into the Town's POCD

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed amendment to incorporate the Edison Road/Marsh Hill Road Corridor Zoning Review Study into the Town's Plan of



Conservation and Development appears consistent with both the policies of the Regional and State Plan of Conservation and Development.

**2.7 Town of Woodbridge: Proposed Zoning Regulation Amendments to Section 3.12 – Liquor Establishments, Subsection 3.12.2 – Distance Requirements**

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the Towns of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound.

**2.8 Town of Hamden: Proposed Zoning Regulation and Map Amendments regarding Special Flood Hazard Areas**

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the Towns of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound.

**3 Other Business**

2011 Meeting Schedule – postponed until the December 9, 2010 RPC Meeting

Nominating Committee

RPC Annual Dinner - Location: Carmines Tuscan Grill, New Haven, CT  
Speaker: David Kooris

OPM Workshop – Will occur at the conclusion of the December 9, 2010 RPC Meeting



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

**MEETING MINUTES**

To: Regional Planning Commission  
From: Eugene Livshits, Regional Planner  
Subject: Minutes for Thursday, October 14, 2010 Meeting

**Present:** Peggy Rubens-Duhl, Brian Cummings, Christopher Traugh, Sharon Huxley, Charles Andres, Karyn Gilvarg, John Panza (arrived during review of referral 2.5), William Lake, Frances Lescovich, Eugene Livshits, Carl Amento

**1 Administration**

1.1 Minutes of the September 16, 2010 RPC meeting. Motion to accept the minutes as amended: Sharon Huxley. Second: Brian Cummings. Vote: Unanimous. Abstain: Charles Andres

The minutes were amended to reflect that the motion to accept minutes of the August 12, 2010 meeting as presented was seconded by David Anderson.

**2 Statutory Referrals**

2.1 Town of Madison: Proposed Zoning, Subdivision and Book III Regulation Amendments to address Stormwater, Notification Requirements and Fees

By resolution, the RPC has determined that the proposed Amendments do not appear to cause any negative inter-municipal impacts to the Towns of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Sharon Huxley. Second: Peggy Rubens-Duhl. Vote: Unanimous.

2.2 City of Milford: Proposed Zoning Regulation Amendments to Section 5.8 – Flood Hazard and Flood Damage Prevention Regulations and Article XI - Definitions

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 of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Sharon Huxley. Second: Christopher Traugh. Vote: Unanimous



2.3 City of West Haven: Proposed Zoning Regulation Amendment to Article 7, Section 70 – Floodplain Management

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 of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Charles Andres. Second: Sharon Huxley. Vote: Unanimous.

2.4 City of West Haven: Proposed Zoning Regulation Amendment to Section 20.9 – Outdoor Display and Sales of Merchandise

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the Towns of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Brian Cummings. Second: Christopher Traugh. Vote: Unanimous.

2.5 City of West Haven: Proposed Zoning Regulation Amendment to Section 83.8 – Appeals of Zoning Officials

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the Towns of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Sharon Huxley. Second: Brian Cummings. Vote: Unanimous. Abstain: John Panza

There was discussion regarding the purpose and intent of the proposed regulation and potential consequences of the proposed regulation. The intent of the regulation was described as a method to implement checks and balances throughout the whole system.

There was concern expressed that the amendment could potentially stall a project nearing completion by allowing an appeals process to begin two months after the start of the project.

2.6 Town of East Haven: Proposed Zoning Change to modify the boundaries of existing Planned Elderly Facilities District and to rezone the Tech Park/Economic Development District to a Commercial (CC) Zone.

By resolution, the RPC has determined the proposed Zone Change Amendment to modify the boundaries of the PEFD District does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound.



The proposed Zone Change Amendment to rezone the Tech Park/Economic Development District into a Commercial, CC District may cause negative inter-municipal traffic impacts to the City of New Haven due to an increase in the intensity and scale of development permitted in the Commercial, CC District and limited access to the site. There may be negative impacts to the habitat or ecosystem of the Long Island Sound due to an increase in the impervious surface cover permitted in the proposed Commercial, CC District. Motion to accept as amended: Christopher Traugh. Second: Sharon Huxley. Vote: Unanimous.

The staff recommendation for the Zone Change from Tech Park/Economic Development District to Commercial, CC District was amended to include impacts to Long Island Sound as the impervious surface permitted in the proposed district is significantly higher than in existing districts.

The Town of Southington and the Town of Woodbridge Referrals were received after the monthly agenda packet was mailed out. The public hearings for the referrals are prior to the November RPC Meeting. Motion to add the items to the October Agenda: Sharon Huxley. Second: Peggy Rubens-Duhl. Vote: Unanimous. Abstain: Christopher Traugh

**2.7 Town of Southington: Proposed Zoning Regulation Amendment to Section 5-01.2 – Special Permit Uses**

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the Towns of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: John Panza. Second: Sharon Huxley. Vote: Unanimous.

**2.8 Town of Woodbridge: Proposed Zoning Regulation Amendments to Section 4 - Sign and Artificial Lighting**

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 of the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Sharon Huxley. Second: Karyn Gilvarg. Vote: Unanimous. Abstain: Peggy Rubens-Duhl

**3 Other Business**

Motion to Adjourn: Brian Cummings. Second: Charles Andres. Vote: Unanimous.

## **Referral 2.1: Town of Prospect**

**Subject:** Proposed Zoning Regulation Amendments to Section 3.1 – Uses by District and Section 2.2 – Definitions

**Staff Recommendation:** The proposed 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 negative impacts to the habitat or ecosystem of the Long Island Sound.

**Background:** The Town of Prospect has proposed Zoning Regulations Amendments to permit “Redemption Center” and “Recycle” as Special Permit Uses in the Business District (B), Industrial 1 district (IND-1) and Industrial 2 District (IND-2). The terms are proposed to be added to Section 2.2 – Definitions of the Prospect Zoning Code.

“Recycle: Minimizing waste generation by recovering and reprocessing usable products that might otherwise become waste (i.e. recycling of aluminum soda cans, paper, and bottles, etc.)”

“Redemption Center: Means any facility established to redeem empty beverage containers from consumers or to collect and sort empty beverage containers from dealers and to prepare such containers for redemption by the appropriate distributors;”

**Communication:** In researching this proposal, I spoke to the Planning Staff for Prospect and notified the adjacent municipalities in the South Central Region.





**PROSPECT PLANNING & ZONING COMMISSION**

36 CENTER STREET  
PROSPECT, CONNECTICUT 06712-1699

November 11, 2010

Eugene Livshits  
South Central Council of Governments  
127 Washington Avenue - 4<sup>th</sup> Floor W  
North Haven, CT 06473-1715

*Via Certified Mail, Return Receipt Requested*

Dear Mr. Livshits:

In accordance with Section 8-7d(f) of the Connecticut General Statutes please be advised that the Prospect Planning and Zoning Commission has scheduled a public hearing on a proposed text change amendment to Prospect Zoning Regulations Section 3.1 Uses By District to add "Redemption Center" and "Recycling" as permitted uses by special permit in the Business, Industrial 1 and Industrial 2 Districts and to also amend Section 2.2 Definitions to add definitions for "Redemption Center" and "Recycling". Copies of the proposed amendments and additions are enclosed.

The public hearing on the proposed amendments and additions has been scheduled for Wednesday, December 15, 2010 at 7:10 p.m. in the lower level conference room of the Prospect Town Hall located at 36 Center Street, Prospect, CT. Comments on the proposed amendments and additions are welcome to be made at the hearing or submitted in writing for receipt into the record.

Sincerely,

*Donald Pomeroy*

Donald Pomeroy  
Chairman

## Proposed Revisions and Additions to Zoning Regulations

1. "Redemption Center" and "Recycle" will be added to Zoning Regulations SECTION 3.1 Uses By District as permitted uses by special permit within the Business District (B), Industrial 1 District (IND-1), and Industrial 2 District (IND-2).
2. Definitions for "Redemption Center" and "Recycle" will be added to Zoning Regulations SECTION 2.2 Definitions as follows:

**Redemption Center**: Means any facility established to redeem empty beverage containers from consumers or to collect and sort empty beverage containers from dealers and to prepare such containers for redemption by the appropriate distributors;

**Recycle**: Minimizing waste generation by recovering and reprocessing usable products that might otherwise become waste (i.e. recycling of aluminum soda cans, paper, and bottles, etc.).

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

**Subject:** Proposed Zoning Regulation Amendments to Section 48 – Telecommunication Regulation

**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 negative impacts to the habitat or ecosystem of the Long Island Sound.

**Background:** The City of West Haven has proposed Zoning Regulation Amendments to Section 48 – Telecommunications Regulation. Section 48.3 – Site Selection Policies; locations owned by the City of West Haven, land or buildings has been added and would be the first preference. In the same section the portion applicable to Residential Districts is proposed to be deleted. In Section 48.4.4 – Application required; the existing subsection 48.4.4 is proposed to be deleted and replaced with the following: “a plan prepared by a Registered Connecticut Engineer shall include the following information:

1. The location and size of any existing antennas.
2. The location and size of any utility cabinet or accessory structure.
3. If the proposed location is on a rooftop, a certification that the rooftop is structurally capable of supporting the additional uses.
4. Certification a Registered Connecticut Engineer that the proposed telecommunication facility is in compliance with all of the FCC regulations. A copy of the relevant FCC regulations is to be provided in support of the certification.”

Section 48.5.1 is proposed to be re-titled Design Criteria; the section would permit any antenna that is attached to an existing communications tower, smoke stack, water tower, government or institutional building in all non-residential zoning districts subject to conditions. The Existing regulations permitted the antenna attached to the structures listed above including “Other Tall Structure” (proposed to be eliminated) in all zoning districts. The requirements in the Section for omni-directional or whip and directional or

panel are proposed to be deleted. Section 48.6.3- Antenna Tower Setback, Section 48.6.4 – Roof Mounted Antenna and Section 48.6.13 – Equipment Building Size are proposed to be deleted. The following Sections are proposed to be added to the regulations 48.6.11 – Visual Screening and 48.6.12 – Additions to existing facilities.

**Communication:** In researching this proposal, I spoke to the Planning Staff in West Haven and 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 West Haven, Connecticut 06516-0312  
Phone 203.937.4202 Fax 203.937.3742



CITY HALL 1898-1967

**November 17, 2010**

**Mr. Eugene Livshits  
Regional Planner  
S.C.R.C.O.G.  
127 Washington Avenue  
North Haven, CT 06473**

**Re: Proposed Amendment  
West Haven Zoning Regulations**

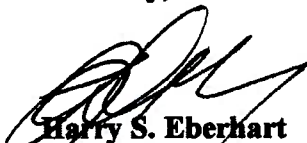
**Dear Eugene,**

**Enclosed is a proposed change to the West Haven Zoning Regulations which I believe requires comment by the Regional Planning Agency.**

**The proposal is to amend the Telecommunications Regulation section of the Zoning Regulations.**

**Thank you.**

**Sincerely,**

  
**Harry S. Eberhart  
Asst City Planner**



# CITY OF WEST HAVEN, CONNECTICUT PLANNING AND ZONING COMMISSION

City Hall | 355 Main Street | West Haven, Connecticut 06516



CITY HALL 1898-1967

## PROPOSED AMENDMENT TO ZONING REGULATIONS

### 48 – TELECOMMUNICATIONS REGULATION

RECEIVED

NOV 19 2010

SOUTH CENTRAL REGIONAL  
COUNCIL OF GOVERNMENTS

#### 48 TELECOMMUNICATION REGULATION

##### 48.1 Description and Purpose.

These regulations exist to protect neighborhoods, minimize conflict with adjacent uses and the surrounding area, and to assure the health and safety of the public. The City recognizes the quasi-public nature of wireless communications systems and finds that these regulations are necessary to protect the ecological, scenic, historical and recreational values of the City and to ensure that adverse visual and operational effects will not contribute to blighting or deterioration of the surrounding neighborhood. More specifically, the purposes are:

- To accommodate the need for wireless communications *antennas* while regulating their location and number.
- To minimize adverse visual effects of wireless communications *antennas* and *wireless site towers* through proper design, siting and vegetative screening.
- To avoid potential damage to adjacent properties from *antennas* or *wireless site towers* and falling ice through their proper siting and engineering.
- To encourage the joint use of any new *antennas* or *wireless site tower*.
- To reduce the number of *antennas* or *wireless site towers* needed in the future.

##### 48.2 Definitions

When used in this section words or phrases shall have the meaning defined below:

**ANTENNA:** A device used to collect or transmit telecommunications or radio signals. Examples include panels, microwave dishes and single pole devices known as whips.

**ANTENNA HEIGHT:** The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

**WIRELESS SITE:** The equipment and structures involved in receiving or transmitting telecommunications or radio signals from a mobile radio communications source and transmitting those signals to another wireless site, another communications source or receiver, or to a central switching computer that connects the mobile unit with land-based telephone lines.

**TOWER:** A structure that is intended to support equipment used to transmit and/or receive telecommunications or radio signals. Examples of such structures include monopoles and lattice construction steel structures.

##### 48.3 Site Selection Policies.

Wireless sites shall be located in the following order of preference:

1. **On locations owned by the City of West Haven, land or buildings.**
2. On existing structures such as buildings, communications towers and smokestacks.
3. In locations where the existing topography, vegetation, buildings or other structures provide the greatest amount of screening.

**On new towers** on bare ground in business and industrial districts:

1. With visual mitigation.
2. Without visual mitigation in business and industrial districts.

**In Residential Districts:**

3. On government or institutional structures.
4. On new towers with visual mitigation.
5. On new towers without visual mitigation.

**48.4 Application Required.**

All applications for wireless sites and antennas shall be filed with the City of West Haven and concurrently with the Connecticut Siting Council filing if it is required.

The filing shall include a Map that shows:

48.4.1 the extent of planned coverage within the City of West Haven, and

48.4.2 approved locations of the applicant's other wireless sites in the city, and

48.4.3 the location and service area of the proposed wireless site.

48.4.4 If the antenna is to be mounted on an existing structure and all associated equipment is contained within the structure or on its roof, a full site plan shall not be required. a plan prepared by a Registered Connecticut Engineer shall include the following information:

1. **The location and size of any existing antennas.**
2. **The location and size of any utility cabinet or accessory structure.**
3. **If the proposed location is on a rooftop, a certification that the roof top is structurally capable of supporting the additional uses.**
4. **Certification a Registered Connecticut Engineer that the proposed telecommunication facility is in compliance with all of the FCC regulations. A copy of the relevant FCC regulations is to be provided in support of the certification.**

**48.5 Location Constraints**

48.5.1 **As-of-Right. Design Criteria.** Any antenna that is attached to an existing communications tower, smoke stack, water tower, government or institutional building, or other tall structure is permitted in all **non-residential** zoning districts, subject to the following maximum height and other provisions:

- a. Omni-directional or whip antennas shall not exceed twenty (20) feet in height or seven (7) inches in diameter.
- b. Directional or panel antennas shall not exceed 6 feet in height or 2 feet in width.
- c. **a.** Satellite and microwave dish antennas shall not exceed six (6) two (2) feet in diameter and when building or rooftop mounted shall be located or screened so as not to be visible from abutting public streets.
- d. **b.** Materials and colors shall match the building or structure exterior, as may be determined by City staff.
- e. **c.** An antenna may not be located on a building or structure that is listed on an historic register or is within an historic district. , except by special permit from the Planning and Development **Zoning** Commission.

- 48.5.2 Special Permit.** An All new antennas and equipment that are associated with the operation of telecommunications shall be that is not mounted on an existing structure or a new antenna or tower is permitted by special permit from the Planning and Development Zoning Commission.
- 48.6 Application Standards.**  
The application shall include the following:
- 48.6.1 Site Justification Statement,** including a description of the narrowing process that eliminated other potential sites.
1. If a proposed antenna tower exceeds 200 feet height or is within 20,000 feet of Tweed-New Haven Airport, proof is required that the applicant has filed a notice of proposed construction with the Federal Aviation Administration.
- 48.6.2 Antenna Height.** The applicant shall demonstrate that the antenna is the minimum height required to function satisfactorily. No antenna that is taller than this minimum height shall be approved.
- 48.6.3 Antenna Tower Setback.** If a new tower is constructed (as opposed to mounting the antenna on an existing structure), the minimum distance between the base of the tower and any guy wire anchors or any property line shall be the largest of the following:
1. 30 per cent of antenna height  
2. the minimum setback in the underlying zoning district.  
3. 40 feet.
- 48.6.4 Roof Mounted Antenna.** If the equipment is located on the roof of a building, the area of the equipment building and other equipment structures shall not occupy more than twenty five (25) per cent of the roof area. Setbacks from shall be ten (10) feet, or 10% of roof depth (measured from edge facing a public street to opposite edge of roof), whichever is greater.
- 48.6.3 Antenna Tower Safety.** The antenna tower shall be designed and constructed to all applicable standards of the American National Standards Institute, ANSI/EIA-222-E manual, as amended.
- 48.6.4 Site Soil Report.** A soil report complying with Appendix I: Geotechnical Investigations, ANSI/EIA-222-E manual standards, as amended, shall be submitted to verify the design specifications of the foundation for the tower and anchors for the guy wires, if used.
- 48.6.5 Fencing.** Unless the antenna is mounted on an existing structure, a fence with a maximum height of seven (7) feet shall be required around the tower and other equipment.
- 48.6.6 Landscaping.** To soften the appearance of a wireless site and screen as much of the tower as possible, a fence surrounding the tower and other ground level features such as a building, ground landscaping shall be required.
1. Any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping may be permitted if the same degree of screening as the required landscaping is achieved, as determined by the Commissioner (or designee) of the Planning and Development Department.
- a. An evergreen screen shall be required to surround the site. The screen can be either a hedge (planted 3 feet on center maximum) or a row of evergreen trees (planted 10 feet on center maximum). The evergreen screen shall be a minimum height of 6 feet at planting and shall grow to a minimum of 15 feet at maturity.
- 48.6.7 Commercial advertising** shall not be allowed on an antenna or antenna tower.
- 48.6.8 Signal lights or illumination** shall not be permitted unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA) or the Connecticut Siting Council.
- 48.6.9 Ancillary Uses Prohibited.** All other uses ancillary to the antenna and associated equipment (including a business office, maintenance depot, vehicle storage, etc.) are prohibited.



48.6.10 **Joint use accommodated.** To minimize the number of *antenna or wireless site towers* in the community in the future, the proposed support structure shall be required to accommodate other users, including other wireless communication companies and local police, fire and ambulance companies unless it is determined to be technically unfeasible based on information submitted by the applicant. The City may require independent outside evaluation of such materials at the applicant's expense.

48.6.13 **Equipment Building Size.** The related unmanned equipment and/or building(s) shall not contain more than 750 square feet of gross floor area or be more than twelve (12) feet in height.

48.6.11 **Visual screening.** ***Antennas added to an existing facility shall be visibly screened so that the antennas are not visible from surrounding streets.***

48.6.12 **Additions to Existing Facilities.** ***When antennas are added to existing facilities which are not visually screened from surrounding streets, the entire facility and antennas shall be screened so as to assure that all antennas are not visible from surrounding streets.***

48.7 **Review Standards for Special Permit Approval.** Using technological evidence the applicant must demonstrate that the proposed location is necessary to satisfy its function in the company's grid system. Specific locations will be evaluated using the following criteria (not listed in any priority order).

- availability of suitable structures for antenna mounting.
- topography as it relates to line of sight transmission for optimum service efficiency.
- leasable lands and willing landlords.
- screening potential of existing vegetation, structures and topographic features.
- compatibility with adjacent land uses.
- least number of sites to cover desired area.
- greatest coverage consistent with physical requirements.
- opportunities to mitigate possible visual impact.
- availability of sites *not* within an established single family community.
- preservation of view corridors, vistas.
- potential for preservation of pre-existing character of site.
- minimal impact on residential areas surrounding commercial or industrial zoned sites.
- selection of sites which lend themselves to visual mitigation.
- availability of road access.
- availability of electric power.
- availability of land based telephone lines or microwave link capability.

*If it is determined that the applicant has not made a good faith effort to mount the antenna on an existing structure, **the Planning and Zoning Commission may deny the application.***

48.8 **Certificate of Continued Use.**

The owner of the subject property shall submit to the Zoning Administrator annually during the month of January an affidavit that the facility is in active use as a wireless site and the owner or operator shall certify that such use will continue for the coming calendar year.

49.9 **Abandonment.**

A wireless site not in use for six (6) months shall be removed by the service facility owner. This removal shall occur within 90 days of the end of such six month period. Upon removal the site shall be restored to its previous appearance and, where appropriate, re-vegetated to blend with the surrounding area.

**Note:**

Words--Underlined words to be eliminated  
**Words** in Bold and Italicized to be added.

### **Referral 2.3: City of Milford**

**Subject:** Proposed Zoning Regulation Amendment to add Section 5.1.4.2 – Prohibited Drive-thru Windows, Curb Cuts, and Driveways

**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 negative impacts to the habitat or ecosystem of the Long Island Sound.

**Background:** The City of Milford has proposed zoning Regulation amendments to add Section 5.1.4.2 – Prohibited Drive-thru Windows, Curb cuts and Driveways to the City’s Zoning Code. The proposed amendment is intended to minimize the amount of curb cuts and driveways crossing heavily used pedestrian sidewalks in the Milford Center Design District and the Corridor Design Development district -2.

- Drive-thru windows would not be permitted within 1,000 linear feet of another existing drive-thru window.
- Drive-thru uses abandoned or discontinued per Section 6.2.7.1 are not permitted to re-open if the requirements of the proposed Section are not met.
- The proposed Section is applicable to the MCDD and CDD-2 Districts.
- Vehicular curb cuts or driveways over or through a public sidewalk abutting a City or State Road shall be created on the property where such a driveway or curb cut proposed directly abuts a municipal parking area or easements of other properties that allow for access to the property.

**Communication:** In researching this proposal, I spoke to the Planning Staff in Milford and notified the adjacent municipalities in the South Central Region.



# City of Milford, Connecticut

- Founded 1639 -

70 West River Street - Milford, CT 06460-3317

Tel 203-783-3245 FAX 203-783-3303

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Planning and Zoning  
Office

David B. Sulkis, A.I.C.P.  
City Planner

November 18, 2010

Deborah Collins, City Clerk  
City of West Haven  
355 Main Street  
West Haven, CT 06516

**RE: PROPOSED ZONE REGULATION TEXT CHANGES**

Dear Ms. Collins:

In accordance with the provisions of Connecticut General Statute 8-3b, the Planning and Zoning Board is considering the adoption of the enclosed text addition to the City of Milford Zoning Regulations.

**5.1.4.2 Prohibited Drive-thru Windows, Curb Cuts, and Driveways**

It is understood that your comments will be forthcoming within thirty-five (35) days of your receipt of the referral document.

Very truly yours,

David B. Sulkis, AICP  
City Planner

DBS/pl  
Enclosure

**RECEIVED**

NOV 22 2010

**SOUTH CENTRAL REGIONAL  
COUNCIL OF GOVERNMENTS**

## **PROPOSED REGULATION SECTION ADDITION**

### **Drive-thru and Curb Cut Regulation for Milford Center Design District (MCDD) and Corridor Design Development District – 2 Devon Center – Naugatuck Avenue: (CDD-2)**

The purpose of the regulation is to minimize the number of curb cuts and driveways which cross heavily pedestrian sidewalks in Milford Center (MCDD) and Devon (CDD-2).

#### **5.1.4.2 Prohibited Drive-thru Windows, Curb Cuts, and Driveways**

- (1) No vehicular drive-thru windows are permitted within 1,000 linear feet of another existing drive-thru window as measured from property line to property line.
- (2) No vehicular curb cuts or driveways over or through a public sidewalk abutting a City or State road shall be created on the property where such driveway or curb cut proposed directly abuts a municipal parking area or easements to other properties that allow for access to the property [in question].
- (3) Section 5.1.4.2 shall apply to properties located within MCDD and CDD-2 only.
- (4) Drive-thru or drive-in uses abandoned or discontinued per Section 6.2.7.1 shall not be permitted to re-open if the requirements of Section 5.1.4.2 cannot be met.

11/16/10

**2011 MEETING SCHEDULE**  
**SOUTH CENTRAL REGIONAL PLANNING COMMISSION**

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The South Central Connecticut Regional Planning Commission meets monthly at the office of the South Central Regional Council of Governments, 127 Washington Avenue, 4<sup>th</sup> Floor West, North Haven, CT at **5:15 PM**, unless notified otherwise.

<b>January 13*</b>	<b>March 10</b>	<b>May 12</b>	<b>July 14</b>	<b>September 8</b>	<b>November 10</b>
<b>February 10</b>	<b>April 14</b>	<b>June 9</b>	<b>August 11</b>	<b>October 13</b>	<b>December 8</b>

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\* RPC Annual Dinner

## Regional Workshops on Cross-Acceptance Process

The Office of Policy and Management (OPM), in cooperation with Regional Planning Organizations (RPOs), is conducting a series of workshops across the state to seek input from local stakeholders on a new process for the revision, adoption, amendment, and implementation of the Conservation and Development Polices Plan for Connecticut (State C&D Plan).

Public Act 10-138 requires OPM to submit a draft of such process to the Continuing Legislative Committee on State Planning and Development (Continuing Committee) by January 5, 2011, and must consider as a guideline New Jersey's 2004 Cross-Acceptance Manual. "Cross-acceptance" is defined as "a process by which planning policies of different levels of government are compared and differences between such policies are reconciled with the purpose of attaining compatibility between local, regional and state plans." Specifically, the new process must incorporate:

1. Public outreach and the solicitation of public opinion on a preliminary state plan;
2. Comparison of a preliminary state plan with regional and local plans;
3. Negotiation of the preliminary state plan with the purpose of obtaining consistency between local, regional and state plans;
4. Production of a written statement specifying areas of agreement and disagreement and areas requiring modification by parties to the negotiation; and
5. Drafting and reviewing of a final state plan.

OPM intends to utilize this new process to meet its reporting requirements under Public Act 10-138 which include:

1. September 1, 2011 – Submit an initial draft of the 2013-2018 State C&D Plan to the Continuing Committee for their review and comment;
2. March 1, 2012 – Publish a revised draft 2013-2018 State C&D Plan and conduct public hearings over the next five months; and
3. December 1, 2012 – Submit OPM's recommended draft State C&D Plan to the Continuing Committee. The Continuing Committee must conduct a public hearing on the draft plan within 45 days of the start of the 2013 legislative session, and submit its recommendation to the full General Assembly for its consideration of adoption.

As an initial step in this process, OPM commissioned a survey of municipalities in September 2010 to get a better understanding of the range of municipal planning capabilities. The survey indicated, among other things, that workshops convened by RPOs were the preferred method of outreach. OPM has created a State C&D Plan webpage to keep stakeholders informed throughout this process.