



**RPC
Representatives**

Bethany:
Mary Shurtleff

Branford:
Charles Andres

East Haven:
David Anderson

Guilford:
Peter Goletz

Hamden:
Richard Szczypek

Madison:
Christopher Traugh
(Secretary)

Meriden:
David White

Milford:
Susan Shaw

New Haven:
Kevin DiAdamo

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, November 10, 2011 RPC Meeting, 5:15pm @ SCRCOG Offices: 127 Washington Avenue, North Haven, CT 06473

1. Administration

1.1. Minutes of the October 13, 2011 RPC Meeting **1**

2. Statutory Referrals – November Action Items

2.1. Town of Durham: Proposed Zoning Regulation Amendments to Section 13.03.07 – Performance Bond and Section 13.05.08 – Surety Bond. Submitted by: Town of Durham. Received: October 13, 2011. Public Hearing: TBD **3**

2.2. City of Derby: Proposed Zoning Regulation Amendment pertaining to Animated Signs. Submitted by: Private Applicant. Received: October 20, 2011. Public Hearing: November 15, 2011. **6**

2.3. Town of Stratford: Proposed Zoning Regulation Amendments to Section 15.3 - Exemptions. Submitted by: Private Applicant. Received: October 19, 2011. Public Hearing: November 22, 2011. **10**

2.4. Town of Stratford: Proposed Zoning Regulation Amendment to add new Section 3.29 – Transit Oriented Development. Submitted by: Private Applicant. Received: October 19, 2011. Public Hearing: November 22, 2011 **13**

2.5. Town of Stratford: Proposed Zoning Regulation Amendments to Sections 1.48 and 3.17 pertaining to Swimming Pools. Submitted by: Town of Stratford. Received: October 27, 2011. Public Hearing: December 20, 2011. **22**

2.6. City of Milford: Proposed Zoning Regulation Amendment to add Section 6.2.6.1 and Definition of First Floor. Submitted by: City of Milford. Received: November 2, 2011. Public Hearing: TBD

2.7. City of West Haven: Proposed Zoning Regulation Amendments to Section 80 – Planning and Development Department, Section 83 – Enforcement, and Section 88 – Zoning Board of Appeals. Submitted by: City of West Haven. Received: November 3, 2011. Public Hearing: TBD.

3. Other Business

3.1. 2012 Meeting Schedule

3.2. Nominating Committee

3.3. RPC Annual Dinner



DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, October 13, 2011 Meeting

Present: Peggy Rubens-Duhl, Brian Cummings, Christopher Traugh, David Anderson, Kevin DiAdamo, Mary Shurtleff, David White, Fran Lescovich, Eugene Livshits

1 Administration

1.1 Minutes of the September 8, 2011 RPC meeting. Motion to accept the minutes as presented: Brian Cummings. Second: David Anderson. Vote: Unanimous. Abstain: Christopher Traugh, David Anderson

2 Statutory Referrals

2.1 Town of Bethany: Proposed Subdivision Application for 46 Mesa Drive, Bethany, CT

The commission members were notified that the proposed application is currently before the Inlands-Wetlands Commission and has not yet been submitted to the Planning and Zoning Commission. It was recommended that the commission may provide further comments after a review by the Inlands-Wetlands Commission has been completed. The subdivision application will still need to be approved by Bethany's Planning and Zoning Commission.

By resolution, the RPC has determined that the roadway design in the proposed five-lot subdivision crosses a wetland and a stream, which may have the potential to impact the habitat or eco-system of the Long Island Sound. The impacts would be caused by the potential run-off from the roadway draining into rivers and eventually into the Long Island Sound. The subdivision application does not represent the amount of the open space that would be associated with the development, as the Town of Bethany has a requirement of at least 20% of open space to be set aside. Further comments may be provided after the review by the Inlands-Wetlands Commission has been completed and the application is submitted to the Planning and Zoning Commission. Motion to accept amended staff recommendation: Christopher Traugh. Second: Brian Cummings. Vote: Unanimous. Abstain: Mary Shurtleff

2.2 Town of Bethany: Proposed Zoning Regulation Amendment to Section 6 – Prohibited 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 in the South Central Region nor do there appear to be negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: David Anderson. Second: Peggy Rubens-Duhl. Vote: Unanimous. Abstain: Mary Shurtleff



2.3 City of Meriden: Proposed Amendment to the POCD Future Land Use Map

By resolution, the RPC has determined that the proposed amendment to the Future Land Use Map in the Meriden Plan of Conservation and Development is consistent with the policies identified in both the Regional and State Plans of Conservation and Development. The State Locational Guide Map depicts a small portion of the site as a Regional Center, but this appears to be a discrepancy between the existing conditions and the designation. Motion: Christopher Traugh. Second: Brian Cummings. Vote: Unanimous.

2.4 Town of Southington: Proposed Zoning Regulation Amendments to Sections 9-06 and 9-07.1

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 negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Mary Shurtleff. Second: David Anderson. Vote: Unanimous.

3 Other Business

3.1 Legislation: PA 11-79 and PA 11-89 –

Public Act 11-70, which became effective on October 1, 2011 concerns bonds and other surety for approved site plans and subdivisions.

Public Act 11-89 authorizes notice of zone changes to be sent by electronic mail (effective October 1, 2011).

3.2 RPC Annual Dinner Potential Speakers:

Speakers for the Annual Dinner were discussed and it was suggested to contact 1000 Friends of Connecticut. Another option that was brought up was a speaker from Clean Air Cool Planet pertaining to Climate Change.

Motion to Adjourn: Peggy Rubens-Duhl. Second: Brian Cummings. Vote: Unanimous.

Referral 2.1 Town of Durham

Subject:

Proposed Zoning Regulation Amendments to Section 13.03.07 – Performance Bond and Section 13.05.08 – Surety Bond

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 Town of Durham has submitted proposed Zoning Regulation Amendments to Sections 13.03.07 and 13.05.08. The first amendment to “Performance Bond” adds the following as a requirement for a certificate to be issued “completion of all work shown on the approved plan or” and in addition to a surety bond a cash bond or letter of credit can be filed. The second amendment is to the “Surety Bond” section and will now allow a cash bond or letter of credit to insure the completion of the improvements shown on the application.

Communication:

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

TOWN OF DURHAM

Planning and Zoning Commission
P.O. Box 428
Durham, Connecticut 06422

October 12, 2011

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Mr. Carl Amento, Executive Director
South Central Regional Council of Governments
127 Washington Ave. - 4th Floor West
North Haven, CT 06473

Dear Mr. Amento:

Re: Proposed Zoning Text Amendments to the Durham Zoning Regulations

This notice is being sent to you pursuant to Section 8-3b of the *Connecticut General Statutes*. Enclosed please find a copy of the proposed text amendments to the Durham Zoning Regulations.

The public hearing will be scheduled shortly. Please respond at your earliest convenience.

If you have any questions or comments please feel free to contact me at 860-347-7214.

Very truly yours,



Geoffrey L. Colegrove
Durham Town Planner

GLC/jes

enc.

Proposed Amendments to the Durham Zoning Regulations

Additions = *italic in yellow*
Strikethrough = Deletions

13.03.07. Performance Bond:

Approval by the Commission shall become effective only on the date of filing and recording of the Final Site Plan in the Office of the Town Clerk. Prior to such filing and recording of a Final Site Plan the applicant must secure from the Commission a certificate to the effect that all the regulations set forth herein have been fully complied with. Such certificate shall only be issued upon *completion of all work shown on the approved plan or* the filing with the Commission of a surety bond, *cash bond or letter of credit* to the Town of Durham in an amount specified by the Commission. The surety bond shall be certified as to form by the Town Attorney. The amount of surety bond shall be sufficient to cover the cost of any proposed or required street grading, roadway paving or surfacing and street planting, the installation of gutters and the installation of all monuments, bridges, culverts, stormwater inlets and all such other improvements as the Commission deems necessary to promote public health and safety and to safeguard the town from undue expense in the future maintenance of all streets and open spaces. All improvements shall be designed in accordance with standards established or to be established and with all other rules and regulations applicable in the Town. The bond shall be released only upon certification by the Commission that all the required improvements have been completed to its satisfaction.

13.05.08. Surety Bond:

A surety bond, *cash bond or letter of credit* may be required by the Commission to insure the completion of the improvements shown on the application. The ~~surety~~ bond shall be certified as to form by the Town Attorney. The amount of surety bond shall be sufficient to cover the cost of any proposed or required street grading, roadway paving or surfacing and street planting, the installation of gutters and the installation of all monuments, bridges, culverts, stormwater inlets and all such other improvements as the Commission deems necessary to promote public health and safety and to safeguard the town from undue expense in the future maintenance of all streets and open spaces. All improvements shall be designed in accordance with standards established or to be established and with all other rules and regulations applicable in the Town. The bond shall be released only upon certification by the Commission that all the required improvements have been completed to its satisfaction.

Referral 2.2 City of Derby

Subject:

Proposed Zoning Regulation Amendment pertaining to Animated Signs

Staff Recommendation:

The proposed Zoning Regulation Amendments to Section 195-71C (Signs Permitted in Business Zones) do not have a definition pertaining to Pylon Signs and an Alternative Signage Program. There are standards that have not been identified pertaining to the size, illumination, time-intervals for animations, which would be needed to adequately assess potential inter-municipal impacts. There do not appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound.

Background:

A private applicant in the City of Derby has proposed to permit an animated sign by special exception in business zones. The special exception would be for pylon signs serving shopping center complexes greater than 50,000 gross square feet. The amendment would allow the commission to permit signs differing from the standards contained in the section by granting a special exception for an alternative signage program. The signage program would need to be consistent with the purpose and intent of Article XI.

The Derby Zoning Regulations define an animated sign as “a sign which involves motion or rotation of any part or which displays flashing lights, intermittent lights, creates an illusion of movement or the copy or image of which changes at intervals of once each 10 or more seconds”. The existing regulations prohibit animated signs, except per Section 195-71C, which does not have any mention of animated signs. Shopping centers greater than 10 acres can have one freestanding sign of 100 square feet or less.

Communication:

In researching this proposal, I spoke with the Planning Consultant for Derby and notified the adjacent municipalities in the South Central Region.

Engineering,
Landscape Architecture
and Environmental Science



MILONE & MACBROOM®

October 18, 2011

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

**RE: Proposed Zoning Regulation Text Change
Derby, Connecticut
MMI #1563-18-22**

Dear Mr. Amento:

The City of Derby Planning & Zoning Commission has received an Application for Zone Text Change to modify Derby's Regulations to allow animated signs within business zones. In accordance with Connecticut General Statute, the commission is required to give written notice of these changes to the regional planning agencies since the proposed changes affect regulations in zones that are within 500 feet of the boundary of an adjoining municipality. Therefore, on behalf of the City of Derby, enclosed herewith is the Application for Zone Text Change for your review and comment. The commission anticipates that a public hearing for this application will be held on November 15, 2011 and, if necessary, in December in order to receive your comments. Please review and do not hesitate to contact our office with any questions or concerns.

Very truly yours,

MILONE & MACBROOM, INC.

Ryan McEvoy, P.E.
Project Manager

Enclosures

cc: Mayor Anthony Staffieri – City of Derby
Theodore J. Estwan Jr. – Chairman, Derby Planning & Zoning Commission
David Kopjanski – Derby Building Official
Joseph Coppola, Esq. – Derby Corporation Counsel
Allan Esposito – Signs Unlimited, Inc.

1563-18-22-o1811-1-ltr.doc

Milone & MacBroom, Inc., 99 Realty Drive, Cheshire, Connecticut 06410 (203) 271-1773 Fax (203) 272-9733
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Matthew J. Sanford, M.S., PWS
Stuart Popper, AICP
John Q. Adams, P.E., PTOE
Dilip K. Patel, P.E.

Oct. 18, 2011
7:00 pm.

PLANNING & ZONING COMMISSION
1 ELIZABETH ST., DERBY, CT 06418

APPLICATION FOR CHANGE OF ZONE OR ZONE TEXT CHANGE

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

DATE SUBMITTED 10/11/11

^{\$}500 APPLICATION FEE
FEE ^{\$}500 INITIAL CONN FEE
total \$1,000 ch: 16249
ch: 16248

1. APPLICANT SIGNS UNLIMITED, INC.

2. ADDRESS ~~600 NEW HAVEN AVE~~ 2 FRANCIS ST. DERBY CT 1

3. TELE. # 903-734-7446

4. INTEREST: () Owners () Agent

5. Other persons, firms or corporations represented by applicant.

6. ADDRESS _____

7. TELE. # _____

8. INTEREST: () Owners () Agent

9. LOCATION OF PROPOSED CHANGE: PROPOSED SIGN CHANGE IN A B-1

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

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

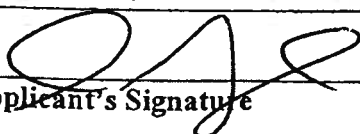
12. PRESENT ZONE: _____

13. PROPOSED ZONE: _____

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

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

16. Exhibits submitted, number & kind. Proposed zone text amendment to Section 195-71C to allow, by special exception, animated signs.


Applicant's Signature

Proposed Zone Text Amendment to:

195-71C (9)

Animated signs may be permitted by special exception for pylon signs serving shopping center complexes greater than 50,000 gross square feet. The commission may permit signs differing from the standards contained in this section by granting a special exception for an alternative signage program when the commission finds that:

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

Referral 2.3 Town of Stratford

Subject:

Proposed Zoning Regulation Amendments to Section 15.3 - Exemptions

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 proposed amendment, submitted by a private applicant, involves Section 15.3 of the Zoning Regulations (Regulations Relating to the Location of Places for the Sale of Ale, Beer, Wine, and Liquor - Exemptions) as it relates to shopping centers as per Section 15.11. According to Section 15.11,

“Shopping centers containing five or more stores where the land, buildings and required parking are under one management or ownership may be permitted, upon petition of said owner or manager, and upon approval by the Zoning Commission, to have one Class A permit if such shopping center contains over 80,000 square feet of lot area and provided that any shopping center shall not have more than one package store permit.”

It is proposed that Section 15.3A2 is deleted. According to Section 15.3A2, “shopping centers as per Section 15.11” must comply with the following distance requirement defined in Section 15.1:

“No building or lot shall be approved for a package store permit, druggist permit or any class of permit allowing the consumption on the lot or in the building of beer, wine, ale, or alcoholic liquor if located within 200 feet, measured along or across the public highway, of the street frontage of any residential district or church, or any school for the instruction of children under 16 years of age and giving a regular instruction at least five days a week for 150 days a year.”

However, shopping centers are exempt from the following distance requirement defined in Section 15.2:

“No building or lot shall be approved for any class of permit if its entrance lies within 1,500 feet of the entrance to any other building or lot where the same class of permit as defined in section 15.8 is in use or has been approved by the Commission.”

It is proposed that “shopping centers as per Section 15.11” are included in Section 15.3B so that they will be exempt from both the 200 and 1,500 foot distance requirements outlined above.

Communication:

In researching this proposal, I spoke with the Planning and Zoning Administrator for Stratford and notified the adjacent municipalities in the South Central Region.

October 17, 2011

South Central Regional
Council of Governments
127 Washington Avenue
4th Floor West
North Haven, CT 06473-1715

Attention: Peggy Rubens-Duhl

The following is referred to your Agency:

RESH, LLC proposes to amend Section 15.3 of the Zoning Regulations as described in a letter from Knott, Knott & Dunn, dated October 17, 2011.

This application will be heard at a public hearing of the Zoning Commission to be held Tuesday evening, November 22, 2011 at 7:00 P.M. in the Council Chamber, Town Hall.

Regards,



GARY LORENTSON
Planning & Zoning Administrator
ZONING COMMISSION

GL/ej

Knott, Knott & Dunn
Attorneys at Law

1656 MAIN STREET

STRATFORD, CONNECTICUT 06615-6559

JOSEPH W. KNOTT
(1917-1989)

BARRY C. KNOTT
KATHLEEN M. DUNN

TELEPHONE (203) 375-1433
FACSIMILE (203) 378-7192

barryknott@aol.com
kmdunn1017@aol.com

HAND DELIVERED

October 17, 2011

Mr. Gary Lorentsen
Planning and Zoning Administrator
Town of Stratford
2725 Main Street
Stratford, CT 06615

RECEIVED FOR RECORD
SUSAN M. PAWLUK
2011 OCT 18 AM 9:55
STRATFORD LAND RECORDS
ATTEST TOWN CLERK

RE: RESH, LLC Application for Zone Text Amendment

Dear Gary:

Confirming our previous discussions, please consider this letter as my client's Application for Zone Text Amendment regarding Section 15.3.

The Amendment is as follows:

1. Section 15.3A2 Delete in its entirety.
2. Section 15.3B Add a new Section 4 "Shopping Centers as per Section 15.11"

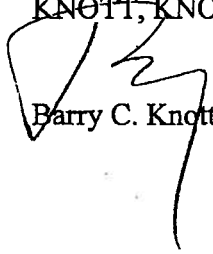
I am enclosing my client's check payable to Stratford Zoning Commission in the amount of \$1,010.00 which represents \$660.00 application fee for the Zone Text Amendment and \$350.00 application fee for a liquor license application being submitted simultaneously herewith.

Kindly set these matters down for the Public Hearing on November 22, 2011. As you know I have written you a letter to be placed on the October 18, 2011 Agenda setting forth the reason for the new application by my client so that the Zoning Commission can approve the receipt of these proposed applications within one (1) year of the previous hearing.

Thank you for your courtesy and cooperation in these matters.

Very truly yours,

KNOTT, KNOTT & DUNN


Barry C. Knott

BCK/ph
cc: RESH, LLC

Referral 2.4 Town of Stratford

Subject:

Proposed Zoning Regulation Amendment to add new Section 3.29 – Transit Oriented Development

Staff Recommendation:

The proposed regulations for a Transit Centered Development district need to be clarified to identify if the type of district being established is a floating or overlay zone. The regulations are currently missing standards associated with commercial and industrial development. The commission should consider establishing design guidelines/standards for the proposed district to ensure consistency with the Town's Plan of Conservation and Development and the previous Transit Oriented Development Study.

Background:

A private applicant has proposed a Zoning Regulation Amendment to add a new section 3.29 – Transit Oriented Development. The intent of the district is to take advantage of a study done by the Town of Stratford Planning Study Committee pertaining to Transit Centered Development. This type of development would be in close proximity to transit connections and would increase the walkability between the transit centers and their designations. The district would involve alternative transportation modes and make walking and bicycling an attractive alternative to the automobile.

The transit centered district would be associated with the Stratford Rail Station and could potentially include residential development, commercial, retail, industrial and mixed used development. The development in this type of district would need to be a minimum of three acres and be within a mile of the train station.

The process to create a transit centered district is to apply for a zone change. Site improvements subject to special case application approval by the commission and the site would need to comply with inland wetland regulations and any other local, state and federal regulations applicable to the site.

The proposed regulation lists several standards associated with residential development, but does not mention any standards associated with commercial, retail and industrial development. The terms floating and overlay zones are both mentioned within this application. There needs to be clarification pertaining to the type of district the applicant would like to establish. The special case application regulations have criteria and objectives identified by which the commission would approve or deny the application.

Communication:

In researching this proposal, I spoke with the Planning and Zoning Administrator for Stratford and notified the adjacent municipalities in the South Central Region.

October 18, 2011

South Central Regional
Council of Governments
127 Washington Avenue
4th Floor West
North Haven, CT 06473-1715

Attention: Peggy Rubens-Duhl

The following is referred to your Agency:

Forest City Residential Group proposes to amend the Zoning Regulations by establishing a New Section 3.29 entitled Transit Oriented Development as described in the letter from Knott, Knott & Dunn dated October 17, 2011 along with the proposed amendment.

This application will be heard at a public hearing of the Zoning Commission to be held Tuesday evening, November 22, 2011 at 7:00 P.M. in the Council Chamber, Town Hall.

Regards,



GARY LORENTSON
Planning & Zoning Administrator
ZONING COMMISSION

GL/ej

Knott, Knott & Dunn
Attorneys at Law

1656 MAIN STREET

STRATFORD, CONNECTICUT 06615-6559

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BARRY C. KNOTT
KATHLEEN M. DUNN

TELEPHONE (203) 375-1433
FACSIMILE (203) 378-7192

barryknott@aol.com
kmdunn1017@aol.com

October 17, 2011

Mr. Gary Lorentson
Planning & Zoning Administrator
Town of Stratford
2725 Main Street
Stratford, CT 06615

RECEIVED FOR RECORD
SUSAN M. PAWLUX
2011 OCT 18 AM 9:54
STRATFORD LAND REGULATION
ATTEST TOWN CLERK

Re: Proposed Zone Text Amendment for Transit Oriented Development

Dear Gary:

Per our previous discussions and the Preliminary Concept Review Meeting that took place on September 15, 2011 regarding the above, I enclose a proposed Zone Text Amendment which I am herewith submitting on behalf of ForestCity Residential Group which, as you know is also submitting a change of zone application and a Special Case Application for the so called Keating Ford property at 1011 Stratford Avenue.

In looking at the Zoning Regulations, I thought it might be appropriate to plug this proposed Zone Text Amendment into the Regulations as a new Section 3.29, as I believe it would be appropriate to place it under the General Requirements since we are proposing a floating zone which is applicable to all underlying zones in the Town of Stratford.

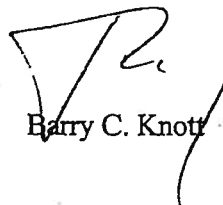
Having said that, I am open to your suggestion as to were, in the Regulations, this should go. I am also enclosing my client's check payable to the Stratford Zoning Commission in the amount of \$660.00 representing the application fee for this Zone Text Amendment.

Please schedule this for Public Hearing on November 22, 2011. I will be submitting by tomorrow the Application for Change of Zone and the Special Case Application that would be heard at the same time.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

KNOTT, KNOTT & DUNN


Barry C. Knott

BCK:kif
Enclosure

Transit Oriented Development

I. Purposes & Objectives

A. The purposes of this regulation is to take advantage of the study done and findings made by a Town of Stratford Planning Study Committee in the Spring of 2010 relating to the potential for enhanced Transit Centered Development (TCD) within the Town of Stratford.

B. TCD consists of uses that benefit from proximity to significant transit connections, such as the commuter rail station in Stratford Center (the Transit Center). These advantages typically consist of the ability of residents or employees to walk or bicycle between the Transit Center and their destinations, rather than resorting to private vehicles. However, these advantages can be geographically extended with shuttle bases or other convenient transit connections such as those that are sometimes provided by major employers or large developments.

C. Potentially, TCD comprises a wide range of uses that benefit from access to the Transit Center. The opportunities associated with TCD do not include enhancing automobile access to the Transit Center. Rather, TCD takes advantage of the ability to use alternative modes of travel for access to regional transit hubs by walking, biking or taking a transit shuttle or connection.

In Stratford, TCD will be associated with the Metropolitan Transit Authority commuter rail service and its Stratford Center rail station. TCD can include:

1. Housing Development – Housing that has such convenient walking, biking or bus lines to the train station that residents will normally not need a car to walk to and from the station for commuting to jobs, school or other destinations. The housing can be in new buildings or in renovations or expansions of existing structures.

RECEIVED FOR RECORD
SUSAN M. PAM...
2011 OCT 18 AM 10:03
STRATFORD, CT

2. Commercial Office, Retail and Industrial Development - Future office and retail development or redevelopment can take advantage of convenient access to the rail station for commuters coming to Stratford. Such development would need to be within a convenient walking distance, or connected by a very reliable and convenient shuttle service. It could also influence the locations for future institutions such as specialized schools or medical facilities.

3. Industrial Redevelopment – Industrial redevelopment can be considered as a candidate for TCD if it is served by a very reliable or convenient shuttle service. It is also possible that limited industrial development or redevelopment could occur within walking distance of the station.

4. Mixed Use Development – Such development would include as part of one proposal a combination of uses within the development to include both residential and commercial uses.

II. Locational Limitations

In order to accomplish the above referenced objectives, the Town hereby establishes a floating overlay zone called the Transit Centered Development Zone. This zone may be superimposed over any underlying established zone provided the site contains a minimum of three (3) acres measured according to the definition of Section 1.24.1 of these regulations, and, any portion of it is located within a one (1) mile radius of the Transit Center, and provided further that the applicant can demonstrate to the Commission the site's ability to become a TCD and that it's site characteristics conform to the purposes and objectives set forth in Section I above.

III. Process for TCD Development

A. Each applicant would initially apply for the zone of subject premises to be changed from its underlying pre-application zone to the TCD zone.

B. Once a property has undergone a successful zone change designation, all site improvements would be subject to approval by the Commission as a Special Case application under Section 20.1, et. seq., of these regulations.

C. Additionally, any such site would have to comply with the dictates of the State of Connecticut and Town of Stratford Inland Wetland and Watercourses regulations and any application for such wetland approval would have to be made simultaneous with or prior to the applications submitting the project for Special Case approval.

D. The applicant would also have to comply with any and all regulatory restrictions applicable to the site and established by local, state and federal regulations.

IV. Standards for Residential Development

A. Residence apartments in a Transit Centered Development are subject to the approval of the Zoning Commission as a Special case, but in no instance shall residence apartments be approved with a total land area less than three acres, measured in accordance with the definition of §1.24.1 of these regulations, nor shall any apartments be approved if not located on a site any portion of which is within a one (1) mile radius of the Transit Center.

B. At least 50% of the units shall be efficiency or one (1) bedroom apartments with the balance of units limited to two (2) bedroom apartments. For the purposes of these regulations, libraries, dens, studios, studies, lofts and other similar spaces may be deemed to be bedrooms if the Commission finds that the size, design, and layout of these rooms are generally similar to bedrooms.

C. The property proposed for residence apartments in a Transit Centered Development must be served by sanitary sewers, storm water systems and by public utilities, which shall include public water supply. Additionally, the proposal shall include amenities conducive to the transit centered life style such as the installation of exterior bicycle racks as well as interior bicycle storage within garages on site. The plan shall include the capacity within select garages for the potential future installation of electric vehicle charging stations.

D. Each apartment shall contain a bathroom equipped with a water closet, wash basin, and a bathtub or shower, a kitchen or kitchenette equipped with a sink and provided with facilities and space for cooking range and refrigerator, at least one room of which shall be not less than 150 square feet in area, and if the apartment shall have three or more rooms, one additional room shall be not less than 100 square feet in area. No room in any apartment, other than the bathroom, shall be less than 80 square feet in area, and each room including the bathroom, shall have a ceiling height of not less than 7 feet 8 inches in the clear and outside windows with a net glass area of not less than one-eighth of the floor area of the room. For the purpose of computing the number of rooms in an apartment, a bathroom, strip or Pullman kitchen, hall or foyer, alcove, pantry, laundry closet or storage space shall not be considered to be a room.

E. Area and Parking Requirements - The maximum building coverage shall be 40% of the lot area for all residential developments in a Transit Centered Development Zone. The remainder of the lot shall be left open, and shall be appropriately landscaped with the exception of the required parking areas. The entire property must be at all times maintained in a neat, clean sanitary condition and free of noxious weeds.

F. The maximum density of any residence apartment in a Transit Center Development Zone shall be 50 beds per 40,000 sq.ft. of lot area, as defined in § 1.24.1 of these regulations.

G. Height Limitations - The maximum height of all buildings in a residence apartment development in Transit Centered Development Zone shall be 50 feet and in no event at a greater height than four (4) stories.

H. Front Yards - The minimum front yard setback for all residential buildings in a Transit Centered Development shall be 10 feet.

I. Side and Rear Yards - The minimum side yard and rear yard setback for all residential and accessory buildings in a Transit Centered Development shall be 15 feet.

J. No certificate of occupancy shall be issued for any residence apartment unit in a Transit Centered Development until such unit has been connected to the town sanitary sewer system, or to private sanitary disposal facilities meeting the minimum requirements of both the town and state departments of health. No certificate of occupancy shall be issued for any residence apartment unit in a Transit Centered Development until such unit has been connected to a supply of potable water sufficient to furnish at least 100 gallons of water per day. If said water is supplied from any system other than a public water supply, its portability shall be certified by the health office of the Town of Stratford.

K. Incomplete applications shall not be accepted for filing. Each application shall be accompanied by an A-2 quality survey showing existing conditions as well as preliminary plans prepared by a land surveyor, architect or and civil engineer licensed as such by the state board of registration for architects, professional engineers and land surveyors. Such plans shall show the size, floor plan and location of each proposed building or accessory building, all proposed driveways, parking spaces and easements, all public highways or street, all boundary lines and

the names of adjacent land owners and any existing buildings on the property. To enable the Zoning commission to consider the application, it shall be accompanied by a zoning compliance chart and a perspective sketch of one of the buildings showing the type of architecture to be used.

L. A minimum of fifteen (15) percent of the total lot area shall be established for open space and for landscaping to serve the residents of said development. A layout of the proposed open space and for landscaped area shall be shown on the site plan submitted for approval. All open spaces shall be landscaped to conform to the surrounding area and shown on the site plan prepared by a landscape architect or landscape contractor.

M. To assure conformance with all proposals (excluding buildings) shown on the approved site plan and other approved documents, a performance bond shall be posted in an amount determined by the Administrator to cover the cost of the required work.

N. Parking space requirements - Unless other wise specifically approved by the Zoning commission for residence apartments in a Transit Centered Development, 1.0 space for each bedroom, plus guest parking equal to 10 % of the total spaces required shall be provided, exclusive of driveways necessary for access. Roof top or indoor parking may be included in the required parking facilities.

Referral 2.5 Town of Stratford

Subject:

Proposed Zoning Regulation Amendments to Sections 1.48 and 3.17 pertaining to Swimming Pools

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 proposed amendment was submitted by the Town of Stratford and amends Sections 1.48 and 3.17 of the Town's Zoning Code. The regulations pertaining to swimming pools are being amended to become consistent with the State of Connecticut Building Code.

The definition of swimming pools (Section 1.48) was entirely deleted and replaced with a reference to the State of Connecticut Building Code.

Similar to the definition of swimming pools, the description of swimming pools in the General Requirements section (3.17) was modified to make reference to the State of Connecticut Building Code.

Subsection (e) of the new text states that swimming pool wastewater "shall not be drained into a street, storm sewer, or onto adjoining property. In the event pool wastewater creates an adverse situation onto adjoining property a water retention system may need to be installed."

Communication:

In researching this proposal, I spoke with the Planning and Zoning Administrator for Stratford and notified the adjacent municipalities in the South Central Region.

October 26, 2011

South Central Regional
Council of Governments
127 Washington Avenue
4th Floor West
North Haven, CT 06473-1715

Attention: Peggy Rubens-Duhl

The following is referred to your Agency:

The Stratford Zoning Commission proposes to amend the Zoning Regulations relating to swimming pools by deleting existing Section 1.48 and 3.17 of the Zoning Regulations and replacing them with new language as contained in the proposed amendment dated October 25, 2011.

This application will be heard at a public hearing of the Zoning Commission to be held Tuesday evening, December 20, 2011 at 7:00 P.M. in the Council Chamber, Town Hall.

Regards,



GARY LORENTSON
Planning & Zoning Administrator
ZONING COMMISSION

GL/ej

October 25, 2011

PROPOSED REVISIONS TO THE
REGULATIONS PERTAINING TO
SWIMMING POOLS

Delete existing sections 1.48 and 3.17 of the Zoning Regulations and replace with new language.

DELETE 1.48 Swimming pools

Any man made structure not portable in nature and designed or intended to be used for swimming or bathing purposes.

DELETE 3.17 Swimming pools.

Swimming pools may be installed in any district only as accessory to a dwelling for the private use of the owners or occupants of such dwelling and their families and guests and only on the conditions provided in this article (Section).

No swimming pool shall be installed or maintained unless:

- (a) Such pool is installed in the rear yard of the premises or in that portion of the side yard that lies not less than fifty (50) feet from any street line;
- (b) There shall be erected and maintained in good quality a fence not less than four (4) feet in height entirely surrounding the immediate area in which such in ground pool is located. Permitted fences shall be of the following materials: (1) link wire, (2) stockade type, (3) basketweave type, or (4) picket type, and approved by the Planning and Zoning Office. (Effective 4/14/74)
- (c) Every gate or other opening in the fence enclosing such pool, except an opening through the dwelling or other main building of the premises, shall be kept securely closed and locked at all times when the owner or occupant of the premises is not present at such pool.
- (d) Such pool shall not be erected closer than ten (10) feet from the rear and side property lines of the premises, and any part of the structure including decks, filters, slides, heaters, tanks, etc. shall not be erected closer than five (5) feet from the rear and side property lines of the premises, or in the case of a corner lot, closer than twenty-five (25) feet from any street line; (Effective 4/14/74)
- (e) A building permit is required for any pool with a water depth of 36 inches or more. A plot plan drawn to scale shall be submitted showing all buildings on the property and the proposed location of the pool and all accessories; (Effective 4/14/74)
- (f) If the water for such pool is supplied from a private well, there shall be no cross-connection with the public water supply system;
- (g) If the water for such pool is supplied from the public water supply system, the inlet shall be above the overflow level of the pool;
- (h) Such pool shall be chemically treated in a manner sufficient to maintain the bacterial standards established by the provisions of the State of Connecticut or Town of Stratford Sanitation Code relating to public swimming pools.

No permission shall be granted for the installation of any swimming pool unless the plans therefore meet the minimum Town of Stratford Building Code construction requirements nor until the owner of the premises has filed with the building department a certificate approved by the town engineer that the drainage of such pool is adequate and will not interfere with the public water supply system, with existing sanitary facilities or with the public highways.

No loudspeaker device which can be heard beyond the property lines of the premises on which any swimming pool has been installed may be operated in connection with such pool, nor may any lighting be installed in connection therewith which shall throw any rays beyond such property lines.

All swimming pools other than those specified in these regulations shall be heard by the Zoning Commission as a Special Case under Section 20.

NEW 1.48 Swimming pools

Swimming pools are as defined in the State of Connecticut Building Code.

NEW 3.17 Swimming pools.

Swimming pools may be installed in any district only as accessory to a dwelling for the private use of the owners or occupants of such dwelling and their families and guests and only on the conditions provided herein:

- (a) Such pool is installed in the rear yard of the premises or in that portion of the side yard that lies not less than fifty (50) feet from any street line.
- (b) Such pool shall not be erected closer than ten (10) feet from the rear and side property lines of the premises, and any part of the structure including decks, filters, slides, heaters, tanks, etc. shall not be erected closer than five (5) feet from the rear and side property lines of the premises, or in the case of a corner lot, closer than twenty-five (25) feet from any street line.
- (c) A zoning and building permit is required for any swimming pool as defined in the State of Connecticut Building Code.
- (d) Fencing or other safety barriers or devices are as required in the State of Connecticut Building Code.
- (e) Swimming pool wastewater shall not be drained into a street, storm sewer or onto adjoining property. In the event pool wastewater creates an adverse situation onto adjoining property a water retention system may need to be installed.
- (f) Any exterior lighting shall be directed so as to prevent objectionable glare across the property lines.
- (g) All swimming pools other than those specified in these regulations shall be heard by the Zoning Commission as a Special Case under Section 20.



City of Milford, Connecticut

- Founded 1639 -

70 West River Street - Milford, CT 06460-3317

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

Website: www.ci.milford.ct.us

E-mail: planning@ci.milford.ct.us

Planning and Zoning
Board

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

October 31, 2011

Via Certified Mail

Judy Gott, Executive Director
South Central Council of Governments
127 Washington Avenue, 4th Floor West
North Haven, CT 06473

RE: PROPOSED ZONE REGULATION TEXT CHANGES

Dear Ms. Gott:

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

Sec. 6.2.6.1 Tropical storm Irene related residential restoration/reconstruction

And

Definition: Change First Floor definition to add crawl space

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
Enclosures

C: Jocelyn Mathiasen, Director, DPLU

Proposed Text Amendment

6.2.6.1 Tropical storm Irene related residential restoration/reconstruction

Temporary regulation in effect from _____ to _____.

In residential Districts (R-5, R-7.5, R-10, R-12.5, R-18, R-30, R-A) should the principal pre-existing non-conforming single family structure be damaged by tropical storm Irene 50 % or more as determined by the Assistant City Planner/Flood Plain Coordinator and Chief Building official, the principal structure can be rebuilt in the same location and on the same footprint, provided that the structure shall in no way increase any existing non-conformity.

This regulation shall not apply to structures that are proposed to increase in square footage, or other work that is not Irene related, that in aggregate amounts to 50% or more of the structure, even if proposed on the existing footprint.

Restoration work must begin within one (1) year of the granting of zoning approval and be completed within two years of the date of issuance of the building permit. Application for a building permit shall be made prior to the expiration of this temporary regulation.

The Zoning Enforcement Officer shall confer with the Assistant City Planner/Flood Plain Coordinator and the Chief building official in making a determination of this regulations applicability to a property/structure.

In the event a property has more than one (1) principal structure, this regulation shall not apply.

All other zoning regulations governing the district including uses, shall remain in effect and all structures must meet flood regulations and FEMA requirements.

This regulation shall become effective on _____ and shall expire on _____.

10/18/2011

DEFINITION TEXT CHANGE

FIRST FLOOR – The lowest floor above grade; or partly below grade and not qualifying as a basement or cellar *or crawl space*. (Also see definition Lowest Floor)

10/4/2011

ARTICLE 9 – ZONING ADMINISTRATION AND ENFORCEMENT

SECTION 80 – PLANNING AND DEVELOPMENT DEPARTMENT

80.1 STAFF

In accordance with the provisions of Chapter XIV Land Use of the City Charter the Mayor shall appoint a Commissioner of Planning and Development (hereafter **Commissioner**) who shall also serve as Chief **Zoning Enforcement Officer** of the City of West Haven. The staff of the Planning and Development Department shall be appointed as approved and budgeted by the City Council and in accord with the provisions of the City Charter.

80.2 COMMISSIONER OF PLANNING & DEVELOPMENT

In addition to those duties which may be prescribed herein or assigned by the Charter. the **Commissioner** shall be responsible for overseeing the enforcement and interpretation of the Regulations. The **Commissioner (Zoning Enforcement Officer)** shall act as liaison between the **Commission** and all other boards, commissions, agencies, or departments of the City with respect to the Comprehensive Plan of Conservation and Development and the interpretation of these Regulations.

80.2.1 **Counsel, Advice and Assistance.** However, nothing herein shall prevent the **Commission, Board, or Commissioner** from requesting counsel, advice or assistance in interpretation of these Regulations.

80.3 ZONING ENFORCEMENT OFFICER(S)

There shall be **Zoning Enforcement Officer(s)** whose duties shall include the enforcement of these Regulations, subject to appropriate supervision and direction by the **Commissioner. (Planning & Zoning Commission)** A **Zoning Enforcement Officer (ZEO)** is authorized to cause any building, structure, place, premises or use to be inspected or examined and to order, in writing, the remedying of any condition found to exist therein or thereon in violation of any provision of these regulations.

80.3.1 **ZEO Administrative Regulations.** The **Zoning Enforcement Officer (ZEO)** shall have the power to adopt such administrative regulations as deemed necessary to carry out the enforcement responsibilities, which regulations shall have general applicability to cases of similar character.

80.4 STAFF RESPONSIBILITIES

80.4.1 Staff Acceptance and Review of Plans

Staff of the Planning and Development Department shall be responsible for staff **acceptance and review of applications** for site plans, special permits, coastal site plan reviews and applications to the Zoning Board of Appeals and shall determine if plans are complete and meet the requirements of these regulations. Staff shall also provide for review of plans by other city departments. The acceptance of plans for review shall not constitute formal acceptance of the plans by the West Haven Planning and Zoning Commission.

80.4.2 **Preparation of Public Hearing Notices and Mailings.** Staff shall prepare legal advertisements and public hearing notices as required by Articles 8-10 and in accordance with the provisions of the Connecticut General Statutes.

80.4.3 **Certificates of Decision.** Whenever an application for a ***Variance, Special Use Exception, Special Exception***, Zoning Map or Zoning Text change, or ***Special Permit*** is decided staff shall issue a Certificate of Decision which shall set forth with specificity the property owner, location, nature and decision, and any conditions or restrictions of any approval granted. Such Certificate of Decision shall be certified U.S. Mail to the applicant.

The applicant shall immediately record an approval, together with any restrictions or conditions, on the Land Records of the City of West Haven. Failure to record such Certificate within ninety (90) days of its issuance shall automatically void the grant thereof.

[80.5 [On the first scheduled meeting in November the Planning & Zoning Commission shall hire and set the pay of a recording secretary by a majority vote of its regular members.]

**NOTE: Underlined items to be eliminated.
Bracketed and italicized items in bold print to be added.**

SECTION 83- ENFORCEMENT

83.1 AUTHORITY

In accordance with the provision of Chapters 124 and 126 of the General Statutes of the State of Connecticut, as may be amended, the Planning and Zoning Commission of the City of West Haven makes the following provisions for the enforcement of the City of West Haven Zoning Regulations.

83.2 ENFORCEMENT AND REQUIRED CERTIFICATIONS

83.2.1 **Building Permits.** Before the construction or alteration of any building or structure or any part of either, the owner or authorized agent of such owner shall submit to the **Commissioner** and the **Building Official** of the City of West Haven a detailed statement of the proposed work on an application blank as furnished by the **Building Official**, and such plans and structural detail drawings of the proposed work as the **Commissioner**, these regulations, and the **Building Official** may require. Such application shall be accompanied by a statement in writing, sworn to before a Notary Public or other officer authorized to administer oaths, giving the full name and residence of each of the property owners, the intended use of the premises and a diagram showing the exact location of any proposed new construction and all existing buildings or structures that are to remain.

It shall be unlawful to construct, repair, renovate, or alter any building or structure or any part thereof until the application and plan herein required shall have been approved in writing by the **Commissioner** and a written permit issued by the **Building Official** of the City of West Haven.

The **Commissioner** shall approve or reject an application or amendment thereto, filed pursuant to the provisions of this section within a reasonable time, and if approved shall promptly certify its compliance with these regulations.

83.2.2. **Excavations or Filling Permits.** No excavation or filling of property shall be undertaken without written authorization by the **Commissioner**, who shall review such request and if deemed appropriate, order the filing of Special Permits and Site Plan Review. Upon certification that the request complies with the Regulations, the Commissioner shall issue written work authorization.

83.2.3. **Parking Lots.** No parking lot on any lot whose primary use is commercial or Industrial may be created, expanded, reduced or otherwise altered without written authorization by the **Commissioner**, who shall review such request and if deemed appropriate, order the filing of a Site Plan Review. Upon certification that the request complies with the regulations, the **Commissioner** shall issue written work authorization. Nothing herein shall prevent the resurfacing or repair of any existing parking lot, provided that no change is made in the area, size, traffic flow, and configuration of spaces or landscaping.

83.2.4. **Certificates of Occupancy.** No building may be occupied until a Certificate of Occupancy is granted by the **Building Official**, who shall not issue the Certificate of Occupancy until the Commissioner has issued a written Certificate of Zoning Compliance that certifies that all work pertaining to these regulations as set forth in the Building Permit application and Site Plan, if any, has been completed and complies with these regulations.

83.2.5 **Certificates of Zoning Compliance.** No **structure** or land or part thereof shall hereafter be occupied or used, in any case of establishment of a new **use**, extension or alteration of a **use**, or conversion from one **use** to another **use**, until the **Zoning**

Enforcement Officer shall issue a Certificate of Zoning Compliance (CZC), certifying that the zoning ordinance has been complied with in full.

Upon owner or tenant request of any conforming or nonconforming **use** already established, the **ZEO** shall issue a (CZC) stating the exact status of such **use**. In the case of other **uses** already established, the **ZEO** may carry on such programs of registration of **uses** and issuance of certificates of occupancy (C of O) as deemed appropriate. Each request for a CZC shall be accompanied by a fee in accord with the provisions of §101-1 of the West Haven Code of Ordinances.

83.3 ALTERATION OF PLANS.

After issuance of any permit under the provisions of this section, no changes, amendments, additions or deletions to specifications, plans, structural drawings, location of structures, landscaping, or scope and content of the proposed development are permitted without the written approval of the Commissioner. (**Planning & Zoning Commission**) Such change, amendment, addition, deletion without written approval of the Commissioner (**Planning & Zoning Commission**) shall constitute a willful violation of the provisions of this section and upon written notification of such violation, shall make any and all issued permits for the proposed development null and void.

83.4 CONTINUATION OF CONSTRUCTION.

Any approval or certification by the **Commissioner** and permit issued by the **Building Official** under the provisions of this Article, but under which no work is commenced within six months from the time of the issuance shall automatically expire by limitation. The **Commissioner** may with discretion and upon written notification invalidate any permit or certification by revoking approval issued there under for which construction has commenced, but is incomplete, and has ceased for a period of six months.

83.5 NON-CONFORMING USES.

No change or extension of use no building or site alteration shall be made in a non-conforming use of premises without a Certificate of Compliance having first been issued by the **Commissioner**, stating that such change, extension or alteration is in conformity with the provisions of these regulations.

83.6 PENALTIES

Pursuant to Section 8-12, including Section 8-12 (a), of the Connecticut General Statutes, the owner or agent of a building or premises where a violation of any provision of these regulations shall have been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation shall have been committed or shall exist, or the owner, agent, architect, builder, contractor, or any other person who shall commit, take part or assist in which any such violation shall exist, shall be fined one hundred dollars (\$100.00) by the **Zoning Enforcement Officer** for each day that such violations continues; each day that such violation continues shall be a separate offense, but if the offense be willful the person convicted thereof shall be fined two hundred and fifty (\$250) dollars for each day that such violation shall continue.

Any person having been served with an order to discontinue any such violation, fails to comply with such order within ten (10) days after such service or continues to violate any provision of the regulations named in such order shall also be subject to a civil penalty of two hundred and fifty dollars (\$250.00) per day for each day of such failure to comply, payable to the Treasurer of the City of West Haven.

Nothing herein shall prevent the further imposition of civil or criminal penalties as may otherwise be provided by Statute.

83.7 NOTIFICATION OF VIOLATION

Notice of a violation of these regulations shall be deemed to have been given to the owner of the property in violation, provided such notice is mailed or delivered to the owner or tenant at such address as is listed in the Tax Assessment records of the City of West Haven, or in the event that there is a pending zoning application concerning the property, then to the agent at the address given on the pending application.

(83.7.1 CEASE AND DESIST ORDER OR AN ORDER TO DISCONTINUE USE OF A ZONING VIOLATION

The Planning & Zoning Commission has the sole authority of issue a cease and desist order and an order to discontinue the use of a zoning violation after the Planning & Zoning Commission has made a finding of violations. The Planning & Zoning Commission will notify the Zoning Enforcement Officer. The ZEO has 14 days to issue the notice and report back to the Planning & Zoning Commission. The Planning & Zoning Commission has the authority to file an appeal with the Zoning Board of Appeals for any decision, order, action or inaction from a staff person).

83.8 APPEALS OF ZONING OFFICIALS

Pursuant to Connecticut General Statute Section 8-6, any person aggrieved by any decision, order, action or inaction of the **Commissioner** of Planning and Development and/or the Planner or Assistant Planner or the **Zoning Enforcement Officer** may appeal such decision, action or order within sixty (60) days of the start of construction and construction shall start within six (6) months of the day of the decision. In the event of failure to grant a permit or certification within thirty (30) days from the filing of a completed application for same, an appeal may be made to the Zoning Board of Appeals, which shall conduct a public hearing, duly noticed, on such appeal at which any interested party may submit evidence.

The Commissioner of Planning and Development shall notify the Planning and Zoning Commission in writing within ten (10) days on all decisions, actions, orders or inactions that have been rendered. All decisions shall be posted on the city's website and the City Clerk's office within a minimum of ten (10) days for a duration of sixty (60) days.

83.9 JURISDICTION

The Superior Court of the State of Connecticut shall have jurisdiction to enforce all the regulations and penalties which are provided for in these regulations.

NOTE: Underlined items to be eliminated.

Bracketed and italicized items in bold print to be added.

ARTICLE 11- ZONING BOARD OF APPEALS

SECTION 88 – ZONING BOARD OF APPEALS

88.1 AUTHORITY AND APPOINTMENT

The Zoning Board of Appeals shall have all of the power and duties confirmed and imposed by the General Statutes of the State of Connecticut, under Chapter 124, revised 1958. The Zoning Board of Appeals is appointed by authority of the City of West Haven Charter by its adoption by the City Council.

88.2 MEMBERSHIP

The Zoning Board of Appeals shall consist of five (5) members whose appointment and terms are established by City Ordinance.

88.3 ALTERNATES

In addition, there shall be three (3) alternate members of the Zoning Board of Appeals as provided for by Section 8-5 of the Connecticut General Statutes, whose appointment and terms are established by City Ordinance.

88.4 ALTERNATE POWERS

Whenever any alternate member shall replace a regular member, said alternate shall have all the power and rights conferred upon the regular member.

88.5 BY-LAWS

The Board may adopt by-laws relative to its conduct and shall annually elect officers.

88.6 POWERS

The Zoning Board of Appeals shall have all of the powers and duties conferred and imposed upon Zoning Board of Appeals by Chapter 124 of the General Statutes of the State of Connecticut.

88.7 MEETINGS

The Zoning Board of Appeals shall file an annual schedule of meetings as required by law. In addition, the Board may meet and have meetings at their pleasure.

88.8 SPECIFIC RESPONSIBILITIES

In addition to those duties imposed by statute, the Zoning Board of Appeals shall have the power, after public notice and hearing:

- 88.8.1 To hear, decide and determine, only in those specified cases of practical difficulty or unnecessary hardship, whether to vary the application the provisions of these Regulations;
- 88.8.2 To hear and decide appeals from and to review interpretations of these regulations;
- 88.8.3 To hear and decide appeals from a decision of the Commissioner of Planning and Development (***Planning & Zoning Commission***) and/or Zoning Enforcement Officer;
- 88.8.4 To hear and decide applications for Motor Vehicle Permits.

NOTE: Underlined items to be eliminated.

Bracketed and italicized items in bold print to be added.

2012 MEETING SCHEDULE
SOUTH CENTRAL REGIONAL PLANNING COMMISSION

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

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

* RPC Annual Dinner