AGENDA

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Agenda for Thursday, May 12, 2011 RPC Meeting, 5:15pm @ SCRCOG Offices: 127 Washington Avenue, North Haven, CT 06473

1. Administration

1.1. Minutes of the April 14, 2011 RPC Meeting

2. Statutory Referrals – May Action Items


3. Other Business
DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, April 14, 2011 Meeting

Present: Brian Cummings, Christopher Traugh (arrived after statutory referral 2.1), Charles Andres, David Anderson, Bill Lake, Fran Lescovich, Karyn Gilvarg (arrived after statutory referral 2.4), Eugene Livshits

1 Administration

1.1 Minutes of the March 10, 2011 RPC meeting. Motion to accept the minutes as presented: William Lake. Second: David Anderson. Vote: Unanimous.

2 Statutory Referrals

2.1 Town of Berlin: Proposed Zoning Regulation Amendments to Section XI (H) (3) of the Berlin Zoning Code.

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: William Lake. Vote: Unanimous. Abstain: Christopher Traugh

2.2 Town of Berlin: Proposed Zoning Regulation Amendments to Section XI.AA.2.A.6 of the Berlin Zoning Code.

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: David Anderson. Second: Fran Lescovich. Vote: Unanimous.

2.3 Town of Woodbridge: Proposed Zoning Regulation Amendments pertaining to Minimum Lot Size and Outdoor Eating Areas in the Business Industrial, General Business and Development 1 Districts.

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: Charles Andres. Vote: Unanimous.

2.4 RWA: Proposed Application in accordance with Special Act 77-98, as amended for the disposition of 60.35 acres of unimproved Class III lands located within North Branford
By resolution, the RPC has determined that the proposed application for the disposition of 60.35 acres of unimproved Class III land in North Branford 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. The proposed action is not inconsistent with the Regional Plan of Conservation and Development. Motion: Charles Andres. Second: Christopher Traugh: Unanimous. Abstain: Karyn Gilvarg

2.5 Town of North Haven: Application for Small Cities Community Development Block Grant for ADA improvements to the Town Hall.

By resolution, the RPC recommends that the Department of Community and Economic Development award a grant for ADA improvements to the North Haven Town Hall. The application is consistent with the Regional Plan of Conservation and Development, as it would alleviate the difficulty individuals with disabilities may have in accessing and utilizing the North Haven Town Hall. Motion: Karyn Gilvarg. Second: William Lake: Unanimous.

Motion to add items 2.6 and 2.7 from the Town of Branford and Town of Wallingford to the Regional Planning Commission’s Agenda: Fran Lescovich. Second: Karyn Gilvarg. Vote: Unanimous

2.6 Town of Branford: Application for Small Cities Community Development Block Grant for improvements to the Orchard House Regional Adult Day Center.

By resolution, the RPC recommends that the Department of Community and Economic Development award a grant for improvements at the Orchard House Regional Adult Day Center. The application is consistent with the Regional Plan of Conservation and Development, as the site is served by public transit and provides supportive services to the elderly and disabled population in the Region. Motion: David Anderson. Second: Karyn Gilvarg: Unanimous.

2.7 Town of Wallingford: Application for Small Cities Community Development Block Grant for repairs to moderate-income rental and elderly housing

By resolution, the RPC recommends that the Department of Community and Economic Development award a grant for the repairs to the moderate-income rental and elderly housing in the Town of Wallingford. The application is consistent with the Regional Plan of Conservation and Development, as it promotes housing choice for all incomes and age groups in the Region. Motion: David Anderson. Second: Karyn Gilvarg: Unanimous.

3 Other Business

Motion to Adjourn: Charles Andres. Second: Karyn Gilvarg. Vote: Unanimous.
Referral 2.1: Town of Stratford

Subject: Proposed Zoning Regulation Amendments to Sections 10.1.2, 10.1.3, 10.1.4 of the Stratford Zoning Regulations

Staff Recommendation: The proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal to the Towns in the South Central Region. There do not appear to be negative impacts to the habitat or ecosystem of the Long Island Sound as long as the necessary environmental protection measures for the use are consistent with the recognized industry standards.

Background: A private applicant in the Town of Stratford has proposed Zoning Regulation Amendments to research, development and production facilities for the pharmaceutical products, medical devices and cosmetics in Coastal Industrial District. The additional amendments proposed in 10.1.3 (special case uses) and 10.1.4 (prohibited uses) are for consistency purposes. Currently lab research and development not for chemical or biological purposes is permitted as special case use under subsection 10.1.3.3. The amendment would add a provision that states “except as provided in Sections 10.1.2.7 and 10.1.2.8”. In addition the same provision would be added to subsection 10.1.4.4, which prohibits “chemical or biological labs, wholesale trade or warehousing”. The uses permitted in the Coastal Industrial District are subject to the environmental standards identified in the Section 3.24 of the Stratford Zoning Regulations.

Communication: In researching this proposal, I spoke to the Planning Staff for Stratford and notified the adjacent municipalities in the South Central Region.
March 29, 2011

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

Gentlemen:

The following is referred to your Agency:

Stratford Land Development Company, L.P. proposes to amend Sections 10.1.2, 10.1.3 and 10.1.4 of the Zoning Regulations as described in a letter from Sandak, Hennessey and Greco, LLP dated March 25, 2011.

This application will be heard at a public hearing of the Zoning Commission to be held Tuesday evening, May 17, 2011 at 7:00 P.M. in the Council Chamber, Town Hall.

Regards,

GARY LORENTSON
Planning & Zoning Administrator
ZONING COMMISSION

GL/uj

offering more from forest to shore
March 25, 2011

Gary Lorentson
Department of Planning & Zoning
Town of Stratford
2725 Main Street
Stratford, CT 06615

RE: Stratford Land Development Company, L.P.
Petition to Amend Town of Stratford Zoning Regulations

Dear Mr. Lorentson:

This firm represents the Stratford Land Development Company, L.P. ("SLDC"), owner of property with the improvements thereon located on Lordship Boulevard in Stratford, Connecticut. Pursuant to Section 19 of the Town of Stratford Zoning Regulations ("zoning regulations"), our client herewith petitions the Town of Stratford Zoning Commission to amend the zoning regulations to permit additional uses in the Coastal Industrial District MC. The specifics of the proposed amendments are generally outlined below, and specifically set forth on Schedule A attached hereto and made a part hereof.

By way of background, SLDC owns a 42-acre (East Campus) site currently zoned MC Coastal Industrial. The property was originally part of a 700-acre site formerly zoned Heavy Industrial. In the 1990's, the Town of Stratford rezoned the property to MC, Coastal Industrial. No structures exist on this site, but a general development plan (attached hereto as Schedule B) was approved by the Zoning Commission in 1999 and remains valid. Over the years, various amendments to the MC zone have been approved, including the addition of §10.1.3.14 in 1997 and the adoption of §10.1.2.7 in 2002.

SLDC proposes to modify Section 10.1.2 of the zoning regulations to allow as a permitted use, "research, development and production facilities for pharmaceutical products, medical devices and cosmetics." In addition, other technical modifications to Sections 10.1.3.3, 10.1.4.4 and 10.1.4.13 are also proposed for consistency purposes. (See Schedule A).

The proposed text amendment embodies the goal of the update to the Town Plan of Conservation and Development of 2003, to promote economic vitality by providing jobs, services, revenues and related opportunities. (Plan at p.5). Furthermore, the request responds to the objective of "encourag[ing] a diversity of employment opportunities in order to avoid, to the extent possible, the negative effects of cyclical regional or national economic trends." (Plan p.9). Moreover, workshops on the POCD in April 2003 revealed a desire that Stratford attract new industry, such as high-technology and bio-technology, due to the continuing departure of manufacturing jobs from the town. (Plan p.67).
“Zoning must be sufficiently flexible to meet the demands of increased population and evolutionary changes in such fields as architecture, transportation and redevelopment . . . . The responsibility for meeting these demands rests, under our law, with the reasoned discretion of each municipality acting through its duly authorized zoning commission.” Konigsberg v. Board of Aldermen of the City of New Haven, 283 Conn. 553, 583 (2007).

“The test of a commission’s legislative action is twofold: (1) The zone change must be in accord with a comprehensive plan . . . and (2) it must be reasonably related to the normal police power purposes enumerated in [the city’s enabling legislation] . . .” Konigsberg citing Campion v. Board of Aldermen, 278 Conn. 500, 527 (2006).

When considering an amendment to zoning regulations a Zoning Commission acts in a legislative capacity and is therefore “ . . . free to amend its regulations whenever time, experience and responsible planning for contemporary or future conditions reasonably indicate the need for a change.” Konigsberg v. Board of Aldermen of the City of New Haven, 283 Conn. 553, 582-583 (2007). Moreover, such legislative discretion is wide and liberal. Id.

We look forward to discussing this proposal with you and the Zoning Commission. Kindly advise of the date and time in May 2011 that the Commission will formally receive and preliminarily review the proposed text amendments. We would be happy to meet with any members of any other town boards or commissions in advance of the hearing if you would like a preview discussion.

Thank you for your assistance with this matter.

Very truly yours,

Elizabeth A.B. Suchy

EABS rp
Enclosures
Proposed text changes to Sec. 10.1.2 – In bold, italics and underlined.

10.1.2 Permitted Uses
10.1.2.1. Retail services, agencies or stores conducted indoors.
10.1.2.2. Professional, business offices and financial institutions
10.1.2.3. Wholesale establishments, storage warehousing excluding materials related to prohibited uses.
10.1.2.4. The packaging of beverages, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals and food.
10.1.2.5. The assembling of articles from the following previously prepared materials: bone, cellophane, canvas, cork, feather, felt, fiber, fur, glass, hair, horn, leather, metal, plastic, shell, tobacco and yarns. The assembling of electronic parts and appliances, products and devices. Excluding the assembling of articles that require the storage of materials related to prohibited uses.
10.1.2.6. Indoor Recreation.
10.1.2.7. Laboratory and testing facilities for the diagnosis of oncological, chronic and genetic diseases and pathology laboratories.
10.1.2.8. Research, development and production facilities for pharmaceutical products, medical devices and cosmetics.
10.1.2.9. Any use determined by the Commission to be similar to the above in character.
Proposed text changes to Sec. 10.1.4 – In bold, italics and underlined.

10.1.4 Prohibited Uses
Any use in which the use, handling, storage or disposal of hazardous materials is a
significant activity including but not limited to:
10.1.4.1. Family or commercial laundries, dry cleaning and industrial launderers.
10.1.4.2. Furniture stripping, commercial lawn care business.
10.1.4.3. Golf courses
10.1.4.4. Chemical or biological labs, wholesale trade or warehousing, except as provided
in Sec. 10.1.2.8.
10.1.4.5. Gasoline filling station, motor vehicle service stations, vehicle washing
establishments, electric or gas substation. Car, trailer, truck and farm equipment sales.
Bulk storage of petroleum products.
10.1.4.6. Storage yards - general contractors, excavating or paving contractors.
10.1.4.7. Public utility buildings and storage yards.
10.1.4.8. Automotive services, and electrical repair shops.
10.1.4.9. Textile mill production, lumber and wood production, pulp and paper
manufacturing, printing and publishing. Producing, dyeing, tanning and coating textiles
and apparels.
10.1.4.10. Waste disposal and processing stations, power and nuclear plants and
incinerators.
10.1.4.11. Recycling processing facility.
10.1.4.13. Manufacturing and processing of goods and materials, except as provided in
Sec. 10.1.2.8
10.1.4.15. Live poultry market or poultry market where killing or picking is done on the
premises.
10.1.4.16. Any use determined by the Commission to be similar to the above in character.
10.1.3 Special Case Uses
10.1.3.1. Restaurants or other food service establishments.
10.1.3.2. Hotels and motels.
10.1.3.3. Lab research and development not for chemical or biological purposes, "except as provided in Sections 10.1.2.7 and 10.1.2.8."

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With revisions to June 1, 2006
10.1.3.4. Convention centers, assembly halls, dance halls, billiard parlors, bowling alleys, theaters, churches and fraternal halls, radio and t.v. stations.
10.1.3.5. Educational facilities, hospitals, library, municipal buildings and museums.
10.1.3.6. Mining, sand and gravel excavation.
10.1.3.7. Farming, forest or wildlife reservation or park.
10.1.3.8. Public parks, playgrounds or recreational areas.
10.1.3.9. Undertaker establishments.
10.1.3.10. Veterinarian and commercial kennels.
10.1.3.11. Ice plant, bottling works or milk distributor.
10.1.3.12. Marina and marina related services including marine service repair.
10.1.3.13. Any use determined by the commission to be similar to the above in character.
10.1.3.14. Planned Economic Development (Effective 9/16/97)
10.1.3.14.1 Purpose - In addition to accomplishing the purposes set forth in Section 10.1.1 hereof,
this Sub-Section is intended to accomplish the following:
(1) To encourage industrial, distribution, commercial and executive business operations grouped together in integrated development of sufficient size to meet high standards of design.
(2) To provide design flexibility in the implementation of such developments and their control through a series of review procedures and the establishment of specific building and development standards.
(3) To promote the most desirable uses of land in accordance with an approved General Development Plan (.GDP.) designed to coordinate industrial, warehousing, office and commercial growth in its relation to its surroundings.
(4) To encourage the establishment of important and lasting employment centers and to broaden the tax base of the Town.
(5) To recognize that a necessary incentive to attract the large-scale, advance private investment in land and infrastructure for a planned economic development.

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which may be implemented over a period measured in decades is an early public commitment to the acceptability of the concept embodied in the proposed GDP.
9.1.6. Public utility buildings, including enclosed storage yards.

9.1.7. Dairy and bottling works.

9.1.8. Retail lumber and building material yards and contractors' equipment storage.

9.1.9. Stone and monument works.

9.1.10. Accessory uses customarily incidental to a permitted use.

9.2 Required lot area, width, yards, coverage, height

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<td>100</td>
<td>30 (A)</td>
<td>16</td>
<td>30</td>
<td>50</td>
<td>35</td>
<td>80 (B)</td>
<td>20 (B)</td>
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A) The first half of the minimum required front yard shall consist of non-impervious surfaces and shall be landscaped with trees, shrubs, lawns, or suitable ground cover. Provision shall be made for walkways and driveways necessary for operation.

B) The minimum open space and the maximum impervious area requirements shall be adhered to prior to any increase or alteration of impervious area, floor area and building area square footage.

9.3. In CC Districts one side yard of each lot may be omitted and buildings may be built to the common lot line, providing that the party or other walls separating them are of masonry construction with no doors, windows or openings and with a two foot parapet. Except in the case of a building on the lot line no side yard may be less than as prescribed in this section.

SECTION 10. COASTAL AND LIGHT INDUSTRIAL DISTRICTS, MC, MA

10.1 Coastal Industrial District:

Land, buildings and other structures used for one or more of the following purposes shall be subject to the environmental protection standards of Section 3.24.
10.1.1. Purpose

This district recognizes that there are areas of the Town of Stratford which border on existing industrial areas yet are areas subject to frequent, occasional, periodic or potential flooding or contain or border on sensitive coastal resources or open water, estuarine embayments or coastal flood hazard areas. The intent and purpose of this regulation is to place stricter limitations on the development and use of land in those areas necessary to preserve and protect these sensitive coastal resources while reducing hazards to life and property as outlined in the CT Coastal Management Act. This transitional district which allows less intensive development than existing industrial districts yet recognizes the environmental sensitivity of the area should help achieve these objectives.

10.1.2 Permitted Uses

10.1.2.1. Retail services, agencies or stores conducted indoors.

10.1.2.2. Professional, business offices and financial institutions

10.1.2.3. Wholesale establishments, storage warehousing excluding materials related to prohibited uses.

10.1.2.4. The packaging of beverages, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals and food.

10.1.2.5. The assembling of articles from the following previously prepared materials: bone, cellophane, canvas, cork, feather, felt, fiber, fur, glass, hair, horn, leather, metal, plastic, shell, tobacco and yarns. The assembling of electronic parts and appliances, products and devices. Excluding the assembling of articles that require the storage of materials related to prohibited uses.

10.1.2.6. Indoor Recreation.

10.1.2.7. Laboratory and testing facilities for the diagnosis of oncological, chronic and genetic diseases and pathology laboratories.

10.1.2.8. Any use determined by the Commission to be similar to the above in character.

10.1.3 Special Case Uses

10.1.3.1. Restaurants or other food service establishments.

10.1.3.2. Hotels and motels.

10.1.3.3. Lab research and development not for chemical or biological purposes.
10.1.3.4. Convention centers, assembly halls, dance halls, billiard parlors, bowling alleys, theaters, churches and fraternal halls, radio and t.v. stations.

10.1.3.5. Educational facilities, hospitals, library, municipal buildings and museums.

10.1.3.6. Mining, sand and gravel excavation.

10.1.3.7. Farming, forest or wildlife reservation or park.

10.1.3.8. Public parks, playgrounds or recreational areas.

10.1.3.9. Undertaker establishments.

10.1.3.10. Veterinarian and commercial kennels.

10.1.3.11. Ice plant, bottling works or milk distributor.

10.1.3.12. Marina and marina related services including marine service repair.

10.1.3.13. Any use determined by the commission to be similar to the above in character.

10.1.3.14. Planned Economic Development (Effective 9/16/97)

10.1.3.14.1 Purpose - In addition to accomplishing the purposes set forth in Section 10.1.1 hereof, this Sub-Section is intended to accomplish the following:

   (1) To encourage industrial, distribution, commercial and executive business operations grouped together in integrated development of sufficient size to meet high standards of design.

   (2) To provide design flexibility in the implementation of such developments and their control through a series of review procedures and the establishment of specific building and development standards.

   (3) To promote the most desirable uses of land in accordance with an approved General Development Plan ("GDP") designed to coordinate industrial, warehousing, office and commercial growth in its relation to its surroundings.

   (4) To encourage the establishment of important and lasting employment centers and to broaden the tax base of the Town.

   (5) To recognize that a necessary incentive to attract the large-scale, advance private investment in land and infrastructure for a planned economic development

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which may be implemented over a period measured in decades is an early public
commitment to the acceptability of the concept embodied in the proposed GDP.

10.1.3.14.2 Definitions

10.1.3.14.2.1 Planned Economic Development ("PED") - An integrated development
under one sponsorship in accordance with a General Development Plan ("GDP") as set
forth in Section 10.1.3.14.3 hereof, on a tract containing at least 30 acres with one or
more buildings, each containing one or more of the uses permitted under Sub-Section
10.1.2 and Sub-section 10.1.3 of regulations.

10.1.3.14.2.2 Tract. Any parcel of land that contains at least (30) acres and is owned
by, or is subject to, contractual rights or is controlled (i.e., options, etc.) by one (1)
person, firm, corporation, association, business entity (partnership, LLC, LLP, etc.) or
venture. In the case of any parcels of land within a tract that are separated by a public or
private street, a railroad, or public open spaces, but which parcels are owned or controlled
as aforesaid, and such parcels demonstrate sufficient adjacency and interrelationship to
each other to support a comprehensive development under the PED as defined
in 10.1.3.14.2.1 then such parcels of land shall be deemed and construed to constitute one
(1) tract, notwithstanding that said tract is comprised of two (2) or more lots, plots or
parcels of land as shown on the Tax Assessment Map of the Town of Stratford.

10.1.3.14.2.3 Tract Area. The gross horizontal area contained within the outermost
property lines of the tract, including easements, right of ways and any area proposed to be
offered for any public use or purpose but excluding any existing public streets abutting or
crossing said tract as well as all public open spaces and all areas covered by waterbodies,
watercourse tidal wetlands and/or freshwater inland wetlands as defined in Chapter 440
of the Connecticut General Statutes.

10.1.3.14.3 General Development Plan ("GDP")

10.1.3.14.3.1 Submittal Requirements. An application for approval of a GDP for a
PED shall include:

a. A Topographic Map of the entire tract showing all tidal wetlands and/or
freshwater wetlands as defined in Chapter 440 of the Connecticut General Statutes and
all coastal resources within the tract and within 100 feet thereof.

b. A Conceptual Plan for the overall development scheme within a PED
which identifies the Proposed uses, improvements, infrastructure, intensity of
development, parking areas, open space and the traffic and circulation system to be
located in the PED.

c. A written Planned Statement containing appropriate legal evidence
that the entire site is owned by or under effective control of the applicant describing
various aspects of the plan, including any proposed phasing of development activities.

With revisions to June 1, 2006
d. A Compliance Chart of appropriate data demonstrating compliance with all requirements of these regulations.

e. The Zoning Commission may waive any submission requirements under Sub-Section 20.2.2.1 and 20.2.2.2 that may be inapplicable due to the conceptual nature of the GDP.

10.1.3.14.3.2 Additional General Development Plan Standards

(a) The intensity of development for the entire GDP shall not exceed a floor area ratio (FAR) of thirty-five hundredths (0.35).

(b) The FAR on any parcel within the GDP may be greater than 0.35 provided that the FAR for the entire GDP does not exceed 0.35; and provided further that the proposed development complies with the height, impervious coverage, parking and all other applicable requirements.

(c) The minimum distance between buildings shall be not less than thirty (30) feet.

(d) Where applicable, the location of all buildings within the GDP shall comply with the setback requirements of Section 3.14 of these regulations. Where the said regulations do not apply, no building shall be nearer than fifty (50) feet to any public street or boundary line of the tract and no parking area within such setback area shall be nearer than twenty-five (25) feet to any public street existing at the time of the approval of the GDP or to any new street within the GDP that is proposed to be dedicated to the Town.

(e) The aggregate development within the PED shall conform to the following standards as a percentage of the tract area of the entire PED:

- Maximum Building Coverage 30%
- Maximum Impervious Area 70%
- Minimum Open Space Area 30%

(f) In a planned Economic Development, one goal is to have open space which shall be of such condition, location(s), size and shape as to be readily usable for conservation, park, or recreation purposes by the occupants of the PED. Where possible, efforts should be made to
encourage linkage for pedestrian and bicycle access from adjacent areas and to encourage public access and interaction with any adjacent park or recreational areas.

10.1.3.14.3.3 Effect of Approval of the Planned Economic Development

(a) Approval of the GDP shall be deemed to have designated the area encompassed thereon as a Planned Economic Development (PED). Such designation shall not be affected by the subsequent sale, leasing or mortgaging of any portion of the PED.

(b) Approval of the GDP shall not be deemed to approve any specific individual use that may be shown thereon. All individual uses will require either site plan and/or special case approval depending on the specific use.

(c) A PED shall be exempt from the time limit requirement set forth in Sub-Section 20.3 of these regulations.

(d) Any site plan for a specific parcel within the PED which complies with all GDP standards shall be exempt from the front yard, side yard, rear yard, building coverage, impervious area and open space requirements of Section 10.1.5.

10.1.3.14.4 Site Plan

10.1.3.14.4.1 Submittal Requirements. An application for approval of a site plan (SP) for a specific parcel shall include a plan which sets out in detail the proposed use, construction, landscaping, engineering and site development proposed for such parcel as well as any other information that the Zoning Commission may request as being necessary for a proper review of the application including but not limited to the following:

(a) Existing Conditions Plan showing building footprints, parking and loading areas, utilities, streets and driveways.

(b) Site Development Plan showing proposed regrading, building footprints, parking and loading areas, streets and driveways.

(c) Utility Plan indicating how all utility needs (including storm drainage, sewage disposal and water supply facilities) will be met. All utilities shall be installed underground.

(d) Preliminary Architectural Plans, including floor plans, sections and exterior elevations, roof lines, facade materials and other features of the proposed buildings or structures.

(e) Open Space and Parking Areas Management Plan.
(f) Landscape Plan.

10. 1.3.14.4.2 Site Plan Standards. No application for approval of a SP shall be granted until the Zoning Commission has made the following findings:

(a) That the SP is consistent with all GDP standards.

(b) That the SP complies with all requirements set forth in Section 3.1.1 and 3.14 and all other requirements of these regulations.

(c) That, if the SP is for a use requiring special case approval, a special case application has been submitted to the Zoning Commission for such approval under Section 20 of these regulations.

(d) That, except as set forth below, no building exceeds a height of forty (40) feet or two (2) stories. If, considered in the context of the GDP, the Zoning Commission, in Administrative Session, finds that the further protection and enhancement of the environment can be accomplished by permitting an increase in the height of any building, the maximum permitted height in each case may be increased to four (4) stories, not to exceed sixty (60) feet provided that (a) the aggregate maximum floor area ratio of 0.35 for the entire GDP is not exceeded thereby; (b) the minimum required setbacks shall be increased as provided in Sub-Section 10.1.5c of these regulations; and (c) such increase in height will be in conformity with all applicable airport zoning regulations.

(e) Off-street parking and loading shall be as provided in Section 12 of these regulations.

10.1.4 Prohibited Uses

Any use in which the use, handling, storage or disposal of hazardous materials is a significant activity including but not limited to:

10.1.4.1. Family or commercial laundries, dry cleaning and industrial launderers.

10.1.4.2. Furniture stripping, commercial lawn care business.

10.1.4.3. Golf courses

10.1.4.4. Chemical or biological labs, wholesale trade or warehousing.

With revisions to June 1, 2006
10.1.4.5. Gasoline filling station, motor vehicle service stations, vehicle washing establishments, electric or gas substation. Car, trailer, truck and farm equipment sales. Bulk storage of petroleum products.

10.1.4.6. Storage yards - general contractors, excavating or paving contractors.

10.1.4.7. Public utility buildings and storage yards.

10.1.4.8. Automotive services, and electrical repair shops.


10.1.4.10. Waste disposal and processing stations, power and nuclear plants and incinerators.

10.1.4.11. Recycling processing facility.


10.1.4.13. Manufacturing and processing of goods and materials.


10.1.4.15. Live poultry market or poultry market where killing or picking is done on the premises.

10.1.4.16. Any use determined by the Commission to be similar to the above in character.

**10.1.5 Standards**

MC (Coastal Industrial District)

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<th>Description</th>
<th>Requirement</th>
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<tr>
<td>Min. Lot Area</td>
<td>20,000 sq.ft.</td>
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<td>Lot shape</td>
<td>A square 100x100 to fit on lot</td>
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<td>Min. Lot Width</td>
<td>100 ft.</td>
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<td>Min. Lot Depth</td>
<td>125 ft.</td>
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<td>Min. Front Yard</td>
<td>25 ft. (a)</td>
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<tr>
<td>Min. Side Yard</td>
<td>15 ft. (a, b)</td>
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<tr>
<td>Min. Rear Yard</td>
<td>35 ft. (a, b)</td>
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<tr>
<td>Max. Bldg. Height</td>
<td>40 ft. or 2 stories (c)</td>
</tr>
<tr>
<td>Max. Bldg. Coverage</td>
<td>30% of lot area</td>
</tr>
<tr>
<td>Max. Impervious Area</td>
<td>70% of lot area (d)</td>
</tr>
<tr>
<td>Min. Open Space</td>
<td>25% of lot area (d)</td>
</tr>
</tbody>
</table>

*With revisions to June 1, 2006*
a. The first 15 feet of the front yard and 5 feet of the side and rear yard shall consist of non-impervious surfaces and shall be landscaped with trees, shrubs and lawns. Provision shall be made for walkways and driveways necessary for the operation.

b. Add 15 feet to the minimum requirements when adjacent to residential property.

c. Any building or other structure, or portion thereof, exceeding a height of thirty feet shall be setback one foot, in addition to the applicable minimum setback requirement, for each foot or fraction thereof by which such building or portion thereof exceeds thirty feet of height.

d. The minimum open space and the maximum impervious area requirements shall be adhered to prior to any increase or alteration of impervious area, floor area and building area square footage.

e. These districts are all within environmentally sensitive areas therefore, in addition to the standard application requirements the applicant shall submit the following information:

1) A soils survey, done by a soils scientist - stamped and signed with a live signature, showing soil types and boundaries including a written description of their classifications.

2) A calculation of predevelopment and post development storm water runoff showing a zero percent increase in volume and rate of runoff. (Effective 6/19/91)

10.2 Light Industrial Districts, MA

10.2.1 Uses Permitted

10.2.1.1. Any use permitted in RS, RM, LB, CA, CF, CC Districts and subject to all provisions of subsection 4.1, 5.1, 6.1, 7.1, and 9.1 except that no building or premises shall be used for human habitation other than the dwelling of a proprietor or caretaker or as provided by Section 6.1.12.

10.2.1.2. The following uses if carried on wholly within a building.

10.2.1.2.1. The manufacture, compounding, processing, packaging or treatment of beverages, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, toilet supplies and food or similar products.

10.2.1.2.2. The assembling or treatment of articles from the following previously prepared materials: Bone, cellophane, canvas, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, plastics, precious metals or stores, shell, textiles, tobacco, wood, yarns.
Referral 2.2: Town of Madison

Subject: Proposed Zone Boundary Change Amendment to rezone a residence R-2 district to a Commercial Zone

Staff Recommendation: The proposed Zone Boundary Change Application does not appear to cause any negative inter-municipal impact to the Town's in the South Central Region. There may be adverse impacts to the habitat or ecosystem of the Long Island Sound due to the potential increase in the intensity of development permitted on the site with the zone change from a Residence District to a Commercial District.

Background: A private applicant in the Town of Madison has submitted proposed a Zone Boundary Change application to rezone a residence R-2 district to a Commercial Zone. The parcel is adjacent to the East river and is surrounded by Madison Land Conservation Trust property. The only access to the site would be through the East River; north of the Madison Land Conservation Trust property is a Commercial Zone. The specific location can be reviewed in the maps in the agenda packet.

Communication: In researching this proposal, I spoke to the Planning Staff for Madison and notified the adjacent municipalities in the South Central Region.
TOWN OF MADISON
CONNECTICUT
LAND USE OFFICE

8 CAMPUS DRIVE
MADISON, CONNECTICUT 06443-2563
(203) 245-5632
FAX (203) 245-5613

April 12, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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

RE: P&Z Application. 11-11 CSP. 4 Boston Post Road. Map 44, Portion of Lot 47. Owner: Yarde Realty Company; Applicant: Michael Barnes. Petition for Zone Boundary Change from Residence R-2 to Commercial Zone for 23,650 sq. ft. parcel south of map 44, lot 44 and previously identified as part of map 44, lot 47.

To Whom It May Concern:

Pursuant to the Connecticut General Statutes, you are hereby notified of the pendency of the above referenced application for a zone boundary change.

This application is scheduled to be heard by the Madison Planning and Zoning Commission on Thursday, May 19, 2011, at 8:00 P.M., in Room A, Madison Town Hall, 8 Campus Drive, Madison, Connecticut.

Enclosed is a copy of the application.

We look forward to your comments after your review.

Sincerely,

Mary R. Haburay
Land Use Assistant

Enclosures
RPC Referral Submission Form

South Central CT Regional Planning Commission

1.) General Information:

   Date Sent: 4/12/11

   Subject: Zone Boundary Change

   Applicant Name: Yarde Realty Company

   Property Address (if applicable): 4 Boston Past Road

   Town/City: Madison

   Referral is from a private individual
   ✗ Referral is from the Town/City Planning Department or the P & Z Commission

   Public Hearing Date: May 19, 2011

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: Zone Boundary Change

3.) Process:

   ✗ Material sent “Return Receipt Requested” (as required by law)
   □ Information on proposed change included
   □ Existing language included (if applicable)

4.) Preferred contact regarding this RPC referral:

   Name: Marilyn Ozols, Planning & Zoning Administrator

   Telephone Number: 203-245-5632

   E-mail Address: ozols.mma.madison.ct.org

Comments: ________________________________

---
Questions: (203) 234-7555
South Central Regional Council of Governments | http://www.ssrcog.org
MADISON PLANNING & ZONING COMMISSION

TOWN OF MADISON
Land Use Office, 8 Campus Drive, Madison, CT 06443
203 245-5632

☐ PETITION FOR REGULATION AMENDMENT
☐ PETITION FOR ZONE BOUNDARY CHANGE

(FOR OFFICE USE ONLY)

Appl. No. 11-11
Date Filed 3-31-11
Fee Paid $500.00
DEP Fee $65.00
Unique ID 002640000
Date of Receipt 4-26-11

FILE

1. LAND LOCATION AND DESCRIPTION (for Zone Boundary Change Petitions):
   a. Street Address: 4 Boston Post Road - Rear Lot
   b. Map: 44 Lot: TBD Zoning District: R-2 Total Acreage: 0.54 Acres

2. TITLE OF PROJECT: Zone Boundary Change Petition - Land of Yarde Realty Company at East River, Madison, CT

3. PETITIONER:
   a. Name: Michael Barnes
   b. Mailing address: P.O.Box 222, Clinton CT. 06413
   c. Phone: 860-304-0125 Fax: 860-434-1105
   d. If corporation, list names and addresses of officers:

4. RECORD OWNER (for Zone Boundary Change Petitions):
   a. Name: Yarde Realty Company
   b. Mailing Address: P.O.Box 1800, Bristol, CT 06011
   c. Phone: 860-304-0125 Fax: email: info@GoEcoWash.com

5. DESIGNATED CONTACT:
   a. Name: Michael Barnes
   b. Mailing Address: PO Box 222, Clinton CT
   c. Phone: 860-304-0125 Fax: email: MichaelBarnes@GoEcoWash.com

6. PROFESSIONAL ENGINEER:
   a. Name: Fedus Engineering
   b. Mailing Address: 897 Boston Post Rd - Madison CT
   c. Phone: 860-536-7390 Fax: email:

7. LICENSED LAND SURVEYOR:
   a. Name: Arthur E. Barden - Barden Survey, LLC
   b. Mailing Address: 128 Boone Circle, Westbrook, CT 06498
   c. Phone: 860-399-6767 Fax: 860-399-7584 email:
8. LICENSED ARCHITECT:
   a. Name: Matt Williams
   b. Mailing Address: 897 Boston Post Rd · Madison CT
   c. Phone: (203) 245-3283 Fax: email:

9. LANDSCAPE ARCHITECT / LANDSCAPER:
   a. Name: N/A
   b. Mailing Address: 
   c. Phone: Fax: email:

10. ATTORNEY:
    a. Name: Thomas E. Cronan, Cronan and Sweeney, LLC
    b. Mailing Address: 1291 Boston Post Road, Suite 201, Madison, CT 06443
    c. Phone: 203-245-0332 Fax: 203-245-7021 email: TCronan@Cronanandsweeney.com

11. This Petition requests an amendment to the Zoning Map or to boundaries of certain Zoning Districts, and there is attached:
    □ A map clearly indicating the area to be reclassified and specifying the present classification and proposed new classification with existing and proposed boundaries;
    □ A list, keyed to the map, of the names and addresses of the record owners of land within, and within 500 feet outside, the area to be affected by such reclassification;
    □ Area computations, be record owner, for all parcels or portions of parcels within, and within 500 feet outside, the area to be affected by such reclassification;
    □ A complete written description by metes and bounds or courses and distances, of the location of any new District boundary or boundaries proposed.

AND/OR

12. This Petition requests an amendment to the text of the Regulations and there is attached:
    □ A full text of the proposed change in the Regulations, clearly indicating existing provisions to be repealed and new provisions to be enacted.

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

14. COASTAL BOUNDARY. Petitions affecting land partially or fully within the Madison Municipal Coastal Boundary must be referred to CT DEP Office of Long Island Sound Programs.
    Site □ is □ is not within the Coastal Boundary.

15. ADJOINING MUNICIPALITIES. Petitions affecting sites within 500 feet of, or affecting, an adjacent municipality require notification to that municipality and to the regional planning agency.
    □ Site is within 500 feet of an adjoining municipality.
    □ Site is not within 500 feet and will not impact any adjacent municipality.
16. WATER COMPANY NOTIFICATION. The applicant must provide written notice to the affected water company and to the CT Department of Public Health when any petition affects an aquifer protection area or watershed of that water company.

☐ Project is not within an aquifer protection area or watershed of a water company.
☐ Project is within an identified Level A Aquifer Protection Area or a water company watershed and that company and the CT DPH have been notified.

20. CONSERVATION COMMISSION INFORMATION.

a. Is the property enrolled in any local or state forest, open space or farm tax abatement program? ☐ yes ☐ no. If yes, then please describe:

b. Have any prior proposals and/or applications been submitted for this site? ☐ yes ☐ no. If yes, please describe (attach additional sheets if necessary).

c. Identify all known dedicated or managed open space (e.g., Madison Land Conservation Trust, Subdivision Open Space), and any conservation easements (e.g., Madison Land Conservation Trust, Nature Conservancy) and indicate locations on the Plan(s).

The Madison Land Conservation Trust owns land adjacent to the subject parcel.

d. WATERSHED. Identify by name and number the Subregional Drainage Basin in which the property is located and indicate the boundaries on the Plan(s).

5108-00 (Boundary maps are available for viewing in the Land Use Office or on the CT ECO website, www.cteco.uconn.edu/index.htm.)

e. UNIQUE HABITATS/SPECIAL AREAS. Site ☐ has ☐ does not have Unique Habitats or Special Areas as identified by DEP and/or the Town of Madison Plan of Conservation and Development. (DEP information available at CT ECO website, www.cteco.uconn.edu/index.htm. If yes, provide details and indicate the location on the Plan(s).

f. HISTORIC RESOURCES. Does the property contain any of the following? Check all that apply.

☐ Archaeologically significant sites ☐ Stone walls
☐ Historically significant sites (e.g., iron works, mill sites)

Locate on the Plan(s) and describe in the space below. For information on archaeological sites, contact the Office of State Archaeology (State Archaeologist Nicholas Bellantoni, phone 860-486-5248, email nicholas.bellantoni@uconn.edu).
g. RECREATIONAL RESOURCES. Does the property contain, or is it adjacent to, any of following? Check all that apply.

☐ Maintained trails

☒ Recreational areas

☐ Other: The property has direct access to and fronts on the East River.

Locate on the Plan(s) and describe in the space below. (Information may be obtained from the Madison Land Conservation Trust, the Regional Water Authority, the Madison Recreation Department, the Madison Plan of Conservation and Development.)

h. SCENIC RESOURCES. Does the property contain any scenic vistas, scenic areas, or scenic roads? ☐ yes ☒ no. If yes, locate on the Plan(s) and describe in the space below.

i. Attach any additional information which may be helpful to the Commission's review.

17. SIGNATURES REQUIRED ON THIS APPLICATION. The following is the legal agreement regarding this petition which must be signed by the applicant and by all property owners of property for which a zone boundary change is petitioned.

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

PETITIONER(S)

[Signature]

Michael Barnes 3/24/2011

print name

date

signature

print name

date

OWNER(S)

[Signature]

Michael Barnes 3/24/2011

print name

date

signature

print name

date
PROPOSED NEW COMMERCIAL ZONE
BOUNDARY DESCRIPTION

LEGAL DESCRIPTION FOR YARDE REALTY
COMPANY PROPERTY LYING SOUTHERLY OF
#4 BOSTON POST ROAD AND FORMER SHORE-
LINE RAILWAY R/W - BEING SECOND PARCEL IN
DEED VOL.987 PAGES 239-240 DATED 09-05-2001
RECORDED 09-28-2001

A CERTAIN PIECE OR PARCEL OF LAND LOCATED AT
THE MADISON/GUILFORD TOWN LINE ON THE EASTERLY
SIDE OF THE EAST RIVER AND THE SOUTHERLY SIDE OF
THE FORMER SHORE LINE ELECTRIC RAILWAY, IN THE
TOWN OF MADISON, COUNTY OF NEW HAVEN AND STATE
OF CONNECTICUT, CONTAINING 23,650 +/- SQ. FT. = 0.54 +/-
ACRE, AS SHOWN ON A MAP ENTITLED; “PROPERTY
SURVEY & TOPOGRAPHY SURVEY – FOR SECOND PARCEL
– PORTION OF LAND OF – YARDE REALTY COMPANY –
LYING SOUTHERLY OF FORMER SHORELINE RAILWAY
R/W – ON THE EASTERLY SIDE OF THE EAST RIVER –
MADISON, CONNECTICUT” SCALE: 1″ = 30’ DATED APRIL 1,
2001 REVISED APRIL 23, 2008 BY BARDEN SURVEY LLC –
ARTHUR E. BARDEN L.S.10038 ON FILE AS MAP #5032, TO
WHICH MAP REFERENCE IS HEREBY MADE AND MAY BE
HAD FOR A MORE PARTICULAR DESCRIPTION AND
LOCATION OF SAID PREMISES, BOUNDED AND DESCRIBED
AS FOLLOWS:

BEGINNING AT A POINT MARKING THE NORTHWEST-
ERLY CORNER OF THE HEREIN DESCRIBED PARCEL,
ALSO MARKING THE EASTERLY EDGE OF THE EAST
RIVER WITH THE SOUTHERLY SIDE OF THE FORMER
SHORE LINE ELECTRIC RAILWAY R/W – N/F JONATHAN’S
LANDING ASSOCIATION, INC.;
THENCE RUNNING THE FOLLOWING TWO (2) COURSES ALONG SAID FORMER RAILWAY R/W – N/F JONATHAN’S LANDING ASSOCIATION, INC.:
SOUTH 78°- 29'- 16" EAST 17 +/- FEET,
ON A CURVE TO THE LEFT HAVING A RADIUS OF 2,889.93 FEET AND AN ARC LENGTH OF 278.71 FEET, BOTH COURSES HAVING A COMBINED LENGTH OF 295.71 +/- FEET;

THENCE RUNNING IN A SOUTHWESTERLY DIRECTION ALONG LAND N/F MADISON LAND CONSERVATION TRUST, INC. MARKED BY THE EDGE OF A TIDAL CREEK, A DISTANCE OF 210 +/- FEET TO THE EASTERLY EDGE OF THE EAST RIVER, SAID COURSE HAVING A TIE LINE OF SOUTH 49°- 55’ – 21” WEST 192.42 FEET;

THENCE RUNNING NORTHWESTERLY ALONG THE EASTERLY EDGE OF THE EAST RIVER 225 +/- FEET, SAID COURSE HAVING A TIE LINE OF NORTH 40°- 28’- 41” WEST 223.04 FEET, TO THE POINT AND PLACE OF BEGINNING, SAID PARCEL BEING TRIANGULAR IN SHAPE.
Referral 2.3: Town of Orange

Subject: Proposed Zoning Regulations Amendments pertaining to Active Adult Community regulations

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 Orange has submitted proposed Zoning Regulation Amendments pertaining to Active Adult Community Regulations. In subsection 1.4 the parking facility would need to be in accordance with the Institute of Traffic Engineers (ITE) Parking Generation Manual, Code 495 under “Recreational community Center”. The minimum rate of spaces per 1,000 s.f has been reduced to 3.1 from 6.5 and would be exclusive of basements. Any additional parking would be provided under the appropriate section of the ITE Parking Manual. Under section J (Building Standards) the amount of conditioned space has been increased from 3,400 s.f to 4,000 s.f. Several additional amendments have been proposed under section J the detail can be reviewed in the agenda pack. A brief overview of the amendments include increasing the length of the building to 145 feet, increasing the amount of dwelling units in a any single building to 4 and slight setback reductions from the edge of the curb of the line of the internal roads.

Communication: In researching this proposal, I spoke to the Planning Staff for Orange and notified the adjacent municipalities in the South Central Region.
Mr. Carl Amento, Executive Director  
Council of Governments  
127 Washington Avenue  
4th Floor - West  
North Haven, CT 06473-1715

REFERRAL OF PETITION TO AMEND  
THE ORANGE ZONING REGULATIONS  
Submitted by Sunrise Hill Estates LLC of Branford, CT  
To amend regulations concerning Active Adult Community regulations (AAC).

Dear Mr. Amento:

In accordance with the Connecticut General Statutes, enclosed for your review are proposed changes to the Orange Zoning Regulations. I have enclosed existing and proposed regulations. A public hearing on this matter is tentatively scheduled for June 7, 2011.

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

Very truly yours,

Paul Dinice, Zoning Administrator  
& Enforcement Officer

enclosures (2)  
cc: TPZC Members  
V. Marino, Esq.  
J. Zeoli, First Selectman  
B. Miller, Consultant Planner
Red Lined Proposed Regulation Changes 4-15-11

Add under §383-27 Special Uses.
N. Active Adult Community (AAC) in accordance with §383-143.4

Add under ARTICLE XIV Special Uses
§383-143.4 Special standards for Active Adult Community (AAC) Age restricted
housing and associated uses and features in the Residential RES District

The development of age restricted, private residential dwellings as provided for in §383-27
Special Uses shall conform to the following additional standards:

A. Occupancy:
An AAC is developed to provide a variety of housing opportunities for
individuals and family units where at least one member of the family is
aged 55 or older in accordance with Federal Fair Housing Statutes and
Guidelines. Occupancy is subject the following conditions and exceptions:
(1) A single household member may also be under age 55 if he/she is the
surviving spouse of a previously qualifying occupant.
(2) A single household member may also be under age 55 if he/she is a
divorced of a previously qualifying occupant.
(3) A household member may also be under age 55 if he/she is the non-
spousal primary caregiver to a qualifying occupant.
(4) No children under the age of twenty-one years shall be permitted to reside in
any dwelling, except by hardship exception granted by the Board of Directors
or other governing body of the community. Such hardship exception shall be
granted only for children of an existing occupant, provided that visitor
occupants any ages shall be permitted to visit for up to four (4) weeks of any
calendar year. The restrictive language in the governing documents and in
the restrictive covenant shall be approved by the town counsel and shall not be
subject to revocation. In the event the Board of Directors or other governing
body of the “housing facility community” shall grant a hardship exception, a
copy of the application for the exception and of the Board’s decision thereon
shall be forwarded to the Orange Planning & Zoning Commission within
thirty (30) days after such decision is made.
(5) The Community Board/Association of the AAC shall be vested with the
powers set forth in the declaration documents and further have the power
and authority to enforce the rules and regulations contained herein as well
as grant temporary exceptions as circumstances may warrant.

B. Site Size:
The parcel size and project development area for an AAC shall contain a
gross measurement of no less than 35 acres, and no larger than 50 acres.

C. Street Location:
The AAC site must have a minimum of unbroken frontage, except for
driveways, of 1475 feet on CT. Rt. 121 (Grassy Hill Road) AND a
minimum of unbroken frontage, except for driveways, of 1775 feet on CT.
Rt. 34 (Derby Turnpike).

RECEIVED APR 18 2011
D. Sanitary sewers and public water:
   The AAC site will only be considered if the proposed dwellings will be
   connected to public sanitary sewers and if the proposed dwellings will be
   connected to public drinking water system.

E. Allowed Uses:
   (1) Single family detached and single family attached residential dwellings at
       a density of no more than 3.75 dwelling units per net acre (gross acreage,
       less existing, naturally formed wetlands).
   (2) Community Facilities such as community buildings and recreational
       amenities.

F. Development Limitations:
   In order to allow for the orderly provision of municipal services and so as
   to not overburden the infrastructure capacity of the town, the maximum
   number of dwelling units to be approved on any site is limited by;
   (1) Floor Area Ratio standards
   (2) Net acre density provision (§383-27.N.5a noted above)
   (3) A maximum of 150 units may be permitted in any one qualifying
       development.
   (4) Any AAC development containing 30 or more dwellings shall include a
       community building or room adequately sized to accommodate general
       use of the residents.

G. Height, Area and Bulk standards:
   (1) No building shall exceed an average height of 35 feet, or two and one-half
       stories.
   (2) Impervious site coverage shall not exceed 60% of the project area (Gross
       area, less existing, naturally formed wetlands).
   (3) Maximum building coverage shall not exceed 15% of the project area
       (Gross area, less existing, naturally formed wetlands).
   (4) Maximum Building Floor Area Ratio (F.A.R.) shall not exceed 0.30 (or
       30%) of the project area (Gross area, less existing, naturally formed
       wetlands).

H. Buffers and Setbacks:
   (1) Except as provided for herein, all Residential buildings, garages,
       community service facilities and accessory uses shall meet a minimum
       building setback of 50 feet from all property lines.
   (2) All Residential buildings, garages, community service facilities and
       accessory uses when abutting a residential adjoiner with existing homes,
       shall meet a setback of 75 feet, with a thirty five foot landscaped buffer.
       This landscape buffer may be a naturalized mix of evergreen and
       deciduous trees and shrubs.
   (3) Gates, guardhouses and similar type structures may be constructed within
       thirty (30) feet of any street line and fifteen (15) feet from any other
       property line.
1. Parking and Site Circulation Standards:

   Except as otherwise delineate in this section, parking space design and
   arrangement shall meet the criteria of §383-177-183 inclusive.

   (1) Parking shall be provided at a rate of 2.0 spaces per dwelling unit. Garage
   spaces, dedicated driveway spaces measuring a minimum 8.5'x18' and
   surface parking spaces measuring a minimum of 9'x18' may be utilized
   for the purpose of meeting this requirement.

   (2) Vehicle Circulation shall be provided in any number or combination of the
   following private roads and/or drives:

      a. Internal Roads: Internal roads are primary vehicular
         corridors, which collect driveways/alleys/mews and
         outlet onto Public Roads. These must be paved to a
         minimum width of 20 feet for two way traffic, or 18 feet
         for one way traffic.

      b. Private Drives or Mews: Private Drives or Mews are semi-
         private service driveways or alley-like drives which serve
         three or more homes/garages and/or community facilities
         and must be paved to a minimum width of 15 feet with two
         outlets, or 16 feet when having only one outlet, or 18 feet
         when serving a community facility.

      c. Driveways: Driveways serving two or less homes must be
         paved a minimum of 12 feet in width.

   (3) On street visitor parking may be accommodated when limited to one side
   of any Internal Road with two-way traffic, having a width of 26 feet or
   more, or on any one-way road having a width of 20 feet or more.

   (4) Community facility parking shall be suitably located to minimize traffic
   interior to the development. It shall be provided in accordance with the
   Institute of Traffic Engineers (ITE) Parking Generation Manual, Code 495
   under "Recreational Community Center" at a minimum rate of 3.16-.5
   spaces per 1,000 sq. ft. of gross building area exclusive of basements. In
   addition parking for any supporting community recreation facilities shall
   be provided under the appropriate section of the Institute of Traffic
   Engineers (ITE) Parking Generation Manual.

   (5) The AAC shall be designed as a walk-able community with a strong
   interior pedestrian plan. A system of concrete sidewalks shall be
   incorporated in the plan.

J. Building Standards:

   (1) An AAC shall contain a mix of housing types and sizes with an emphasis
   placed on exterior variations in façade design, materials and colors. A mix
   of one, two and three bedroom dwellings may be incorporated. A
   minimum of 67% of the dwellings shall consist of one and/or two
   bedroom units. Living areas shall contain a minimum of 800 sq. ft. and a
   maximum of 3,400 sq. ft. of conditioned space. Non-conditioned
   space such as garages, basements, attics, patios & terraces shall not be
   included in these calculations.
(2) The corners of the living areas of adjacent buildings containing detached & duplex dwellings shall be separated by a minimum of 20 feet nearest the internal road curb line shall be separated by a minimum of 20 feet from adjoining buildings, exclusive of overhangs, eaves, cornices or similar architectural projections, stoops, landings, steps, decks, porches, chimneys. The minimum separating distances between living spaces at any other point between adjacent living areas shall be 8 feet exclusive of overhangs, eaves, cornices or similar architectural projections, stoops, landings, steps, decks, porches, chimneys. The corners of the living areas of adjacent buildings containing three or more attached dwellings nearest the internal road curb line shall be separated by a minimum of 20 feet from adjoining buildings, exclusive of overhangs, eaves, cornices or similar architectural projections, stoops, landings, steps, decks, porches, chimneys. The minimum separating distances between living spaces at any other point between adjacent living areas shall be 8 feet exclusive of overhangs, eaves, cornices or similar architectural projections, stoops, landings, steps, decks, porches, chimneys shall be separated by a minimum of 25 feet exclusive of overhangs & eaves.

(3) Garages with no living space above may be attached to dwellings or separated from dwellings a minimum of 6 feet. Garages with living space above shall be considered part of the dwelling unit itself for setback purposes.

(4) Detached and attached residential buildings must be set back from the edge of the curb line of the Internal Roads a minimum of 15-12 feet, exclusive of overhangs, eaves, cornices or similar architectural projections, stoops, landings, steps, porches, chimneys and must be set back from the edge of the curb line of the Private Drives/Mews serving more than one home a minimum of 5 feet exclusive of stoops, landings, steps, chimneys, overhangs, eaves, cornices or similar architectural projections, overhangs, porches, eaves, steps, cornices or similar architectural projections.

(5) Garages must be set back from the edge of the curb line of the Internal Roads a minimum of 20-18 feet exclusive of overhangs, eaves, cornices or similar architectural projections from Internal Roads and must be set back from the edge of the curb line of the Private Drives/Mews serving more than one home a minimum of 5 feet exclusive of overhangs, eaves, cornices or similar architectural projections 8 feet from Private Drives/Mews serving more than one home exclusive of overhangs & eaves.

(6) No more than four three-dwelling shall be contained in any single building.

(7) All utilities shall be underground.

(8) The longest side of a residential building shall not exceed 60 feet without a change in fenestration and the maximum length of any building shall be 465-143 feet.
(9) All buildings shall conform to a consistent architectural theme that creates a village like environment, as approved by the Commission.

K. Landscaping, Open Space and Lighting:

L. In order to assure the high quality visual aesthetic, and long term compatibility with neighbors, a Master Landscape Plan, along with a Detailed Landscape Plan shall be provided, prepared by a Connecticut Licensed Landscape Architect. All Lighting shall meet the requirement of §383-123.1 of these regulations, except as delineated in this section.

(1) Existing mature vegetation on the site shall be retained in areas not disturbed by construction. In areas disturbed by construction or in areas sparsely vegetated, new plantings shall be provided in accordance with the Master Landscape Plan.

(2) Internal roads shall be planted with street trees, minimum 2 1/2 -3” caliper, approximately 50 feet on center.

(3) Surface parking areas shall contain interior island and/or perimeter tree plantings at the rate of one tree (2 1/2 -3” caliper for deciduous & 6-8’ height for evergreen) for every six parking spaces proposed.

(4) Typical foundation plantings shall be shown on the provided Detail Landscape Plan.

(5) Excluding required buffers; space in the form of undeveloped natural areas, created wetlands and landscaped areas shall be provided at the rate of 400 sq. ft. per dwelling.

(6) Additionally, recreational and community amenities, including community buildings with associated infrastructure such as parking areas and driveways shall be provided at the rate of an additional 400 sq. ft. per dwelling.

(7) While required open space may be multi-segmented, it must include at least one contiguous segment, containing at least 50% of the required area with a dimension no less than 65 feet.

(8) General roadway & parking lighting shall employ decorative light poles and fixtures with a maximum height of twenty (20) feet for all areas with pedestrian orientation.

(9) Larger Parking areas may use generic “non-decorative” poles and fixtures.

M. Trash removal:

With the exception of Community amenities, and attached dwellings lacking garages, trash collection points shall be designated at the driveway of each individual dwelling. Standardize trash containers shall be provided to each unit owner, and be stored in garages, or if applicable a designated, suitably enclosed area.

(1) Trash enclosures, when utilized, shall be adequately screened by fencing and/or architectural elements and landscaping which harmonizes with the development in general.

(2) Trash enclosures shall meet setback requirements, as described above.

N. Fire Suppression
(1) All units shall be equipped with domestic fire suppression systems, such as sprinklers, that in the opinion of the fire marshal, shall be adequate to protect the structures, and the safety and welfare of all inhabitants.

(2) The water system within the development shall deliver adequate water pressure to provide safe and efficient fire protection, in the opinion of the fire marshal.

O. Construction of Improvements

(1) The Commission may require a performance bond to guarantee the completion of all physical improvements required by the approved plans and regulations, in accordance with Section 383-11.1, including but not limited to:

(1) The installation and completion of measures and facilities required under drainage and soil and erosion control plan;

(2) The cost of all community improvements and restorations, including but not limited to roadway, curbing, driveway aprons, sidewalks, street lighting, catch basins, water and sanitary sewer lines and facilities, storm drainage facilities, easements and channels, public road restoration upon completion of subdivision, landscaping, and recreational facilities;

(3) The cost to achieve restoration of the site in the event of expiration of approval of the plan prior to the completion of community improvements.

(4) All other items required by the Zoning regulations, whether listed in the bond estimate or not.

(2) The Commission may permit development to occur in phases, in which the it may permit a performance bond for the completion of all items indicated in Section N.(1) for each individual phase. The Commission may restrict the issuance of building permits for a phase until improvements are installed or a bond for the improvements for each phase is in place.

(3) The Commission may, in conjunction with or instead of a performance bond for a specific improvement, require that such improvement be installed in accordance with a time table governed by the issuance of building permits for dwellings.
Referral 2.4: Town of North Haven

Subject: Proposed Zoning Regulation Amendments to permit Crematory as use in the IL and IG Districts

Staff Recommendation: The proposed Zoning Regulation Amendments do not appear to cause negative inter-municipal impacts to the Towns in the South Central Region nor do there appear to be negative impacts to the habitat or eco-system of the Long Island Sound.

Background: A private applicant in the Town of North has proposed Zoning Regulation Amendments to allow “Crematory” as a permitted use in the IL and IG Zoning Districts. The IL District and light industrial and the IG District is general industrial the zoning districts are within of 500 feet of New Haven, Hamden and Wallingford. The proposed regulations would allow a crematory use in the applicable zoning districts by a Special Permit if approved by the Planning and Zoning Commission after a public hearing. The use would be required to be located on a minimum 5 acre lot and is not allowed within 500 feet of any residential structure or land use for residential purposes not owned by the owner of the crematory. Any approval granted by the commission would need to be in accordance with and conditioned upon the satisfaction of all statutory regulations for crematories under C.G.S 19a-320 and 8-2n.

Communication: In researching this proposal, I spoke to the Planning Staff for North Haven and notified the adjacent municipalities in the South Central Region.
May 2, 2011

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

Re: Proposed Amendments to the North Haven Zoning Regulations
   Add Section 5.1.3.16 – IL District - Crematory
   Add Section 5.2.1.63 – IG District – Crematory

Dear Mr. Livshits:

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

A Public Hearing for this application is scheduled for 6 June 2011.

Very truly yours,

Alan A. Fredricksen,
Land Use Administrator
AAF/ai

cc: First Selectman
    J. Giulietti, Chairman, Planning & Zoning Commission

Enclosures
Date of Receipt: 6-6-11
Fee and date paid: $2060.41

File Number: P11-15

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

ADDRESS OF BUILDING OR BLOCK MAP, BLOCK & LOT NUMBER

ZONE

TOTAL SQUARE FOOTAGE

THIS APPLICATION IS FOR AND MUST INCLUDE THE FOLLOWING:

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

* 14 PLANS @ 24" x 36"

TITLE OF PLAN:

______________________________

Date and most current revision date of plan:

CAM site plan review (Submit 14* copies)

X Amend zoning regulations 5.1.3/5.2.1 Section to be amended (Submit 8 copies of proposed amendment)

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

Special Permit

Cite regulation that authorized the special permit

Fill permit (Submit 14* copies)

Excavation permit (Submit 14* copies)

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

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

Does the property for which this application is submitted:

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

- Lie within the Coastal Area Management boundary

- Contain any wetlands and/or watercourses

- Lie within the Aquifer Protection Zone

- Lie within the Channel Encroachment Zone

- Lie within the floodplain or floodway

- Lie within 50' of the Quinnipiac River or Muddy River

Not applicable

ENGINEER'S NAME

Bernard Pellegrino, Esq.

Print Applicant's Name

475 Whitney Avenue, New Haven, CT 06511

Applicant's Address

(203) 787-2225  (203) 777-2096

Applicant's Phone Number  Fax Number

Not applicable

ENGINEER'S PHONE NUMBER  FAX NUMBER

Not applicable

Print Owner's Name

Owner's Address

Owner's Phone Number

Owner's Signature

Applicant's Signature

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PROPOSED ADDITIONAL PERMITTED USE IN IL AND IG DISTRICTS

Add Sections:

5.1.3.16 to IL District and
5.2.1.63 to IG District

Crematory

A crematory shall be permitted by Special Permit if approved by the Planning & Zoning Commission after a public hearing, subject to such conditions as said Commission may establish and after the Commission has given consideration to the effect the proposed use shall have upon the neighboring environs.

The lot upon which the crematory is proposed shall be a minimum of five (5) acres and shall not be within five hundred (500) feet of any residential structure or land used for residential purposes not owned by the owner of the crematory.

Any approval granted by the Commission shall also be in accordance with and conditioned upon the satisfaction of all such statutory regulations for crematories under C.G.S. §19a-320 and 8-2n, or such provisions as may be applicable to crematories at the time of such approval.
Sec. 19a-320. (Formerly Sec. 19-165). Erection and maintenance of crematories. Certificates of inspection. Fees. (a) Any resident of this state, or any corporation formed under the law of this state, may erect, maintain and conduct a crematory in this state and provide the necessary appliances and facilities for the disposal by incineration of the bodies of the dead, in accordance with the provisions of this section. The location of such crematory shall be within the confines of an established cemetery containing not less than twenty acres, which cemetery shall have been in existence and operation for at least five years immediately preceding the time of the erection of such crematory, or shall be within the confines of a plot of land approved for the location of a crematory by the selectmen of any town, the mayor and council or board of aldermen of any city and the warden and burgesses of any borough; provided, in any town, city or borough having a zoning commission, such commission shall have the authority to grant such approval. This section shall not apply to any resident of this state or any corporation formed under the law of this state that was issued an air quality permit by the Department of Environmental Protection prior to October 1, 1998.

(b) Application for such approval shall be made in writing to the local authority specified in subsection (a) of this section and a hearing shall be held within the town, city or borough in which such location is situated within sixty-five days from the date of receipt of such application. Notice of such hearing shall be given to such applicant by mail, postage paid, to the address given on the application, and to the Commissioner of Public Health, and by publication twice in a newspaper having a substantial circulation in the town, city or borough at intervals of not less than two days, the first being not more than fifteen days or less than ten days, and the second being not less than two days before such hearing. The local authority shall approve or deny such application within sixty-five days after such hearing, provided an extension of time not to exceed a further period of sixty-five days may be had with the consent of the applicant. The grounds for its action shall be stated in the records of the authority. Each applicant shall pay a fee of ten dollars, together with the costs of the publication of such notice and the reasonable expense of such hearing, to the treasurer of such town, city or borough.

(c) (1) No such crematory shall be erected until the plans therefor have been filed with and approved by the Department of Public Health; and no such crematory shall be used until it has been inspected and received a certificate of inspection by said department and a fee of one thousand two hundred fifty dollars is paid to the Department of Public Health for its inspection and approval.

(2) Each holder of an inspection certificate shall, annually, on or before July first, submit in writing to the Department of Public Health an application for renewal of such certificate together with a fee of three hundred fifteen dollars. If the department issues to such applicant such an inspection certificate, the same shall be valid until July first next following, unless revoked or suspended.

(3) Upon receipt of an application for a renewal of such certificate, the Department of Public Health shall make an inspection of each crematory.

(4) A crematory shall be open at all times for inspection by the Department of Public Health. The department may make inspections whenever it deems advisable.

(5) If, upon inspection by the Department of Public Health, it is found that such crematory is in such condition as to be detrimental to public health, the department shall give to the applicant or operator of the crematory notice and opportunity for hearing as provided in regulations adopted by the Commissioner of Public Health, in accordance with the provisions of chapter 54. The commissioner may, after such hearing, revoke, suspend or refuse to issue or renew any such certificate upon cause found at hearing. Any person aggrieved by the finding of or action taken by the Department of Public Health may appeal therefrom in accordance with the provisions of section 4-183.
(6) Any of the inspections provided for in this section may be made by a person designated by the Department of Public Health or by a representative of the Commissioner of Public Health.
Sec. 8-2n. Zoning regulations re crematories. The zoning regulations adopted under section 8-2 or any special act shall not authorize the location of a crematory within five hundred feet of any residential structure or land zoned for residential purposes not owned by the owner of the crematory. As used in this section, "crematory" means a building or structure containing one or more cremation chambers or retorts for the cremation of dead human bodies or large animals and "large animals" means all cattle, horses, sheep, goat, swine or similar species commonly kept as livestock.