



**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, January 13, 2011 RPC Meeting, 5:15pm @ Carmine's
Tuscan Grill Restaurant; 1500 Whalley Ave, New Haven, CT 06515

1. Administration

1.1. Minutes of the December 9, 2010 RPC Meeting

2. Statutory Referrals – January Action Items

2.1. City of New Haven: Proposed Zoning Regulation Amendments to Planned Development District #23 – Bella Vista. Submitted by: Private Applicant. Received: November 22, 2010. Public Hearing: January 19, 2011

2.2. Town of Prospect: Proposed Zoning Regulation Amendments to add a section to regulate Wind Power. Submitted by: Town of Prospect. Received: December 20, 2010. Public Hearing: January 19, 2011

2.3. City of Milford: Proposed Zoning Regulation Amendments to Section 9.3 – Procedures. Submitted by: City of Milford. Received: January 5, 2011. Public Hearing: TBD

3. Other Business

3.1. Election of Officers and Executive Committee



DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, December 9, 2010 Meeting

Present: Peggy Rubens-Duhl, Brian Cummings, Christopher Traugh, Charles Andres, David Anderson, William Lake, Eugene Livshits, Carl Amento

1 Administration

- 1.1 Minutes of the November 18, 2010 RPC meeting. Motion to accept the minutes as amended: Brian Cummings. Second: William Lake. Vote: Unanimous.
- 1.2 Minutes of the October 14, 2010 RPC meeting. Motion to accept the minutes as amended: Peggy Rubens-Duhl. Second: Brian Cummings. Vote: Unanimous. Abstain: David Anderson

2 Statutory Referrals

- 2.1 Town of Prospect: Proposed Zoning Regulation Amendments to Section 3.1 – Uses by District and Section 2.2 – Definitions

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: David Anderson. Second: Christopher Traugh. Vote: Unanimous.

- 2.2 City of West Haven: Proposed Zoning Regulation Amendments to Section 48 – Telecommunication Regulation

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: Christopher Traugh. Vote: Unanimous



2.3 City of Milford: Proposed Zoning Regulation Amendment to add Section 5.1.4.2 – Prohibited Drive-thru Windows, Curb Cuts, and Driveways

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: Christopher Traugh. Second: Peggy Rubens-Duhl. Vote: Unanimous.

The Town of Orange Referral was received after the monthly agenda packet was mailed out. The public hearing for the referral is prior to the January RPC Meeting. Motion to add the items to the December Agenda: Peggy Rubens-Duhl. Second: Brian Cummings. Vote: Unanimous

2.4 Town of Orange: Proposed Zoning Regulation Amendments concerning Outdoor Restaurant Seating in the Commercial C-1 and Commercial C-2 Districts and the minimum required distance to an existing residence

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: Brian Cummings. Second: David Anderson. Vote: Unanimous.

3 Other Business

3.1 Motion to adopt the Regional Planning Commission's 2011 Meeting Schedule: Peggy Rubens-Duhl. Second: Christopher Traugh. Vote: Unanimous

Motion to Adjourn: Brian Cummings. Second: David Anderson. Vote: Unanimous.

Referral 2.1: City of New Haven

Subject: Proposed Zoning Regulation Amendments to Planned Development District #23 – Bella Vista

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: A private applicant in the City of New Haven has proposed Zoning Regulation Amendments to Planned Development District #23 – Bella Vista. The amendments would permit an additional 399 units. The existing development currently has 1,412 units contained within five buildings. The proposed additional units would require 200 extra parking spaces.

The 399 proposed units would be contained in two buildings, one consisting of 133 dwelling units and the other building consisting of 266 dwelling units, which are to be set on top three levels of parking. Currently the elderly housing development has 809 designated parking spaces, the development plan proposes to increase the available amount of parking to 994. The existing regulations require 676 spaces; the proposed regulations would require 876 spaces. The applicant has submitted a traffic impact study prepared by Connecticut Consulting Engineers LLC, which concluded that the proposed development can be safely and efficiently accommodated by the area roadways. The proposed development would increase the amount of impervious surface by approximately 1.43 acres. The impervious coverage would increase from 39% of the site to 46% of the site; the existing regulations do not have a requirement for maximum impervious surface coverage. The proposed development meets the requirements in the Planned Development District # 23, except for the Building Separation (Requirement: 100 feet facing window wall/50 feet horizontal separation; Proposed: 70 feet/50 feet), Parking Space Size (Requirement: 200 square feet; Proposed: 153 square feet) and maximum units. The application has a brief description of a storm water management system with runoff being directed to a detention basin (would be

built as a wet pond). The site is adjacent to the Town of East Haven and it is within a Coastal Management District.

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

Please mail to:

RPC Referral Submission Form

South Central CT Regional Planning Commission

Re: RPC Referral
South Central Regional COG
127 Washington Avenue, 4th Floor West
North Haven, CT 06473

1.) General Information:

Date Sent: 11-17-10

Subject: Bella Vista PDD Amendments

Applicant Name: Carabetta Enterprises, Inc

Property Address (if applicable): Eastern Street

Town/City: New Haven

☐

Referral is from a private individual

☒

Referral is from the Town/City Planning Department or the P & Z Commission

Public Hearing Date: _____

2.) Statutory Responsibility:

☒

Application involves a subdivision of land within 500 feet of a town/city border

☒

Application involves a proposed change to a town/city zoning regulation

☐

If neither, applicant requests a voluntary RPC review for informational purposes

☐

Material is for informational purposes only; an RPC resolution is not necessary

☐

Other: _____

3.) Process:

☒

Material sent "Return Receipt Requested" (as required by law)

☒

Information on proposed change included

☒

Existing language included (if applicable)

RECEIVED
NOV 22 2010
SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS

4.) Preferred contact regarding this RPC referral:

Name: Chris Plass, Office of Leg. Servs

Telephone Number: 203-946-7288

E-mail Address: CPLASS@newhavenct.net

Comments: _____

Questions: (203) 234-7555

South Central Regional Council of Governments | <http://www.scrkog.org>

CITY OF NEW HAVEN
HONORABLE BOARD OF ALDERMEN
OF THE CITY OF NEW HAVEN

RECEIVED
NOV 22 2010
SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS

CARABETTA ENTERPRISES, INC.
BELLA VISTA
EASTERN STREET
NEW HAVEN, CONNECTICUT

NOVEMBER 8, 2010

APPLICATION FOR AMENDMENT TO PLANNED DEVELOPMENT
DISTRICT # 23 BELLA VISTA

The Applicant, Carabetta Enterprises, Inc., hereby applies pursuant to Section 65 of the Zoning Ordinances of the City of New Haven for an amendment to Planned Development District # 23 enacted by the Board of Aldermen on January 11, 1971, known as Bella Vista.

INTRODUCTION:

The Planned Development District ("PDD") No. 23 is comprised of five parcels of land containing approximately 22 acres located on Eastern Street. The site contains 1,412 units of elderly housing and is divided into five sections. These sections were arbitrarily created in regard to FHA financing and continue the present designation although operated and controlled collectively by Carabetta Enterprises, Inc. The parcels which make up the Bella Vista community, shown on Exhibit A annexed hereto, include the following:

Bella Vista Owners

Building Name

Village Park I Realty Company
Village Park II Realty Company
Bella Vista Realty Company – Phase II
Bella Vista Realty Company – Phase III

Bella Vista Section I, Bldg. A
Bella Vista Section II, Bldg. B
Bella Vista Phase II, Bldgs. C + D
Bella Vista Phase III, Bldg. E

Carabetta Enterprises, Inc. is the General Partner of each Bella Vista owner. The original vision for the Bella Vista community was for a unified residential community, despite the fact that different Bella Vista owners own and operate different buildings, so that all driveways, pathways, community amenities and other common facilities are available for the use and enjoyment of all of the residents of the Bella Vista community. Over the course of almost four decades, the Bella Vista community has demonstrated faithfulness to this vision, and has provided safe, attractive and well-maintained housing for 1,412 elderly families. The Bella Vista communities have adapted to serve a population which is "aging in place." Today, residents enjoy the services of an elderly services coordinator, facilities for exercise and social activities, while continuing to occupy housing at rents which are at or below the area median income for New Haven. All five of the buildings at Bella Vista were originally financed by the U.S. Department of Housing and Urban Development ("HUD"), as FHA loans. As the original financings neared maturity, the Bella Vista owners elected to remain within the HUD portfolio.

At this time, all of the buildings in the Bella Vista community are encumbered by HUD-insured mortgages and are subject to affordability restrictions.

HISTORY OF PDD # 23:

A. Initial Approval:

On October 15, 1970, the City Plan Commission recommended approval of a petition for a Planned Development District. Subsequently, on January 11, 1971, the Board of Aldermen approved the petition. Approval consisted of the following:

1. Total elderly units - 1,410.
2. Five tower elements at an average height of 17 stories.
3. Grocery and related goods, drug/cosmetic outlet, barbering, etc.
4. Medical office space.
5. 700 residential parking spaces (1 per 2 elderly units and 25 spaces for the commercial tenants).
6. 438 square feet of open space/unit; approved 404 square feet/unit at grade and 32 square feet of balcony per unit.
7. Three (3) acres set aside for active recreation plus nearly three (3) additional acres for inactive recreational use.
8. Distance between facing walls of two buildings 100' instead of 255' and 50' instead of 25' between buildings where no exterior wall of one building intersects perpendicularly to any wall of another building.

B. Subsequent Approvals:

Since the approval of the PDD by the Board of Aldermen, there have been a number of minor modifications approved by the City Plan Commission. These minor modifications are listed on Exhibit B annexed to this Application.

SENIOR HOUSING NEEDS:

As life expectancy lengthens due to advancements in science, technology and medicine, senior citizens in every economic bracket are facing new challenges in the area of housing. Today, senior citizens are the fastest growing population in the country, with 1 in 8 Americans over the age of 65. It is estimated that by 2030, 1 in 4 American citizens will be over age 65, with the fastest growing subgroup being the "oldest population", those age 85 and older. This new phenomenon, coupled with high unemployment and a struggling housing market, has created an urgent need for affordable elderly housing throughout the country.

When safe and affordable housing options pose a challenge to our elderly population, their safety and overall physical and mental health become an issue, as seniors must choose between the expenses of housing, medicine, putting food on the table or paying utility bills. With less income available to meet their basic necessities, the elderly are particularly vulnerable to homelessness, eroding mental health and a greater demand for Medicaid-based eligibility for

expensive nursing home care. To prevent elderly Americans from becoming homeless or living in substandard housing in greater numbers, we must provide enough low-income housing to help sustain their healthy, independent living. This will not only promote our goals as a progressive society, but will prevent a costly and dire epidemic of homelessness amongst our fastest growing population.

New Haven is not only home to one of the largest numbers of senior citizens in the State, but to one of the largest numbers of seniors in Connecticut living below the poverty line. Carabetta Enterprises, Inc. and its Bella Vista project have played a pivotal and significant role by providing affordable housing for the elderly in the City of New Haven. All of the 1412 units are presently occupied by a population of approximately 2,000 residents. There is a waiting list of more than 100 households for the affordable housing units; the wait is more than one year. Additionally, there is a wait of approximately 60 to 90 days for the market/base rental units.

The approval of the Application to Amend the PDD will permit the construction of 399 additional units of affordable housing and additional amenities for the entire Bella Vista community and thus ensure a secure, healthy and meaningful future for many of New Haven's elderly.

PROPOSED AMENDMENT TO PDD # 23:

Carabetta Enterprises, Inc., as General Partner of the Bella Vista owners, makes this application to modify the PDD to permit the construction of 399 additional units of elderly housing within the Bella Vista community. Together with the additional units, Carabetta Enterprises, Inc. proposes to enhance the Bella Vista community by providing additional , amenities, parking and additional community buildings as well as recreational areas and facilities. All of the residents at Bella Vista, including those who will occupy the planned 399 new units, will have access to all amenities, community buildings and recreation areas presently located and to be located on the parcels which make up the Bella Vista community.

DESCRIPTION OF PROPOSED COMPONENTS OF AMENDMENT:

Two additional buildings providing 399 additional living units for the elderly. Both buildings, one consisting of 133 dwelling units, and the other building consisting of 266 dwelling units, are to be set on top of three levels of parking structures. Additional amenity space, interior and exterior, will be provided. A summary of the proposed amenities is annexed hereto as Exhibit C.

Included in this Application are the following sets of Plans and Drawings:

Site Drawings:

A-2 Survey

1. Existing conditions
2. Existing open space plan
3. Proposed open space plan
4. Grading, drainage and utilities
5. Landscaping and lighting plan

Architectural Drawings:

As Architectural Site Plan

- AR1 Rendered West Elevation
- AR2 Rendered East Elevation
- AR3 Rendered North and South Elevation

- A-1. West elevation
- A-2. East elevation
- A-3. North and South elevation
- A-4. Entry level parking deck
- A-5. Second level parking deck
- A-6. Third level parking deck
- A-7. Building entry level plan
- A-8. Building second floor plan
- A-9. Building third floor plan
- A-10. Building 4th – 13th floor plan
- A-11. Building 14th – 17th floor plan
- A-12. Amenity floor plans
- A-13. Unit Plans
- A-14. Unit Plans
- A-15. Enlarged West Elevation
- A-16. Enlarged East Elevation
- A-17. Building/site sections
- A-18. Building cross section
- A-19. Exterior Cladding Details

A table setting forth the required, existing and proposed zoning requirements is annexed hereto as Exhibit D.

PARKING:

The initial approval required 706 spaces (1412 elderly units requiring one space for every two units). This requirement was subsequently modified and reduced by 30 spaces to 676 spaces in 1975 by the City Plan Commission. The proposed construction will provide for 399 units of elderly housing which, pursuant to the Ordinance, will require 200 parking spaces. Thus total parking space required will be the existing requirement of 676 plus 200 = 876 spaces. There are presently 809 designated parking spaces on the site and additional parking spaces are to be provided resulting in 994 parking spaces on site. Thus all standards relative to parking spaces will be satisfied.

TRAFFIC IMPACT STUDY:

Connecticut Consulting Engineers LLC, traffic engineers and transportation planners, in accordance with the City of New Haven Zoning Ordinance Section 65, prepared a traffic analysis for the development designated as "Traffic Report Prepared for Bella Vista Expansion New

Haven, Connecticut October 18, 2010.” The said study concludes that the proposed development can be safely and efficiently accommodated by the area roadways. The traffic report and all associated plans and schematics are attached hereto as Exhibit E.

STORMWATER MANAGEMENT SYSTEM:

The proposed site for the new residential towers and associated common spaces and parking garage presently consists of lawns, landscaped areas and wooded areas. The proposed development would create approximately 1.76 acres of impervious area, consisting of buildings, pavements and pedestrian plazas and walkways. Approximately 0.33 acres of existing pavement would be removed from the northwest corner of the site, for a net increase of roughly 1.43 acres in impervious area. Storm runoff from these areas would be captured by roof drains, yard drains and catch basins. Runoff would be directed to a detention basin to be built in a portion of the parking lot to be removed. This detention basin would be built as a wet pond to allow for stormwater treatment, groundwater recharge and attenuation of peak discharges to levels consistent with existing storm runoff from the site, based on the 10-year storm event. An underground detention and infiltration area may also be built to accommodate flow from the entrance drive and drop-off plaza if site conditions make it impractical to convey runoff from these areas to the proposed detention basin.

COASTAL SITE PLAN REVIEW APPLICATION:

Pursuant to the Application for the Amendment, and because the property is within the Coastal Management District, a Coastal Site Plan Review Application (“CSPR”) is required. This Application is intended to constitute the CSPR Application and will subsequently address environmental aspects related to proposed soil erosion and sedimentary control measures. The control measures that will be implemented at the site will be consistent with the principles, methods and practices outlined in the Connecticut Guidelines for Soil Erosion and Sediment Control, as well as the industry standards and practices or as specifically required to the reasonable satisfaction of the City Engineer, City Plan Department or such other City commissions or agencies. It is expected that these measures will include a crushed stone construction entrance to minimize off-site migration of soils, installation of geotextile silt fences at the site perimeter and around any soil stockpiles, placement of silt traps in or hay bales around any existing or new catch basins within or adjacent to the work area, establishment of concrete truck wash down area and provision for a temporary detention basin down slope from the site.

CONSISTENCY OF APPLICATION WITH PLANNED DEVELOPMENT STANDARDS:

The proposed amendment to PDD # 23 fully complies with the four standards for a planned development district set forth in Section 65 (a) of the Zoning Ordinances which are as follows:

1. “In accordance with the Comprehensive Plan of the City, including all plans for redevelopment.”

The proposed amendment is in accordance with the Comprehensive Plan of Development of the City of New Haven dated October 15, 2003 ("the Comprehensive Plan"). The Comprehensive Plan specifically recognizes the "need for affordable housing, human resources, health, recreation, social services and interpersonal communications." It "encourages the development of housing which will meet the needs for both low and moderate income households." The proposed amendment, adding 399 affordable housing units and amenities for the elderly, is an outstanding response to the suggested criteria set forth in the Comprehensive Plan.

2. "Composed of such uses and in such proportions as are most appropriate and necessary for the integrated functioning of the planned development and for the City."

There are no proposed changes in the existing uses permitted in PDD # 23. The two buildings being proposed will be used for residential purposes and the amenities and parking will be related to said use and available to all residents.

3. "So designed in space allocation, orientation, texture, materials, landscaping and other features as to produce an environment of stable and desirable character, complementing the design and values of the surrounding neighborhood, and showing such unusual merit as to reflect credit upon the developer and upon the City."

The design of the two additional buildings and additional facilities and their orientation is in keeping with the surrounding area. Further, by incorporating the proposed buildings into the existing buildings and existing space, the proposal both preserves and expands the distinctive and positive features of the Bella Vista community including expanding walkways, recreational areas and providing for additional landscaping.

4. "So arranged as to provide a minimum of 250 square feet of usable open space per dwelling unit on the tract, except 125 square feet in the case of elderly housing units, subject to the specific minimum standards enumerated in Section 15 (a) (1) (g) of this ordinance."

The required usable open space as set forth above is satisfied. Open space areas were calculated for the existing site conditions and for the proposed development. All buildings, parking areas, driveways, roadways and sidewalks were excluded from open space, along with the inaccessible disturbed area at the northeast corner of the property. Balconies were counted as open space, along with communal recreational spaces including the green roof terrace and the secure play area. The total open space provided at present is 12.06 acres, against a requirement of 4.05 acres based on 1,412 units at 125 square feet per unit, per Section 65 (a) (4) of the New Haven Zoning Ordinance. The total open space with the proposed expansion would be 11.54 acres, against a requirement of 5.20 acres based on 125 square feet per unit for 1,811 units.

CONCLUSION:

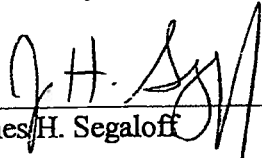
The proposed buildings, amenities, parking, open space and recreational areas are all consistent with the terms, conditions and requirements in the PDD as approved by the Board of Aldermen in January 1971 and as modified to date. At the time that the City Plan Commission issued its report on October 15, 1970, it concluded that the proposed project "represents an ideal combination of uses: (1) its recreational potential is realized at no expense to the City; and (2)

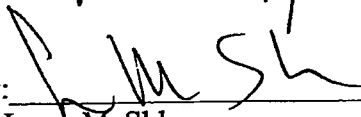
the pressing need for housing, which is especially heavy in the critical category of elderly housing, is addressed by a \$15-20 million dollar development which will be added to the City's Grand List." Forty years later these words ring true, only more so. Approval of this Application will significantly increase the Grand List, will provide extensive recreational amenities for the residents and will help to meet the "pressing" and "critical" need for affordable housing for the elderly in our community.

Respectfully submitted,

CARABETTA ENTERPRISES, INC.

By Susman, Duffy & Segaloff, P.C.
Its Attorney

By: 
James H. Segaloff

By: 
Laura M. Sklaver

59 Elm Street
New Haven, Connecticut 06510
Phone: (203) 624-9830
Fax: (203) 562-8430
E-mail: jsegaloff@susmanduffy.com
E-mail: lsklaver@susmanduffy.com

EXHIBIT A

Description of Parcels

All that certain piece or parcel of land situated in the Town and County of New Haven, State of Connecticut containing 22.05 acres more or less, bounded and described as follows:

WESTERLY by Eastern Street, 1105 feet, more or less;

NORTHERLY by land now or formerly of Dwight J. Alling and Dorothy R. Alling, 410 feet, more or less;

WEST again by land now or formerly of Dwight J. Alling and Dorothy R. Alling, 342 feet, more or less;

NORTH again in part by land now or formerly of Louis Ferraro and Raffaella Ferraro and in part by land now or formerly of the Foxon Concrete Corporation in all 437 feet, more or less;

EASTERLY in part by land now or formerly of the Foxon Concrete Corporation and in part by land now or formerly of Joseph F. Carabetta and being the East Haven Town Line;

SOUTHERLY by land now or formerly of the Housing Authority of the City of New Haven, 850 feet, more or less.

EXHIBIT B

Minor Modifications PDD #23

<u>File No.</u>	<u>Date</u>	<u>Action Taken</u>
747-11	12-19-74	Minor modification request to postpone construction of pedestrian bridge and community building on top of Building #3. Commission indicated bridge must proceed but agreed to further consider the matter of the community building.
754-11	5-21-75	Request to slightly reduce parking for Phase II and III; approved.
876-23	4-22-81	Approval. Minor modification to permit vinyl clad chain link fence.
944-7	8-3-83	Approved: Minor modification in detailed plans to permit 4 tables in existing deli.
1150-10	7-15-92	Approved: Minor modification for grocery beer license for existing grocery store in building II.
1365-2	5-18-05	Approved: Minor modification for new parking lot.
1397-4	1-17-07	Approved: Minor modification for new parking lot.

EXHIBIT C

Summary of Proposed Amenities

BELLA VISTA AMENITIES

OCTOBER 21, 2010

LIST OF PROPOSED AMENITY SPACE

AQUA THERAPY CENTER	1,780 SF
Lockers (men & womens)	800 SF
DAY CARE	1,673 SF
HEALTH/CLINIC/THERAPY	877 SF
COMMUNITY ROOMS per floor BUILDING #6	535 SF
LIBRARY/COMPUTER	963 SF
VICTORIA "2" ROOM (SECOND FLOOR)	4,465 SF
ROOF TOP TERRACE (GREEN ROOF)	4,506 SF
COMMUNITY ROOM First floor BUILDING #7	908 SF
<hr/>	
TOTAL INTERIOR SPACE ALLOCATION	12,001 SF
ROOF TOP TERRACE (GREEN ROOF)	4,506 SF
EXTERIOR PLAYGROUND Elevation 58.00'	9,950 SF

EXHIBIT D

Zoning Ordinances: Required, Existing and Proposed Amendment to PDD #23

	Required	Existing	Proposed
Site Area	1 Acre minimum	964,085 SF +/- 22.1 Acres +/-	964,085 SF +/- 22.1 Acres +/-
Frontage		1,100 Feet	1,100 Feet
Building Coverage		171,950 SF +/-	202,160 SF +/-
Height	17 Stories	17 Stories	17 Stories
Front Yard		154 Feet	40 Feet
Side Yard		43 Feet	43 Feet
Rear Yard		83 Feet	83 Feet
Building Separation	100 Feet Facing Window Walls 50 Feet Horizontal Separation	100 Feet/50 Feet	70 Feet/50 Feet
Maximum Units	1400	1412	1811
Impervious Coverage		39%	46%
Parking for Residents	1 per 2 units	676 Required 809 Provided	876 Required 994 Provided
Parking Space Size	200 SF	200 SF	153 SF
Open Space	125 SF / Unit	176,500 SF Required 525,460 SF Provided	226,375 SF Required 507,090 SF Provided

EXHIBIT E

Traffic Report

TRAFFIC REPORT

PREPARED
FOR

BELLA VISTA EXPANSION

NEW HAVEN, CT.

OCTOBER 18, 2010

PREPARED BY:

CONNECTICUT CONSULTING ENGINEERS LLC.
ONE PRESTIGE DR.
MERIDEN, CT. 06450
(203) 639-8636

October 19, 2010

Tony Padelli
The Carabetta Organization/Carabetta Brothers, Inc.
200 Pratt Street
Meriden, CT 06450

Re: Bella Vista Expansion
New Haven, Connecticut

Dear Mr. Padelli:

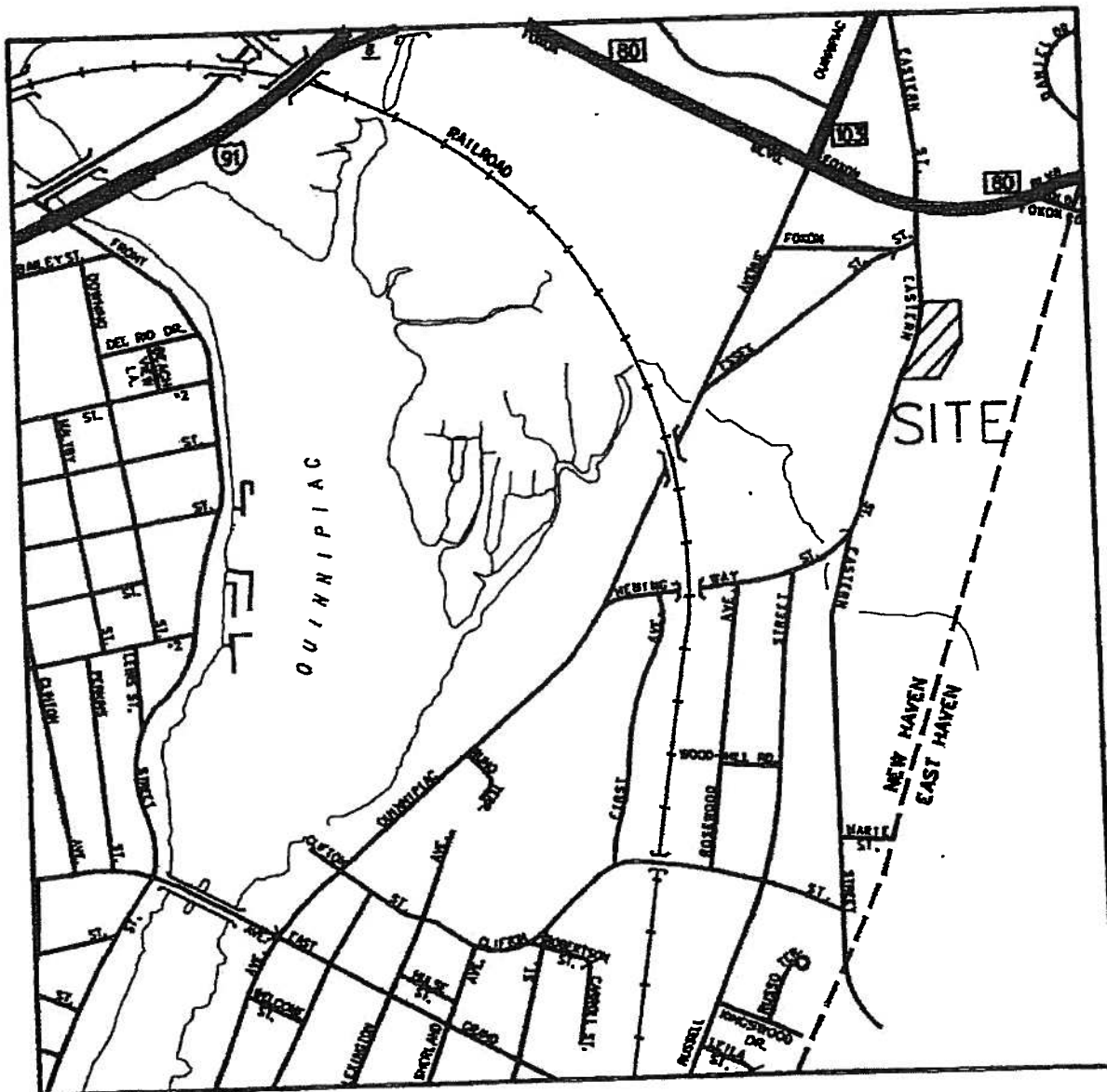
As requested, we have prepared this traffic study to evaluate the impact of a proposed expansion to the Bella Vista Community residential development in New Haven, Connecticut. This report has been developed to assist the local commission in their review of this proposal.

Scope of Work

This study was conducted to determine the anticipated impact of a 399-unit expansion at the Bella Vista Community. We made a review of existing traffic conditions as well as an inventory of traffic volumes and operational characteristics.

Site Environs

The site is located on the east side of Eastern Street in New Haven, see Figure 1. Currently, the Bella Vista Community development contains 1,412 residential units in five buildings. Access to the site is provided via one driveway, which connects to Eastern Street at a signalized intersection.



SITE LOCATION

Bella Vista Community Expansion
New Haven, Connecticut

In the site vicinity, Eastern Street is a two lane, bidirectional city-street that provides access to mostly high-density residential dwellings. Eastern Street begins at Route 80 (Foxon Road) north of the site and travels south until the road begins to curve east, where it becomes known as Laurel Street. Along the site frontage, Eastern Street is approximately 48 feet wide, which allows for a bypass in the southbound direction for motorists passing by any vehicle turning into the site. The speed limit on Eastern Street is 25 miles per hour.

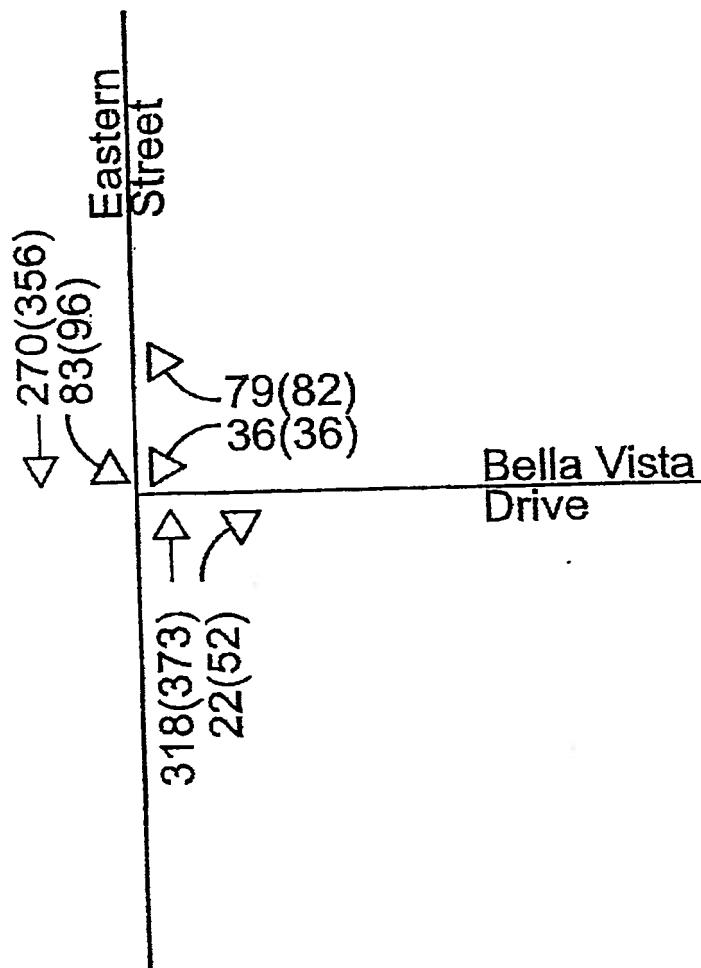
Bella Vista Drive is a two lane, two way city street that provides access directly into the Bella Vista Community development. The roadway is approximately 44 feet wide near its intersection with Eastern Street. There is no posted speed limit on Bella Vista Drive.

Existing Traffic Volumes

Manual turning movement counts were conducted on Wednesday, October 13, 2010 from 7:00-9:00 A.M. and 4:00-6:00 P.M. These counts were conducted at the signalized intersection of Eastern Street and Bella Vista Drive and account for the typical commuter weekday peak hours. Figure 2 shows the exiting peak hour volumes.

Accidents

Accident data was requested for the intersection of Eastern Street and Bella Vista Drive for the latest three year time period available. The New Haven Police Department has not yet furnished us with this information. If necessary, an addendum to this traffic study can be submitted at a later date to include this accident data.



EXISTING TRAFFIC VOLUMES

Bella Vista Community Expansion
New Haven, Connecticut

LEGEND

XX - MORNING PEAK HOUR
(XX) - AFTERNOON PEAK HOUR

Sight Lines

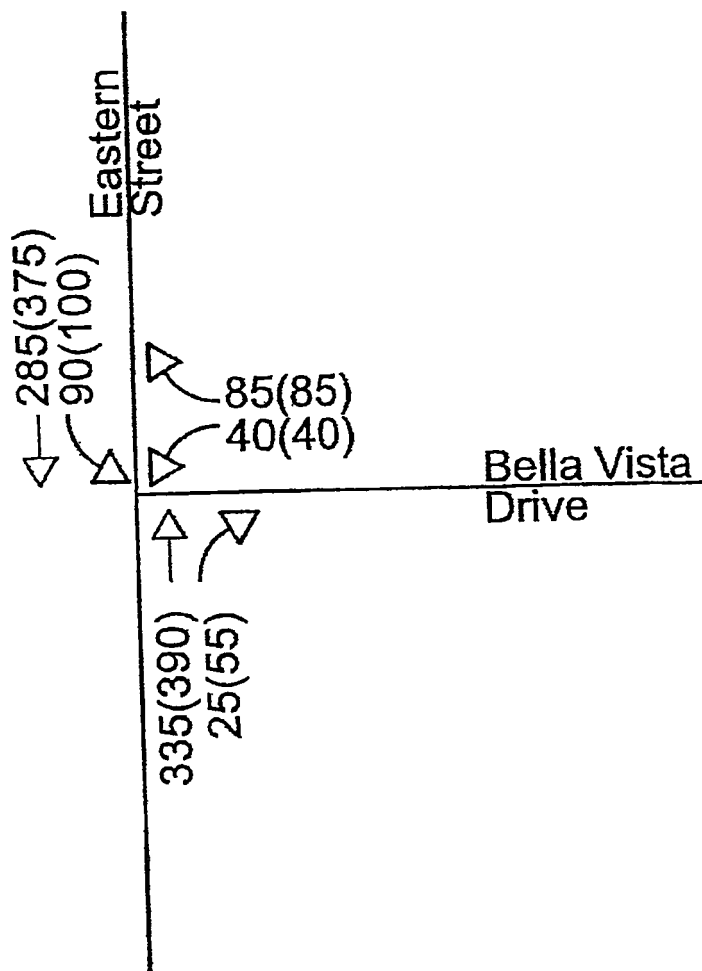
The existing Bella Vista Drive will provide the only access to the proposed additional residential units. A field review of the existing conditions showed that the sight line distances onto Eastern Street exceed 500 feet in both directions. For the posted speed limit of 25 miles per hour, ConnDOT guidelines indicate a required 280 feet. Accordingly, safe sight lines are available.

Future Traffic Volumes

Two future traffic volume scenarios were developed to use as input for a traffic impact analysis. The first, called background traffic reflects future traffic condition without the proposed development. The second, called combined traffic, is the sum of the background traffic plus the anticipated site traffic.

Background Traffic Volumes – Background traffic volumes were developed at the intersection of Eastern Street at Bella Vista Drive to serve as a basis from which to determine operating conditions without the proposed development. The existing traffic was increased by 1.5 percent per year to 2013, the anticipated opening year of the proposed expansion. This traffic increase reflects the normal growth in this area. Figure 3 shows the background traffic volumes for both the morning and afternoon time periods.

Anticipated Site Traffic Volumes – Estimates of site traffic volumes were developed using the existing traffic entering and exiting the Bella Vista facility. The current facility contains 1,412 residential units. This existing development currently generates 220 vehicular trips (105in/115out) during the morning peak hour and 266 vehicular trips (148in/118out) during the afternoon peak hour. The proposed development will provide an additional 399 units. By prorating the proposed number of units with the existing number of units, the proposed expansion is anticipated to generate 65 vehicular trips (30in/35out) during the



BACKGROUND TRAFFIC VOLUMES

Bella Vista Community Expansion
New Haven, Connecticut

LEGEND

XX - MORNING PEAK HOUR
(XX) - AFTERNOON PEAK HOUR

morning peak hour and 75 vehicular trips (40in/35out) during the afternoon peak hour.

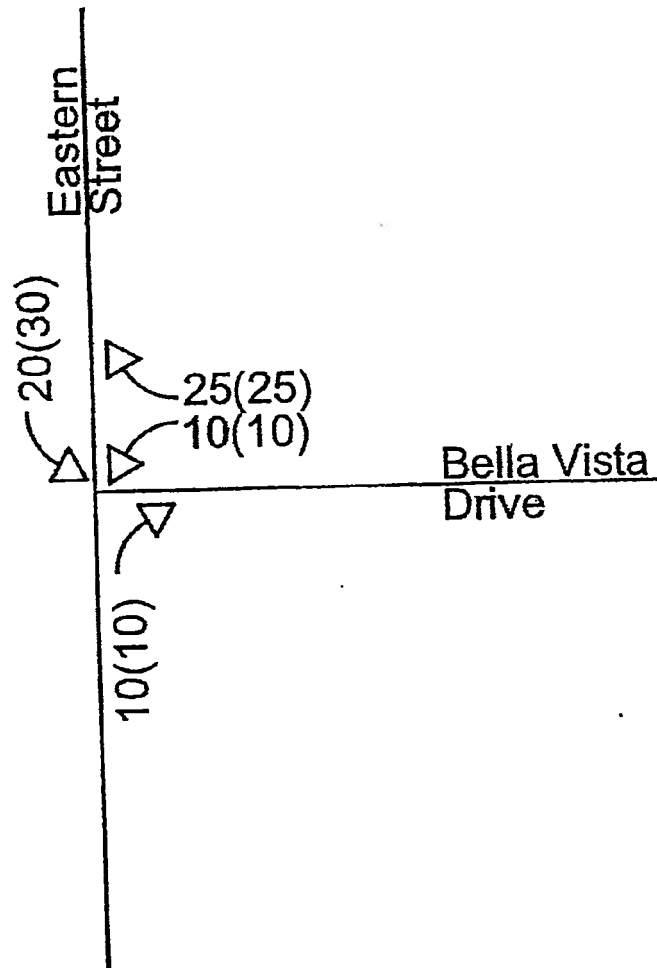
To determine the directional distribution of the anticipated site traffic, the existing traffic pattern at the site driveway was reviewed. It was seen that currently a majority, approximately 70 percent, of the traffic accessing the site travels to and from Route 80 to the north of the site. Based on this observed traffic pattern, the anticipated site traffic volumes were distributed onto the roadway. Figure 4 shows the site traffic distribution for the morning and afternoon peak hours.

Combined traffic Volumes – To access the impact of the additional traffic from the proposed expansion, combined traffic volumes were developed by adding the site traffic to the background traffic. These resulted in weekday morning and afternoon peak hour combined traffic volumes and are shown in Figure 5.

Analyses – A series of analyses was conducted to evaluate the impact of the traffic that would be generated by the expansion of the Bella Vista development. These analyses were conducted for the intersection of Eastern Street and Bella Vista Drive. The analyses are used to determine the quality of operation near the site and are based on procedures outlined in the Highway Capacity Manual (HCM)¹ and utilize Synchro 6² software. In general, the quality of operation is measured and expressed as a Level of Service (LOS). The levels of service are expressed with letter designations between A through F. LOS A represents little or no vehicle delay while LOS F reflects an intersection or movement which is over capacity and where long delays can be expected. A description of LOS for signalized intersections along with the analysis worksheets are enclosed in the Appendix. A summary of the LOS analyses is provided in Table 1.

¹ Highway Capacity Manual 2000, Transportation Research Board, 2000

² SYNCHRO 6, Traffic Signal Coordination Software, Trafficware, 1993-2003

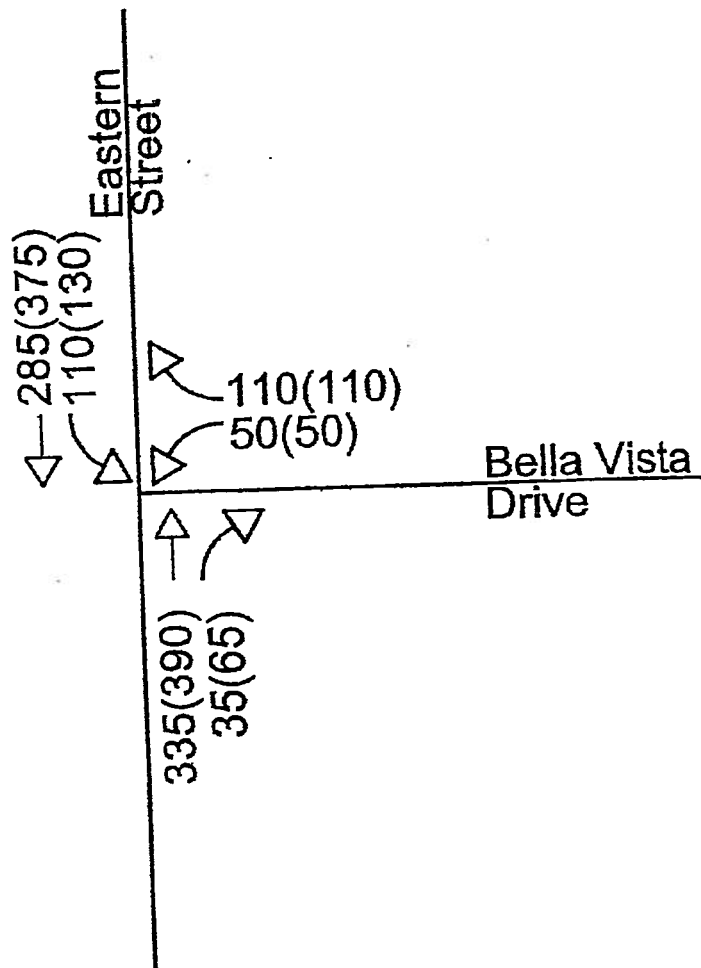


ANTICIPATED SITE TRAFFIC VOLUMES

Bella Vista Community Expansion
New Haven, Connecticut

LEGEND

XX - MORNING PEAK HOUR
(XX) - AFTERNOON PEAK HOUR



COMBINED TRAFFIC VOLUMES

Bella Vista Community Expansion
New Haven, Connecticut

LEGEND

XX - MORNING PEAK HOUR
(XX) - AFTERNOON PEAK HOUR

Table 1
CAPACITY ANALYSIS SUMMARY

Location/Movements	Level of Service / Delay (sec)			
	Background Traffic		Combined Traffic	
	Weekday	Weekday	Weekday	Weekday
	Morning	Afternoon	Morning	Afternoon
	Peak Hour	Peak Hour	Peak Hour	Peak Hour
Eastern Street at Bella Vista Drive				
Northbound Approach	B (12.8)	B (15.1)	B (14.5)	B (15.6)
Southbound Approach	A (4.1)	A (5.1)	A (5.0)	A (6.1)
Westbound Approach	B (11.2)	B (13.4)	B (11.9)	B (14.0)
OVERALL	A (8.8)	B (10.3)	B (10.0)	B (11.1)

As shown, the analysis indicated that all movements and the overall intersection operate at good LOS's. Based on the analysis, it can be seen that the anticipated site traffic will not significantly impact the traffic operation at this local intersection. In fact, the only LOS change was seen during the morning weekday peak hour where the overall LOS changed from an A to B. However, it should also be noted that the increase in delay during this time period is only anticipated to be 1.2 additional seconds.

Summary and Conclusion

This study was conducted to assess the traffic impact of a proposed 399 residential unit expansion at the Bella Vista Community off Eastern Street in New Haven, Connecticut. An existing condition profile was developed which included traffic counts at the intersection of Eastern Street and Bella Vista Drive. A field reconnaissance was performed to review the site and its environs and sight distances. Area roadways were reviewed for the quality of service and traffic impact at the study intersection. Traffic analysis was performed for both before and after this expansion is built. Based on this review, we found that the proposed development can be safely and efficiently accommodated by the area roadways.

We hope this study is useful to you and the City of New Haven in your review of this proposal. If you have any questions or need further information, please do not hesitate to contact us.

Very Truly Yours
Connecticut Consulting Engineers

Scott Poryanda, P.E.
President

C:\Documents and Settings\Viper\My Documents\bella vista\Bella Vista TIS.doc

Referral 2.2: Town of Prospect

Subject: Proposed Zoning Regulation Amendments to add a Section to Regulate Wind Power

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 Prospect has proposed Zoning Regulation Amendments to regulate Wind Power. A utility scale wind facility or system is required to obtain a special permit. The special permit could only be granted if the following standards have been satisfied: appropriate location, no material adverse effect on the neighborhood, no serious hazard to pedestrians or vehicles, will not create a nuisance, adequate and appropriate facilities provided, setback/noise/lighting standards have been satisfied, compliance with all required standards, detailed construction plan, determination made by state or local agency that the facility is feasible and sustainable.

Wind Monitoring or Meteorological Towers are permitted in all zoning districts subject to the issuance of appropriate zoning and building permits. The structure cannot exceed two feet tower face width and two hundred feet in height. The general site standards for the utility scale wind facilities are: Height – 350', Setbacks 4 times the overall blade tip height for a wind turbine with exposed blades and 3 times the overall height for a wind turbine with shrouded blades (may be satisfied by an easement or other non-revocable, legally binding agreement from one or more abutting property owners), 1400 feet from all property lines or public ways (hard hat setback). The regulations include provisions for lighting, signage, advertising, utility connections, appurtenant structures and support towers, emergency services, unauthorized access, shadow flicker, noise, and land clearing, soil erosion and habitat impacts.

On-site wind facilities or systems can a maximum of 100' and setback are a minimum of 100' from a property line or public passage way. There is a setback waiver provision which would allow the commission to reduce the setback distance as appropriate based on site specific consideration. The on-site wind facilities or systems applicant are required to obtain a site plan approval.

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

December 17, 2010

Eugene Livshits
South Central Council of Governments
127 Washington Avenue - 4th 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 for Wednesday, January 19, 2011 at 7:10 p.m. at the Prospect Town Hall, 36 Center Street on an application for a proposed text amendment to create a new section of the Prospect Zoning Regulations to regulate wind power in Prospect.

Enclosed is a copy of the proposed text change amendment as presented to the Planning & Zoning Commission. Comments on this application are welcome to be made at the hearing or submitted in writing for receipt into the record.

Sincerely,

Donald Pomeroy

Donald Pomeroy
Chairman

RECEIVED
DEC 20 2010
SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENT

PURPOSE:

The purpose of this section is to regulate the safe, effective, and efficient use of wind energy systems subject to reasonable conditions that will protect the public health, safety and welfare and to foster the development of the Town's wind power resource while preserving farmlands and protecting adjoining properties.

APPLICABILITY:

This section applies to all proposals to construct utility-scale or other on-site wind facilities or systems as well as any other wind energy facility or system wherein wind energy is sold or transported to off-site users on a commercial basis. Any new proposal for any wind energy project, facility or system or physical modification to existing wind facilities or systems that materially alters the type, or increases the size, of such facilities or other equipment shall require a site plan and a special permit as set forth herein pursuant to the special permit and site plan requirements of the Prospect Zoning Regulations except as provided for hereinafter.

DEFINITIONS:

Commission: The Prospect Planning and Zoning Commission

On-Site Wind Facility or System: A wind facility or system located at a residential, commercial, industrial, agricultural, institutional or public facility that will consume more than 75% of the electricity generated by the facility.

Height: The vertical distance from the average finished ground level at the main tower edges to the highest point of the structure, including any blade, lightning rod or antenna. If a blade extends above the tower at any point in its arc, then the tip of the rotor blade at its highest point, or blade-tip height shall be used.

Rated Nameplate Capacity: The maximum rated output of electric power production equipment. This output is typically specified by the manufacturer with a "nameplate" on the equipment.

Substantial Evidence: Such evidence as a reasonable mind might accept as adequate to support a conclusion.

Utility-Scale Wind Facility or System: A commercial wind facility or system, where the primary use of the facility or system is electrical generation to be sold to wholesale electricity markets or other commercial users of energy.

Wind Facility or System: All equipment, machinery and structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to, transmission lines and support structures, storage, collection and supply equipment, substations, transformers, service and access roads, and one or more wind turbines.

Wind Monitoring or Meteorological Tower: A temporary tower equipped with devices to measure wind speeds and direction, used to determine how much wind power a site can be expected to generate.

Wind Turbine: A device that converts kinetic wind energy into rotational energy that drives an electrical generator. A wind turbine typically consists of a tower, accelerator platform or nacelle body, and one or more rotors, with two or more blades for each rotor.

GENERAL REQUIREMENTS:

Prospect Planning and Zoning Commission: No utility scale wind facility or system shall be erected, constructed, installed or modified without first obtaining a Special Permit from the Prospect Planning and Zoning Commission ("the Commission") in accordance with its Special Permit Regulations. The construction of a utility scale wind facility or system shall be allowed in all Prospect zoning districts subject to the issuance of a Special Permit, provided that the use complies with all requirements set forth herein. All such utility system wind facilities or systems shall be constructed and operated in a manner that minimizes any adverse visual, safety and environmental impacts.

No special permit shall be granted unless the Commission finds in writing that:

- a. the specific site is an appropriate location for such use;
- b. there will be no material adverse effect on the neighborhood;
- c. there will be no serious hazard to pedestrians or vehicles;
- d. the use will not create a nuisance ; and
- e. adequate and appropriate facilities will be provided for the proper operation of the use.
- f. all setback, noise and lighting standards have been satisfied;
- g. the applicant has complied with all other standards set forth herein or in the special permit section of the Prospect Zoning Regulations.
- h. The applicant has provided a detailed construction plan including all permanent and temporary access ways which sets forth a list of all permits and approvals which are required under State and Prospect laws and regulations including the Prospect Zoning Regulations and the State of Connecticut Inland Wetland and Watercourses Act.
- i. A determination has been made by a State or Local agency of cognizance that the proposed facility is feasible and sustainable and reasonably balances the interests of the neighbors, community and other stakeholders.

No site plan shall be approved unless the applicant demonstrates compliance with all setbacks herein as well as all other appropriate zoning regulations.

Such permits may also impose reasonable conditions, safeguards and limitations on time and use, and may require the applicant to implement all reasonable measures to mitigate unforeseen adverse impacts of the wind facility, should any occur.

Wind Monitoring or Meteorological Towers shall be permitted in all zoning districts, subject to issuance of zoning and building permits for a temporary structure, and subject furthermore to all applicable regulations concerning lot area, setbacks, open space, parking, and building coverage requirements. Additionally, Wind Monitoring or Meteorological Towers shall not exceed two (2) feet tower face width and two hundred (200) feet in height.

On-Site Wind Facility or Systems: No on-site wind facility or system shall be erected, constructed, installed or modified without first obtaining a site plan approval from the Prospect Planning and Zoning Commission. No on-site plan shall be granted unless the Commission finds in writing that all setbacks and height restrictions for on-site wind facilities have been satisfied as set forth hereinafter. A special permit shall not be required for an on-site wind facility or system.

Compliance with Laws, Ordinances and Regulations: The construction and operation of all such proposed wind facilities shall be consistent with all applicable, local, state and federal requirements, including, but not limited to, all applicable safety, construction, environmental, electrical, communications and aviation requirements. In addition, the applicant must demonstrate the ability to comply with all noise requirements as set forth herein.

Proof of Liability Insurance and Bond: Before construction may begin on a utility scale wind facility or system, the applicant shall be required to provide evidence of liability insurance and a performance bond or letter of credit in an amount and for a duration reasonably sufficient to cover loss or damage to persons and structures occasioned by the failure or closure of the facility. This coverage shall be updated as appropriate from time to time so as to be consistent with then current industry standards.

Site Control: At the time of this application for a special permit, the applicant shall submit documentation of actual or prospective legal rights for the use and possession of the project site sufficient to allow for the intended purpose. If required, the application shall also include documentation concerning the right to use setback areas and access roads. Site Control shall include the legal authority to prevent the use or construction of any structure for human habitation within the setback areas.

GENERAL SITING STANDARDS FOR UTILITY SCALE WIND FACILITIES OR SYSTEMS:

Height: Wind facilities or systems shall be no higher than 350 feet in height.

Setbacks: Wind turbines shall be setback from the property line, as measured from the center of the tower a distance equal to 4 times the overall blade tip height for a wind turbine that has exposed blades and 3 times the overall height for a wind turbine that has shrouded blades, provided, however, that a portion of this setback requirement may be

satisfied by an easement or other non-revocable, legally binding agreement from one more abutting property owners; and

Hard Hat Setback: Wind turbines shall be setback 1400 feet from all property lines or public ways.

DESIGN STANDARDS:

Color and Finish: The Commission shall have discretion over the turbine color, although a neutral, non-reflective exterior color that blends with the surrounding environment is encouraged.

LIGHTING AND SIGNAGE:

Lighting: Wind turbines shall be lighted only if required by the Federal Aviation Administration. Lighting of other parts of the wind facility, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be designed to minimize glare on abutting properties and, except as required by the FAA, be directed downward with full cut-off fixtures to reduce light pollution.

Signage: Signs on the wind facility shall comply with the requirements of the town's sign regulations, and shall be limited to:

- a. Those necessary to identify the owner, provide a 24-hour emergency contact phone number, and warn of any danger.
- b. Those required by state or federal law.
- c. Educational signs providing information about the facility and the benefits of renewable energy.

Advertising: Wind turbines shall not be used for displaying any advertising, except for reasonable identification of the manufacturer or operator of the wind energy facility.

Utility Connections: Reasonable efforts shall be made to locate utility connections from the wind facility underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground, if required by the utility provider.

Appurtenant Structures: All structures appurtenant to such wind facilities shall be subject to applicable regulations concerning the bulk and height of structures, as well as regulations determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including, but not limited to, equipment shelters, storage facilities, transformers and substations shall be architecturally compatible with each other and shall be contained within the turbine tower whenever technically and economically feasible. Additional structures shall only be used for

housing of equipment for this particular site. Whenever reasonable, structures should be screened from view by vegetation and/or fencing, and/or located in an underground vault, and joined or clustered to minimize adverse visual impacts.

Support Towers: Monopole and space frame/lattice towers are the only permissible support towers for Wind Facilities.

SAFETY, AESTHETICS AND ENVIRONMENTAL STANDARDS:

Emergency Services: The applicant shall provide a copy of the project summary and site plan to the local emergency services entity, as designated by the Commission. Upon request, the applicant shall cooperate with local emergency services in developing an emergency response plan.

Unauthorized Access: The Wind Facility shall be designed to prevent unauthorized access.

Shadow/Flicker: Wind facilities shall be sited in a manner that minimizes shadowing or flicker impacts and eliminates impacts on all existing residential homes with 1000 feet from the center of the wind tower. The applicant has the burden of proving that flicker does not have significant adverse impact on neighboring or adjacent uses through either siting or mitigation.

Noise: The wind facility shall conform to all applicable provisions of the Chesprocott Area Health District Noise Control Regulation and all other applicable noise laws, regulations and statutes or ordinances of the Town of Prospect, State of Connecticut or the United States of America. Additionally, each application shall include*

Land Clearing, Soil Erosion and Habitat Impacts: Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the wind facility and as otherwise prescribed by applicable laws, regulations, and ordinances.

GENERAL SITING STANDARDS FOR ON-SITE WIND FACILITIES OR SYSTEMS:

No site plan for an on-site wind facility or system shall be granted unless the following criteria are satisfied:

1. Height: Wind facilities or systems shall be no higher than 100 feet in height.
2. Setbacks: Wind facilities or systems shall be no closer than 100 feet to a property line or public passway.

* low level sound and vibration controls as needed to protect adjacent property owners and the natural environment.

Setback Waiver: The Commission may reduce the minimum setback distance as appropriate based on site specific consideration by a waiver as provided for in the Prospect Zoning Regulations.

All other filing or procedural requirements for a site plan application as set forth in the Prospect Zoning Regulations shall apply to an on-site wind energy facility or system.

MONITORING AND MAINTENANCE:

Facility Conditions: The applicant shall maintain the wind facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and the director of Emergency Medical Services. The project owner shall be responsible for the cost of maintaining the wind facility and any dedicated access road, unless accepted as a public way, and the cost of repairing any damage occurring as a result of construction and operation.

Modifications: All modifications that increase bulk, increase height or change the location of a wind facility made after issuance of the special permit shall require amendment of that special permit by the Commission.

ABANDONMENT OR DECOMMISSIONING:

Removal Requirements: Any wind facility which has reached the end of its useful life, or has been abandoned, shall be removed. When the wind facility is scheduled to be decommissioned, the applicant shall notify the town by certified mail, including the proposed date of discontinued operations and plans for removal. The owner/operator shall physically remove the wind facility no more than 150 days after the date of discontinued operations. At the time of removal, the wind facility site shall be restored to the state it was in before the facility was constructed, from grade level and above, but excluding any need to replace trees or other vegetation that may be previously occupied the site, and similarly excluding the need to reconstruct structures once present, or the site may be converted to any other legally authorized use. More specifically, decommissioning shall consist of:

- a. Physical removal of all wind turbines, structures, equipment, security barriers and transmission lines from the site.
- b. Disposal of all solid and hazardous waste in accordance with local and state waste disposal regulations.
- c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Commission may allow the owner to leave landscaping or certain visible foundations in order to minimize erosion and disruption to vegetation.

Abandonment: Absent notice of a proposed date of decommissioning, the facility shall be considered abandoned when the facility fails to operate for more than one year without the written consent of the Commission. The Commission shall determine in its decision

what proportion of the facility is inoperable for the facility to be considered abandoned. If the applicant fails to remove the wind facility in accordance with the requirements of this section within 150 days of abandonment, or the proposed date of decommissioning, the town shall have the authority to enter the property and physically remove the facility and call the letter of credit or bond for the project.

Financial Security: The Commission may require the applicant for wind facilities to provide a form of surety, either through escrow account, bond, letter of credit or otherwise, to cover the cost of removal in the event the town must remove the facility. The amount and form of this surety shall be determined by the Commission, but in no event may it exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the Commission, after consultation with its staff and engineering consultant(s). Such surety will not be required for municipally or state-owned facilities. The applicant shall submit a fully inclusive estimate of the costs, less salvage value, associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for Cost of Living Adjustment.

TERM OF SPECIAL PERMIT:

A special permit issued for a wind facility shall be valid for 5 years, unless extended or renewed. The time period may be extended, or the permit renewed, by the Commission upon satisfactory operation of the facility. Any request for extension or renewal must be submitted at least 180 days prior to expiration of the special permit. The submission of an extension or renewal request shall allow for continued operation of the facility until the Commission acts. Upon the expiration of the special permit (including extensions and renewals), the wind facility shall be removed as required by this section.

The applicant or facility owner shall maintain a phone number, and identify a responsible person for the public to contact, so that inquiries and complaints may be made throughout the life of the project.

VISUALIZATIONS RE: UTILITY SCALE WIND FACILITIES OR SYSTEMS:

The Commission shall select between three and six sight lines, including from the nearest building with a view of the wind facility, for pre- and post-construction view representations. Sites for the view representations shall be selected from populated areas or public ways within a 2-mile radius of the wind facility. View representations shall be prepared and certified by a licensed surveyor or engineer and shall have the following characteristics:

- a. Within 21 days of filing for a Special Permit, the applicant shall arrange for a balloon test (with a balloon diameter of at least eight feet), or a crane test, at the proposed site to illustrate the height and position of the proposed tower. The date (and alternate dates to allow for inclement weather), time and location of such test shall be advertised in a newspaper of general circulation in the Town at least 15 days, but not more than 21 days, prior to the primary

date of the test. The balloon or crane test shall be conducted for at least two days, one of which shall be a Saturday or a Sunday.

- b. The applicant will submit photographs showing the tower imposed on the photograph with the tower height established in reference to a balloon flown to the proposed tower height at the site.
- c. View representations shall be in color and shall include actual pre-construction photographs and accurate post-construction simulations of the height and breadth of the wind facility (e.g., superimpositions of the wind facility onto photographs of existing views).
- d. All view representations will include existing, or proposed, buildings or tree coverage.
- e. Each view representations shall include description of the technical procedures followed in producing the visualization (distances, angles, camera lens, etc.)

Landscape Plan: At the discretion of and as ordered by the Commission, the applicant shall submit a plan indicating all proposed changes to the landscape of the site, including temporary or permanent roads or driveways, grading, vegetation clearing and planting, exterior lighting (other than FAA-required lights), screening vegetation or structures. Lighting shall be designed to minimize glare on abutting properties, except as required by the FAA.

Operation and Maintenance Plan: The applicant shall submit a plan for maintenance of access roads and storm water controls, as well as general procedures for operational maintenance of the wind facility.

Compliance Documents for Utility Scale Wind Facility or System: The applicant will provide with the application:

- a. a description of the financial surety that satisfies this regulation;
- b. proof of liability insurance that satisfies this section;
- c. certification of height approval from the FAA, or documentation showing that this is not necessary,
- d. a statement that satisfies existing and maximum noise levels and lighting requirements from the wind facility.
- e. a site plan in compliance with this regulation;
- f. all other documents required by this regulation or the site plan and special permit provisions of these regulations.
- g. Each wind facility or system application shall include Manufacturers Specifications for the major components including standards for siting and safe operations and said standards upon review and approval of the commission shall become a condition of the permit.

Referral 2.3: City of Milford

Subject: Proposed Zoning Regulation Amendments to Section 9.3 - Procedures

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 Milford has proposed Zoning Regulation Amendments to Section 9.3.1.1 under the Procedures Section of the City's Zoning Regulations. Applications for appeals and variances to the Zoning Board of Appeals would now need to be plot plans which are certified and prepared by a Licensed Land Surveyor. Subsections (1) and (2) are proposed to be deleted. Existing regulations plot plans on standard letter or legal size sheets (proposed to be deleted). Subsection (1) was provision for plot plans on larger sized paper, while Subsection (2) required a certified plot plan for the Zoning Board of Appeals to review division of a lot, reduction in lot area, reduction in lot width or relocation of common lot lines.

Communication: In researching this proposal, I spoke to the Planning Staff for 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

Website: www.ci.milford.ct.us

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

Planning and Zoning
Office

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

January 4, 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 regulation change to the City of Milford Zoning Regulations under Article IX, for Surveys for applications to the Zoning Board of Appeals, **Section 9.3 Procedures.**

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

JAN - 5 2011

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

RECEIVED

JAN - 5 2011

SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENT

Proposed Regulation Change for Surveys for the Zoning Board of Appeals

SECTION 9.3 PROCEDURES

9.3.1 Applications: All appeals and applications made to the Zoning Board of Appeals shall be in writing, on forms prescribed by the Board, and each appeal or application shall fully set forth the circumstances of the case. Every appeal or application shall refer to the specific provision of the regulations involved, and shall exactly set forth as the case may be, the interpretation that is claimed, use for which the special exception is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the same should be granted.

9.3.1.1 All applications for appeals and variances to the Zoning Board of Appeals shall contain, ~~in addition to~~ five ***certified*** plot plans ~~submitted on standard letter or legal size sheets of paper, prepared by a~~ ***Licensed Land Surveyor indicating the*** location of the buildings on adjacent property on either side, drawn to the same scale as the plot plan and the specific location of all proposed buildings, if applicable. This does not in any way authorize trespassing for any purpose.

~~(1) Plot plans prepared on larger sheets of paper may be submitted to and accepted by the Zoning Board of Appeals, provided that such plot plans are duly certified by a Registered Land Surveyor.~~

~~(2) No division of a lot, reduction in lot area, reduction in lot width or relocation of common lot lines shall be considered by the Zoning Board of Appeals unless a certified plot plan is submitted with the application.~~

~~(1)~~ **(3)** No division of a lot, which would reduce the area of the resulting lots below the minimum required lot area of the applicable Zoning District, shall be considered by the Zoning Board of Appeals unless the lot owner obtains a satisfactory sanitation report from the Director of Public Health and submits same with the application.



Bethany - Branford - East Haven - Guilford - Hamden - Madison - Meriden - Milford
New Haven - North Branford - North Haven - Orange - Wallingford - West Haven - Woodbridge

SOUTH CENTRAL REGIONAL COUNCIL OF GOVERNMENTS

Memorandum

TO: Regional Planning Commission

FROM: Nominating Committee:

DATE: January 13, 2011

SUBJECT: Nominations for Officers and Executive Committee Members

The Regional Planning Commission Nominating Committee has nominated the following members as Officers and Executive Committee Members for your consideration. Please note that the proposed Officers also serve on the Executive Committee.

Chairman: Peggy Rubens-Duhl
Vice Chairman: Brian Cummings
Secretary: Christopher Traugh

Executive Committee: Charles Andres
Sharon Huxley
David Anderson
William Lake