

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

**RPC
Representatives**

Bethany:
Mary Shurtleff

Branford:
Charles Andres

East Haven:
Vacant

Guilford:
Peter Goletz

Hamden:
Richard Szczypek

Madison:
Christopher Traugh
(Chair)

Meriden:
David White

Milford:
Mark Bender

New Haven:
Kevin DiAdamo
(Vice Chair)

North Branford:
Frances Lescovich

North Haven:
James Giulietti

Orange:
Paul Kaplan

Wallingford:
Vacant

West Haven:
Christopher Suggs

Woodbridge:
Peggy Rubens-Duhl

AGENDA

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Agenda for Thursday, May 10, 2012 RPC Meeting, 5:15pm @ SCRCOG
Offices: 127 Washington Avenue, North Haven, CT 06473

1. Administration

1.1. Minutes of the April 12, 2012 RPC Meeting **1**

2. Statutory Referrals – May Action Items

2.1. City of Milford: Proposed Zoning Regulation Amendments pertaining to Section 5.5: Alcoholic Liquor Regulations, Subsection 5.5.1.2: Restriction of Permit Locations. Submitted by: City of Milford. Received: April 9, 2012. Public Hearing: TBD **3**

2.2. Town of Southington: Proposed Zoning Regulation Amendment pertaining to Section 13-10.4C (Prohibited Signs). Submitted by: Town of Southington. Received: April 13, 2012. Public Hearing: June 5, 2012 **7**

3. Other Business

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DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, April 12, 2012 Meeting

Present: Christopher Traugh, Charles Andres, Kevin DiAdamo, David Anderson, Mary Shurtleff, James Giulietti (at the conclusion of referral 2.2), Christopher Suggs, David White, Mark Bender, Eugene Livshits

1 Administration

1.1 Minutes of the March 8, 2012 RPC meeting. Motion to accept the minutes as presented: Christopher Suggs. Second: Mary Shurleff. Vote: Unanimous.

2 Statutory Referrals

2.1 Town of Orange: Proposed Zoning Regulation Amendments pertaining to Active Adult Community Age Restricted Housing

By resolution, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: David Anderson. Second: David White. Vote: Unanimous.

2.2 Town of North Haven: Proposed Zoning Regulation Amendment to add Section 2.6 (Housing Opportunity Zone)

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment is inconsistent with the Regional Plan of Conservation and Development as it limits a concentration of development in an area which may not have suitable infrastructure in place. The district is limited to an underlying R-40 district, which is a low density residential zone in the Town of North Haven. Motion: Kevin DiAdamo. Second: Mary Shurtleff. Recuse: James Giulietti. Vote: Unanimous.

2.3 Town of North Haven: Proposed Zoning Regulation Amendment to add Section 2.7 (Affordable Housing Opportunity Zone)

The second sentence in the staff recommendation has been broken down into two separate sentences.

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment's promotion of affordable housing is encouraged by the Regional Plan of Conservation and

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Development and should be promoted within the Town. However, the limitation of high density development away from the Town's center and to a low density R-40 District is inconsistent with the Regional Plan of Conservation and Development. The R-40 District may not have the appropriate infrastructure in place to support the proposed densities of development. Motion to accept as amended: David Anderson. Second: Mark Bender. Recuse: James Giulietti. Vote: Unanimous.

2.4 City of West Haven: Proposed Zoning Regulation Amendments to Section 80 (Planning and Development Department), Section 83 (Enforcement), and Section 88 (Zoning Board of Appeals)

By resolution, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: Kevin DiAdamo. Second: Mary Shurtleff. Abstain: Christopher Suggs. Vote: Unanimous.

2.5 Town of Branford: Proposed Zoning Regulation Amendment to add Section 5.7 (Incentive Housing Overlay District)

The staff recommendation has been amended to reflect that affordable housing is encouraged by the Regional Plan of Conservation and Development.

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment's promotion of affordable housing is encouraged by the Regional Plan of Conservation and Development and should be promoted within the Town. The proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be negative impacts to the habitat or ecosystem of the Long Island Sound. Motion to accept as amended: Mary Shurtleff. Second: Kevin DiAdamo. Vote: Unanimous.

2.6 Town of North Haven: Proposed Aquifer Protection Area Regulations

By resolution, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative impacts to the towns in the South Central Region nor do there appear to be any negative impacts to the habitat or ecosystem of the Long Island Sound. Motion: David Anderson. Second: Christopher Suggs. Abstain: James Giulietti. Vote: Unanimous.

3 Other Business

Motion to Adjourn: Charles Andres. Second: Christopher Suggs. Vote: Unanimous.

Referral 2.1: City of Milford

Subject: Proposed Zoning Regulation Amendments pertaining to Section 5.5: Alcoholic Liquor Regulations, Subsection 5.5.1.2: Restriction of Permit Locations

Staff Recommendation:

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

Background:

The City of Milford has proposed Zoning Regulation Amendments to Subsection 5.5.1.2, which restricts permit locations for selling or serving alcohol/liquor. The proposed amendments delete public, parochial or private nonprofit or for-profit school from the 300 foot distance requirement. The proposed regulations now state the places where the distances requirements are applicable only in the first paragraph of Subsection. In the existing regulations the places are repeated two additional times within the same Subsection.

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

April 5, 2012

Via Certified Mail

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



RE: Sec. 5.5 ALCOHOLIC LIQUOR REGULATIONS

Dear Attorney Amento:

In accordance with the provisions of Connecticut General Statute 8-3b, the Planning and Zoning has been requested to amend the City of Milford's Zoning Regulations for

Section 5.5.1.2 Restriction of Permit Locations: Clarification of
Definition of Schools.

The wording for the proposed amendment is enclosed.

Please review this request and forward your comments within thirty-five (35) days of your receipt of the referral document.

Very truly yours,

David B. Sulkis, AICP
City Planner

DBS/pl
Enclosure

C: Jocelyn Mathiasen, Director, DPLU

PROPOSED REGULATION TEXT CHANGE

RE: **Sec. 5.5 ALCOHOLIC LIQUOR REGULATIONS**

5.5.1.2 Restriction of Permit Locations: Except where specifically exempted by these Regulations, no establishment selling or serving alcoholic liquor **shall** be located on any lot within a distance of 300 feet measured in a straight line between the nearest lot lines of any public park or playground; place of worship; public library, auditorium, theater, or other public assembly place; or hospital or other duly authorized health institution. No existing permit premises shall be deemed to become non-conforming by the subsequent establishment of the foregoing uses.

In any shopping center exceeding 40,000 square feet (see Section 5.4.5) notwithstanding the foregoing, an establishment selling or serving alcoholic liquor shall be located at least 400 feet from the uses listed in this Section.

The required distance (400 feet) shall be measured from the nearest public entrance door of the proposed liquor establishment (closest point to closest point in a straight line) to the nearest common boundary line shared by the above listed use.

Existing

Article V – Supplementary Regulations, continued.

SECTION 5.5 ALCOHOLIC LIQUOR REGULATIONS

5.5.1 General Requirements: The sale of alcoholic liquor as defined by State Statutes shall be regulated in accordance with the requirements hereinafter specified.

5.5.1.1 Endorsement of State Applications: The Zoning Enforcement Officer shall have authority to certify compliance with these Regulations on all applications for alcoholic liquor permits, when required under the provisions of the State Liquor Control Act or the regulations of the State Liquor Control Commission.

5.5.1.2 Restriction of Permit Locations: Except where specifically exempted by these Regulations, no establishment selling or serving alcoholic liquor shall be located on any lot within a distance of 300 feet measured in a straight line between the nearest lot lines of any public park or playground; public, parochial or private nonprofit or for-profit school; place of worship; public library, auditorium, theater, or other public assembly place; or hospital or other duly authorized health institution. No existing permit premises shall be deemed to become non-conforming by the subsequent establishment of the foregoing uses.

In any shopping center exceeding 40,000 square feet (see Section 5.4.5) notwithstanding the foregoing, an establishment selling or serving alcoholic liquor may be located at least 400 feet from the uses listed in this Section, i.e., public park, playground, public, parochial or nonprofit school; place of worship; public library, auditorium, theater, or other public assembly places; or hospital or other duly authorized health institution.

The required distance (400 feet) shall be measured from the nearest public entrance door of the proposed liquor establishment (closest point to closest point in a straight line) to the nearest common boundary line shared by the above listed uses, i.e., public park, or playground, public, parochial or private, non-profit school, place of worship; public library, auditorium, theater, or other public assembly places; or hospital or other duly authorized health institution.

5.5.1.3 Temporary Permits: The Planning & Zoning Board may approve applications for one day permits for the sale of beer or ale, subject to appropriate conditions and safeguards deemed necessary by the Board, notwithstanding the provisions of Section 5.5.1.2 above.

Referral 2.2: Town of Southington

Subject: Proposed Zoning Regulation Amendment pertaining to Section 13-10.4C (Prohibited Signs).

Staff Recommendation:

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

Background:

The Town of Southington has submitted a proposed Zoning Regulation Amendment to Section 13.10 (Prohibited Signs). The specific subsection is 13-10.4.C, which lists signs prohibited for the reason of furthering the objectives of the town's plan of development. The existing regulations prohibit signs, which revolve, rotate, flash, or involve the electronic or automotive switching of lamps or illuminated tubes with the exception of time and temperature signs. The proposed regulations would exempt signs advertising the numerical price of gasoline providing the sign does not revolve, rotate, or flash and does not change more than twice in a 24 hour time period. The signs would also be subject to design standards, including the size of the sign, background and illumination colors, and NIT intensity.

Communication: In researching this proposal, I spoke to the planning staff for Southington and notified the adjacent municipalities in the South Central Region.

PLANNING AND ZONING DEPARTMENT

P.O. BOX 610 SOUTHTON, CONNECTICUT 06489

Phone: (860)276-6248 / Fax: (860)628-3511

Via email

April 16, 2012

RPC Referral
South Central Regional COG
127 Washington St., 4th Fl
North Haven, CT 06473



RE: Proposed Zoning Regulation Amendment – Section 13-10.4C (ZA #563)

Dear Sir or Madam:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of a proposed zoning text revision:

- ZA #563 – New text on electronic signs – Section 13-10-4C

The Planning and Zoning Commission anticipates opening the public hearing on this item on June 5, 2012. The complete file is available for review in the Planning Department, the Town Clerk's office and on the web page. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6248.

Respectfully,


Mary F. Savage-Dunham, AICP
Town Planner

enclosures

I:\Planning and Zoning\REFERRALS\ZA #563\referral ltr.doc

Please mail to:

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

RPC Referral Submission Form

South Central CT Regional Planning Commission

1.) General Information:

Date Sent: 4-13-12

Subject: ZA # 563

Applicant Name: Town of Southington PZC

Property Address (if applicable): _____

Town/City: _____

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

Public Hearing Date: June 5, 2012

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 via pdf "~~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: Mary Savage Dunham

Telephone Number: 860 276 6248

E-mail Address: savage m@Southington.org

Comments: _____

Questions: (203) 234-7555
South Central Regional Council of Governments | <http://www.srcog.org>

PROPOSED NEW TEXT = BOLD ITALICS
PROPOSED DELETIONS = [ITALICS]

13-10 Prohibited Signs

The following signs shall be prohibited for the reasons of,

1. Protecting the public health, safety and welfare;
2. Reducing traffic and pedestrian hazard;
3. Protecting property values by minimizing possible adverse effects and visual blight caused by the signs; and
4. Furthering the objectives of the town's plan of development:
 - A. Billboards.
 - B. Off premises signs, except directional signs as otherwise provided for in these regulations.
 - C. Signs which revolve, rotate, flash, or involve the electronic or automatic switching of lamps or illuminated tubes, except for time and temperature signs, ***and signs advertising the numerical price of gasoline providing said sign does not revolve, rotate or flash, does not change more than twice in a 24 hour time period, and meets the following design standards:***

Shall be no greater than 10 inches in height and 25 inches in width for each type of fuel and no more than four displays of fuel at any site.

The total sign area shall be as set forth in Section 13 of the regulations.

The background for the price display shall be black and the illumination for the numerical display shall be red or green.

The NIT intensity shall be no greater than 5,000 NITS during daylight hours and 3,000 NITS during the evening hours.

The numerical display shall not change more than twice in a 24 hour period.
 - D. Advertising flags, banners, strings of pennants, festoons of lights, twirlers, propellers, streamers or similar devices of carnival character, unless otherwise permitted.
 - E. Signs orientated to a road which does not legally provide access to the property, except within Executive Parks; as specifically approved by the Commission.

PROPOSED NEW TEXT = BOLD ITALICS
PROPOSED DELETIONS = [ITALICS]

- F. Portable trailer signs.
- G. **No sign attached to a structure shall project above the top of the main exterior wall of such structure, except that in an industrial zone, a sign may project up to 10 feet above the top of the exterior wall of such structure provided the sign is not within 500 feet of the boundary of a residential zone or street.**
- H. Internally illuminated signs are not permitted in the CB zone.

Y:\administrative reports\gas station signs- draft text.doc