To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Thursday, November 12, 2015 RPC Meeting at 5:15pm in the SCRCOG Offices:
127 Washington Avenue, North Haven, CT 06473

AGENDA

1. Administration

   1.1. Minutes of the October 8, 2015 RPC Meeting

2. Action Items


   2.2. City of New Haven: Proposed Zoning Regulation Amendment pertaining to Parking Plan amendments to a planned development. Submitted by: City of New Haven. Received: October 15, 2015. Public Hearing: TBD.


   2.5. City of Milford: Proposed Zoning Regulation Amendment pertaining to Section 5.85, New Building Applications. Submitted by: City of Milford. Received: October 20, 2015. Public Hearing: TBD.


3. Other Business

   3.1. 2016 Meeting Schedule; Nominating Committee; Annual Dinner

The agenda and attachments for this meeting are available on our website at www.srcog.org. Please contact SCRCOG at (203) 234-7555 for a copy of agenda in a language other than English. Auxiliary aids/services and limited English proficiency translators will be provided with two week’s notice.

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, October 8, 2015 Meeting

Present: Kevin DiAdamo, James Giulietti, Charles Andres, Christopher Traugh, David White, Fran Lescovich, Christopher Suggs, Bob Roscoe, Eugene Livshits

1 Administration

1.1 Minutes of the September 10, 2015 RPC meeting.

Motion to accept the minutes as presented: Christopher Traugh. Second: Charles Andres. Vote: Unanimous.

2 Statutory Referrals

2.1 Town of Hamden: Proposed Zoning Regulation Amendments to add Section 641 – Spas, Meditation, and Wellness Centers

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

Motion: James Giulietti. Second: Christopher Suggs. Vote: Unanimous.

2.2 Town of Orange: Proposed Zoning Regulation Amendments and Zoning Map Amendment pertaining to Article XXIV – Transit-Oriented Development District (TODD) Regulations

By resolution, the RPC has determined that the proposed Zoning Regulation Amendments and Zoning Map Amendment 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.

Motion: James Giulietti. Second: Christopher Suggs. Vote: Unanimous. Recuse: Charles Andres

The Town of Hamden submitted an additional referral after the Agenda Packet was sent out. The referral is a Temporary Moratorium on the issuance of zoning permits for student housing.

Motion to add to the RPC agenda: Christopher Traugh. Second: Christopher Suggs. Vote: Unanimous
2.3 *Town of Hamden: Proposed Zoning Regulation Amendment pertaining to Section 670.5 – Temporary Moratorium on the Issuance of Zoning Permits for Student Housing*

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


3 Other Business

Motion to Adjourn: Charles Andres. Second: David White. Vote: Unanimous.
Referral 2.1: Town of Bethany

Subject:
Proposed Subdivision at 48 Mesa Drive

Background:
A private applicant has proposed a five lot subdivision in the Town of Bethany. The subdivision located at 48 Mesa Drive abuts the Town of Beacon Falls. The application includes the following information: recorded subdivision map, site plan, site development plan, plan and profile, detention basin detail, construction details, wetland crossing detail, soil test data, and road soil erosion and sediment control plan. The subdivision is within a R-65 Zoning District and is a total of 17.8 acres. In the overall site plan, it states that there is a minimum open space requirement of 20% (4.5 acres). The applicant is only proposing 2.8 acres of open space, which falls short of the minimum requirement. Additional background information pertaining to the Subdivision Application will be provided during the November 12th RPC Meeting.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
October 13, 2015

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

Attention: Mr. Carl J. Amento, Executive Director

Dear Mr. Amento:

Pursuant to Section 8.3.b. of the Connecticut General Statutes, this letter is to serve as notification that the Bethany Planning and Zoning Commission will hold a public hearing in the Commission Meeting Room of the Bethany Town Hall, 40 Peck Road on Wednesday, December 2, 2015, beginning at 7:15 p.m. pertaining to the following application:

- Application #2015-019 submitted by James Woodward for a five (5)-Lot Subdivision located at 48 Mesa Drive. (plans attached)

Comments on the proposed subdivision are welcome to be made at the public hearing or submitted in writing for receipt into the public hearing record.

Respectfully submitted,

Antonia R. Marek, Clerk
For the Planning and Zoning Commission

Attachment
SUBDIVISION/RESUBDIVISION APPLICATION

Property Address: 48 MESA DRIVE, BETHANY, CT

Zone: R-65 Assessor’s Map & Lot Number: 105/2-1

Subdivision/Resubdivision Name: CLIFFORD DRIVE ESTATES

Owner Name: JAMES W. WOODWARD
Owner Address: 11 WOLFE AVENUE, BEACON FALLS, CT 06403
Phone Number(s): 203 725-7769

Agent/Applicant Name: ALAN SHEPARD
Agent/Applicant Address: 415 HOUSE AVE, SHELETON, CT 06484
Phone Number(s): 203 446-2689

Surveyor Name: MICHAEL O’BYMACHOW JR
Surveyor Address: 415 HOUSE AVE, SHELETON, CT 06484
Phone Number(s): 203 934-7745

Total Acreage: 17.8 # of Front Lots: 5 Total # of Lots: 5
# of Rear Lots: 6

The following waivers of the Subdivision Regulations are requested:

Section(s): 
Section(s): 
Section(s): 

Are there any mortgages, liens or encumbrances on the property? (If yes, please list.) NO

Signature: JAMES W. WOODWARD
Owner Applicant Agent

Date: 10/11/95

Commission Action: Approved Denied Date of Action:

Remarks or Reasons for Disapproval:

 Adopted 11/12/03
Last Revised 9/15/05
### Soil Data Sheet for Lot 4
(12/18/14 & 1/8/15)

**Percussion Test Result: 12/18/14**

<table>
<thead>
<tr>
<th>Soil Depth</th>
<th>Material</th>
<th>Density (pcf)</th>
<th>Water Content (%)</th>
<th>Permeability Index</th>
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<tr>
<td>1-2 ft</td>
<td>Soil</td>
<td>124</td>
<td>7</td>
<td>0.6</td>
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<tr>
<td>2-3 ft</td>
<td>Soil</td>
<td>125</td>
<td>8</td>
<td>0.7</td>
</tr>
</tbody>
</table>

**Soil Description Observation: 1/8/15**

- **Soil Type:** Clay
- **Moisture Content:** 15%
- **Consistency:** Soft

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### Soil Data Sheet for Lot 5 (12/18/14 & 1/8/15)

**Percussion Test Result: 12/18/14**

<table>
<thead>
<tr>
<th>Soil Depth</th>
<th>Material</th>
<th>Density (pcf)</th>
<th>Water Content (%)</th>
<th>Permeability Index</th>
</tr>
</thead>
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<td>Soil</td>
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<td>9</td>
<td>0.8</td>
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<tr>
<td>1-2 ft</td>
<td>Soil</td>
<td>127</td>
<td>10</td>
<td>0.9</td>
</tr>
<tr>
<td>2-3 ft</td>
<td>Soil</td>
<td>128</td>
<td>11</td>
<td>1.0</td>
</tr>
</tbody>
</table>

**Soil Description Observation: 1/8/15**

- **Soil Type:** Silt
- **Moisture Content:** 20%
- **Consistency:** Medium

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### Soil Data Sheet for Lot 4

**Soil Type:** Clay

**Design Data**
- **Percussion:** 123
- **Water Content:** 6
- **Consistency:** Soft

---

### Soil Data Sheet for Lot 5 (6/23/2004)

**Soil Type:** Silt

**Design Data**
- **Percussion:** 126
- **Water Content:** 9
- **Consistency:** Medium
Referral 2.2: City of New Haven

Subject:
Proposed Zoning Regulation Amendment pertaining to Parking Plan amendments to a planned development

Staff Recommendation:
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 any impacts to the habitat or ecosystem of the Long Island Sound.

Background:
The City of New Haven has proposed a Zoning Regulation Amendment pertaining to Section 65.E (4), Parking Plan amendments to a planned development. The proposed amendment adds language that requires a Parking Plan to be approved pursuant to Section 65 before “the submission of any new application proposing zoning map amendments, zoning regulation amendments, variances, special exceptions, special permits, or site plan review for any project within the City” which is “(a) submitted by an entity which is subject to an Overall Parking Plan or (b) includes a parcel or partial parcel used to provide parking which is counted in an Overall Parking Plan.”

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
October 13, 2015

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

Dear Mr. Livshits:

I write pursuant to Sec.8-3b of the Connecticut General Statutes to inform you that the following item was received by the Board of Aldermen sitting as the Zoning Commission for the City of New Haven:


Enclosed for your convenience is a copy of this proposal.

Sincerely,  
Albert Lucas, Director
Office of Legislative Services

AL/cp
ZONING ORDINANCE TEXT AMENDMENT TO SECTION 65.E(4) "Parking Plan amendments to a planned development."

TITLE VI, VOLUME III OF THE CODE OF ORDINANCES ORDER OF THE BOARD OF ALDERMEN APPROVING AMENDMENTS TO TITLE VI, VOLUME III, NEW HAVEN ZONING ORDINANCE, OF THE CODE OF ORDINANCES.

WHEREAS since 1970, the City has sought to balance the parking needs required by the operations of the City’s large institutions with the welfare of city residents through the oversight of Overall Parking Plans for the areas including Yale University, Yale-New Haven Hospital, the Connecticut Mental Health Center, and the Hospital of St Raphael; and

WHEREAS the 2003 City of New Haven’s Comprehensive Plan of Development states in Section VI, pg. 29 that: “the need for parking, in advance and support of new development, has been demonstrated,” and “the lack of parking at the medical facilities and at Union Station will continue to have a deleterious effect on supply,” and in Section VIII pg. 19 calls on new city planning efforts to “encourage high quality design of the transportation system in a manner contextual to the surrounding area;” and

WHEREAS the update to the Comprehensive Plan is even more explicit about the particular challenges of balancing new development and transportation needs, calling on the City to “Enforce traffic and parking laws stringently to enhance the efficiency of the existing transportation and parking system within the city,” (V-21), and “Promote a better alignment of economic development and city planning policies, reflecting a broader context for transportation resources” (V-14), and “Partner with local employers to promote transportation demand management strategies such as, offering incentives for car pooling, transit use, etc., which reduces the demand for parking.” (V-22); and

WHEREAS in accordance with such plans and the planning and zoning processes in our city, it is incumbent on this body to periodically review ordinances for compliance; and

WHEREAS Alders regularly hear from their constituents regarding the impact on our City of cars belonging to employees of and visitors to our large institutions. Careful oversight of these Overall Parking Plans and their impact on our neighborhoods is needed; and

WHEREAS the Medical Area in particular has seen changes on an unprecedented scale in the last decade, including the opening of the Smilow Cancer Hospital, the reconstruction and infill development of the Route 34 Connector, the new twelve-story, 500,000-square-foot biotech building at 100 College St, and the merger of Yale-New Haven Hospital with the Hospital of St Raphael; and

WHEREAS according to updates provided annually, the Medical Area Overall Parking Plan has grown from 7,131 parking spaces (2006) to 11,771 parking spaces (2014), providing for an estimated 14,000 staff and students plus 845,000 annual visitors; and

WHEREAS changes to Overall Parking Plans have been previously subjected to a public hearing and vote of approval by a city agency (either Board of Alders, Board of Zoning Appeals, or City Plan Commission) in September 1970, December 1985, March 1992, June 1997, September 2000, February 2001, October 2002, June 2006 and April 2007; and
WHEREAS eleven years ago, the New Haven Zoning Ordinance (§65.E(4)) was amended to require that any change of more than 100 spaces in an Overall Parking Plan covering a Planned Development District be submitted to the Board of Alders for review and approval; and

WHEREAS since 2007, no Overall Parking Plan has been subject to a single public hearing nor any review or approval by the Board of Alders or any city agency; and

WHEREAS this ordinance will benefit residents of all neighborhoods of New Haven by addressing issues that impact all who live and work here and all who have a stake in the health and welfare of our city, in a manner consistent with the 2003 plan of conservation and development as well as with the updated 2015 plan, as noted above;

NOW, THEREFORE, BE IT ORDAINED that

SECTION ONE: The New Haven Zoning Ordinance §65.E(4) is hereby amended by adding the following underlined text:

A current Overall Parking Plan must have been approved pursuant to this Section, notwithstanding any other provision of the Zoning Ordinance to the contrary, and notwithstanding any Overall Parking Plan approved prior to the effective date of this Section, prior to the submission of any new application proposing zoning map amendments, zoning regulation amendments, Variances, Special Exceptions, Special Permits, or Site Plan review for any project within the City of New Haven which meets either of the following criteria:

(a) is submitted by an entity which is subject to an Overall Parking Plan, OR;

(b) includes a parcel or partial parcel used to provide parking which is counted in an Overall Parking Plan.

This amendment shall take effect immediately upon adoption.

Background


Referral 2.3: Town of Prospect

Subject:
Proposed Zoning Regulation Amendment pertaining to Section 8.3, Signs Allowable in RA-1 and RA-2 Zones

Staff Recommendation:
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 any impacts to the habitat or ecosystem of the Long Island Sound.

Background:
The Town of Prospect has proposed a Proposed Zoning Regulation Amendment pertaining to Section 8.3, Signs Allowable in RA-1 and RA-2 Zones. The proposed amendment would allow one detached sign not to exceed twenty-four square feet in area on any lot in a Residential Zone which has a permitted use per Section 3.1, Uses by District.”

Communication:
In researching this proposal, I notified the adjacent municipality in the South Central Region.
October 16, 2015

Via Electronic Mail

Eugene Livshits (elivshits@scrcog.org)
South Central Council of Governments

Dear Mr. Livshits:

In accordance with Section 8-7d(f) of the Connecticut General Statues please be advised that the Prospect Planning and Zoning Commission has scheduled a public hearing for Wednesday, November 18, 2015 at 7:10 p.m. in the Prospect Town Hall, 36 Center Street on the proposed revision to Section 8.3 Signs Allowable in RA-1 and RA-2 Zones to add Section 8.3.5 to read “One detached sign not to exceed twenty-four (24) square feet in area shall be allowed on any lot in a Residential Zone which has a permitted use per Section 3.1 Uses By District”.

Comments on this application are welcome to be made at the hearing or submitted in writing for receipt into the record.

If you have any questions please contact the Land Use Office at (203) 758-4461.

Sincerely,

Rosalyn B. Moffo
Planning & Zoning Clerk
Referral 2.4: City of Milford

Subject:
Proposed Zoning Regulation Amendments pertaining to Section 3.17.2.16, Mixed-Residential Use Lots

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 pertaining to Section 3.17.2.16, Mixed-Residential Use Lots. The proposed amendment would allow the percentage of total gross floor area devoted to residential use to be determined by the Board on a “case by case basis.” Currently, the regulations require that no more than 80% of the total gross floor area be devoted to residential use. The proposed amendment also removes the requirement that at least 20% of the total gross floor area contain one of the uses listed in subsection (4).

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
TO:  
☑ South Central Regional Council of Governments  
☑ Greater Bridgeport Regional Planning Council  
☑ City Attorney, City of Milford  
☑ State of CT DEEP  
☐ City of West Haven, City Clerk  
☑ Town of Stratford, City Clerk  
☐ Town of Orange, City Clerk

FROM:  David B. Sulkis, City Planner

DATE:  October 16, 2015

RE:  Proposed Changes to the City of Milford Zoning Regulations; Sec. 3.17.2.16 (2) and (4)

The Planning and Zoning Board has been requested to approve the following text regulation change. Please provide this office with your comments or approval.

EXISTING TEXT:

SECTION 3.17.2.16

(2) No more than 80% of the total gross floor area of the lot in a mixed-residential use shall be devoted to residential use.

(4) At least 20% of the total gross floor area of the buildings in a mixed-residential use shall contain one or more of the following uses: ....

PROPOSED TEXT:

SECTION 3.17.2.16

(2) The percentage of total gross floor area devoted to residential use shall be determined by the Board on a "case by case" basis.

(4) The balance of the total gross floor area of the buildings in a mixed-residential use shall contain one or more of the following uses: ....

Cc:  B. Gettinger, Chairman, P&Z  
     J. Griffith, DPLU
Referral 2.5: City of Milford

Subject:
Proposed Zoning Regulation Amendment to Section 5.85, New Building Applications

Staff Recommendation:
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 any impacts to the habitat or ecosystem of the Long Island Sound.

Background:
The City of Milford has proposed a Zoning Regulation Amendment pertaining to Section 5.85, New Building Applications. The proposed amendment expands those qualified to prepare building plans, floor plans, and elevations to include “other individuals, in compliance with State Statute Chapter 390 Section 20-298.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
TO: South Central Regional Council of Governments  
    Greater Bridgeport Regional Planning Council  
    City Attorney, City of Milford  
    State of CT DEEP  
    City of West Haven, City Clerk  
    Town of Stratford, City Clerk  
    Town of Orange, City Clerk

FROM: David B. Sulkis, City Planner /DBS

DATE: October 20, 2015

RE: Proposed Changes to the City of Milford Zoning Regulations; Sec. 5.8.5

The Planning and Zoning Board has approved the recommendation of its Regulation Subcommittee to present the proposed regulation change to the required agencies for their review. The following recommended change is submitted for your review.

Please provide this office with your comments or approval.

EXISTING TEXT:

SECTION 5.8.5 New Building Applications Any application for new buildings shall be accompanied by building plans, floor plans and elevations prepared by a professional engineer and/or architect licensed in the State of Connecticut.

PROPOSED TEXT:

SECTION 5.8.5 New Building Applications Any application for new buildings shall be accompanied by building plans, floor plans and elevations prepared by a professional engineer and/or architect licensed in the State of Connecticut, or by other individuals, in compliance with State Statute Chapter 390 Section 20-298.

Cc: Planning and Zoning Board  
    J. Griffith, DPLU
Referral 2.6: City of Milford

Subject:
Proposed Zoning Regulation Amendment to Commercial Advertising Signs

Staff Recommendation:
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 any impacts to the habitat or ecosystem of the Long Island Sound.

Background:
The City of Milford has proposed a Zoning Regulation Amendment pertaining to Section 5.3.6, Commercial Advertising Signs in CDD-1, CDD-3, CDD5, ICD, and ID Zoning Districts. The proposed amendment expands the section to include LED illuminated commercial advertising signs. Additionally, the proposed amendment defines the location of ground signs as “the perpendicular distance measured from the street, right-of way, lot line, or distance to other ground signs to the nearest point at which the ground sign structure intersects the earth.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
TO: South Central Regional Council of Governments
   Greater Bridgeport Regional Planning Council
   City Attorney, City of Milford
   State of CT DEEP
   City of West Haven, City Clerk
   Town of Stratford, City Clerk
   Town of Orange, City Clerk

FROM: David B. Sulkis, City Planner /DBS

DATE: October 21, 2015

RE: Proposed Changes to the City of Milford Zoning Regulations; Sec. 5.3.6

The Planning and Zoning Board has approved the recommendation of its Regulation Subcommittee to present the proposed regulation change to the required agencies for their review. The following recommended change is submitted for your review. Please provide this office with your comments or approval.

EXISTING TEXT:

Sec. 5.3.6 Commercial Advertising Signs in CDD-1, CDD-3, CDD5, ICD & ID Zoning Districts: Subject to all other provisions and limitations of these regulations, indirectly illuminated commercial advertising signs shall be allowed in CDD-1, CDD-3, CDD-5, Interchange Commercial and Industrial Districts, subject to Special Permit and Site Plan Approval and the following additional conditions and safeguards.

PROPOSED TEXT:

SECTION 5.3.6 Commercial Advertising Signs in CDD-1, CDD-3, CDD5, ICD & ID Zoning Districts: Subject to all other provisions and limitations of these regulations, indirectly illuminated or LED illuminated commercial advertising signs shall be allowed in CDD-1, CDD-3, CDD-5, Interchange Commercial and Industrial Districts, subject to Special Permit and Site Plan Approval and the following additional conditions and safeguards. For the purposes of this section, the location of ground signs shall be the perpendicular distance from measured from the street, right-of-way, lot line, or distance to other ground signs to the nearest point at which the ground sign structure intersects the earth.
Referral 2.7: Town of Prospect

Subject:
Proposed Zoning Regulation Amendment pertaining to add Section 4.19, Gateway Overlay Districts

Background:
The Town of Prospect has proposed a Zoning Regulation Amendment to add Section 4.19, Gateway Overlay Districts. The referral indicates that there is an associated Zoning Map Amendments, which would depict the boundaries of the Gateway Overlay Districts (not submitted with this referral).

The regulations address two overlay districts the Northern Gateway District and the Western Gateway district. The regulations are applicable to the land within the boundaries of the overlay district. The purpose of the regulations is to encourage development and/or redevelopment for the permitted uses in the underlying districts. The regulations establish development standards in the overlay districts. For the specific standards, please see the agenda packet.

Communication:
In researching this proposal, I notified the adjacent municipality in the South Central Region.
October 28, 2015

Via Electronic Mail

Eugene Livshits (elivshits@scrcog.org)
South Central Council of Governments

Dear Mr. Livshits:

In accordance with Section 8-7d(f) of the Connecticut General Statues please be advised that the Prospect Planning and Zoning Commission has scheduled a public hearing for Wednesday, December 2, 2015 at 7:10 p.m. in the Prospect Town Hall, 36 Center Street on the proposed revision to add a new Section 4.19 Gateway Overlay Districts to the Zoning Regulations and to amend the Town of Prospect’s Zoning Map to include the Gateway Overlay Zones.

Comments on this application are welcome to be made at the hearing or submitted in writing for receipt into the record.

If you have any questions please contact the Land Use Office at (203) 758-4461.

Sincerely,

Rosalyn B. Moffo
Planning & Zoning Clerk
Proposed to be added to Section 2.2 Definitions:

**Overlay Zone:** A mapped area to which a uniform set of regulations serving a particular purpose applies, as a supplement to base zone regulations.

**Proposed Amendment to Zoning Regulations:**

**Section 4.19: Gateway Overlay Districts**

1. **Purpose and Intent**

   The Northern Gateway District ("NGD") and the Western Gateway District ("WGD") (collectively "Gateway Districts") are overlay zones. As such, the provisions and regulations of this Section 4.19 shall be applicable to the land within the Gateway District boundaries in addition to the regulations that are applicable to the underlying district(s). The purpose of the Gateway Districts is to encourage development and re-development of uses permitted in the underlying Districts that apply architecturally appropriate and consistent designs that will maintain and promote Prospect's historic small town aesthetic qualities in these gateway corridors.

2. **Boundaries**

   The boundaries of the Gateway Districts are hereby established to be those shown on the Town of Prospect, Connecticut, Zoning Map with an effective date of _______ 1, 2016, as may be amended.

3. **Applicability**

   a. Within the Gateway Districts, all new construction, substantial reconstruction, and rehabilitation of property, except as provided below, shall be subject to site plan approval in accordance with the standards of this Section and the standards applying to the underlying District.

   The following applications within the Gateway Districts are subject only to permitting as provided for the underlying District:

   1. Single Family Dwellings, except for change of use from single family home being converted to a commercial or industrial use, where such use is permitted; and

   2. Expansion, reconstruction or rehabilitation of an existing commercial or industrial building by less than 25 percent of the existing floor area.
4. Gateway Overlay District Site Development Standards

In the Gateway District, Site Plans shall comport with the following site development standards, in addition to the applicable standards of the underlying District and the provisions of Article 11 of these Regulations.

a. Facades and rooflines shall be articulated and/or varied to reduce the appearance of bulk and provide architectural interest.

b. Building materials shall have good architectural character and durable quality and shall be selected for consistency and compatibility among all exterior portions of the building and with surrounding buildings.

c. Building textures and components shall be selected for consistency and compatibility among all exterior portions of the building and with surrounding buildings.

5. Site Plan Review

All applications shall be reviewed in accordance with Article 11 of these Regulations. Applications shall demonstrate conformance with the provisions of this Section, applicable standards of the underlying District, and the provisions of Article 11.
Referral 2.8: Town of Hamden

Subject:
Proposed Zoning Regulation Amendments pertaining to Student Housing

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 Town of Hamden has proposed Zoning Regulation Amendments pertaining to Student Housing. Section 670.7 – Owner Occupied Buildings has been deleted. The Section included requirements for owner-occupied student housing. Section 670.2 has been changed from non-owner occupied one, two and three dwelling unit buildings to student housing in one, two and three dwelling unit buildings. The Section would allow student housing if the building is the permanent residence of the owner of the property. Building official approval for current building code compliance is no longer a requirement. An A-2 survey may be required by the ZEO when the plot plan is not sufficiently clear and there are concerns about possible encroachment into the required front or side yard (added to Subsection f.). A similar provision has been added to Subsection g. in instances when the encroachment is in the 100 foot rear setback requirement. In Subsection e., a provision has been added to a submission of a notarized affidavit certifying that the property remains the owner’s permanent residence. Subsections n. and o. have been added and would allow inspection by Planning and Zoning Department staff for compliance upon reasonable notification and a copy of Student Housing Permit Renewal Packet or Permit Application when the lease agreement is signed. For additional details pertaining to the requirements of the new subsections, please see the agenda packet. Definition for permanent residence has been added and the definition for Rooming House or Boarding House has been amended.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
TOWN OF HAMDEN
PLANNING AND ZONING DEPT.
APPLICATION TO AMEND THE ZONING REGULATIONS

Pursuant to Sections 702 – 702.12 of the Hamden Zoning Regulations

APPLICANT: Hamden Planning & Zoning Commission

ADDRESS: Planning and Zoning Dept., Hamden Gov't. Center, 2750 Dixwell Ave, Hamden CT 06518

EMAIL ADDRESS OF CONTACT PERSON: dkops@hamden.com

REGULATION TO BE: AMENDED

Article Number VI Section 670.1, 670.2 & Definitions

GROUP USE

CURRENT LANGUAGE

SEE ATTACHMENT I

PROPOSED LANGUAGE

SEE ATTACHMENT II

REASON FOR PETITION FOR CHANGE

SEE ATTACHMENT III

Have there been any previous petitions for same or similar amendments? □ YES □ NO

If YES, list name of applicant:

Application to Amend the Zoning Regulations, Revised 07/17/12
SIGNATURE OF APPLICANT  

(Name) 

TELEPHONE NO.  203-287-7070

MAILING ADDRESS  Planning & Zoning Dept., Hamden Gov't. Center, 2750 Dixwell Ave, Hamden CT 06518

(Street No. and Name)  (Town and State)  (Zip Code)

If you require additional space to complete any of your answers, please attach to this document.
ATTACHMENT I

CURRENT STUDENT HOUSING ZONING REGULATIONS

670 Student Housing
The following section is adopted to provide for the needs of students for off-campus housing while at the same time providing for the health, welfare, and safety of students and residents and the livability of residential neighborhoods. Student housing unit is defined as a dwelling unit occupied primarily by unrelated individuals enrolled in a program of study at an educational institution, college or university, trade school, training facility or similar entity. Student housing units are allowed subject to the following conditions and standards:

670.1 Owner-Occupied Buildings

a. Owner-occupied student housing dwelling units are allowed provided that no more than two students occupy any single dwelling unit as renters or boarders. Owner-occupied dwelling units are subject to the following requirements:
   i. No structural exterior changes are permitted to existing buildings unless required for compliance with building, housing or fire code;
   ii. No parking is allowed in any required front yard;
   iii. Initial and thereafter renewal registration and certification of owner occupancy; renewal registration and certification must be received by August 1st of each year;
   iv. A Zoning Permit must be obtained;
   v. The Zoning Permit will automatically renew each year upon submission of registration and certification provided that the ZEO has not made a finding of non-compliance with the provisions of this section.

b. Three or 4 students per dwelling unit as renters in an existing 2- or 3-dwelling-unit building that is occupied by the building owner and will continue to be occupied by the building owner are allowed subject to the following requirements:
   i. Building Official approval for current building-code compliance;
   ii. Health Official approval for current housing-code compliance;
   iii. Fire Marshall approval for fire safety-code compliance
   iv. No structural exterior changes to existing buildings unless required for compliance with building, housing or fire code;
   v. Demonstrated provision for parking at one space per student, with at least two spaces per dwelling unit having unimpeded access;
   vi. No parking in any required front yard;
   vii. A maximum of 4 students per dwelling unit are allowed, provided compliance with housing code for minimum square footage;
   viii. Submission of floor plans and, thereafter, any proposed modifications thereto;
   ix. Initial and thereafter renewal registration and certification of owner occupancy.
   Renewal registration must be received by August 1st of each year;
   x. A Zoning Permit must be obtained;
xi. The Zoning Permit will automatically renew each year upon submission of the registration form and fee, provided that the ZEO has not made a finding of non-compliance with the provisions of this section.

670.2 Non-Owner-Occupied One-, Two- and Three-Dwelling-Unit Buildings
All student housing located in a one-, two-, or three-dwelling-unit building that is not occupied by the building owner shall meet the following requirements:
a. Building Official approval for current building-code compliance,
b. Health Official approval for current housing-code compliance;
c. Fire Marshall approval for fire safety-code compliance.
d. No exterior changes to existing buildings unless required for compliance with building, housing or fire code;
e. The demonstrated provision for off-street parking at one space per student, with at least two spaces per dwelling unit having unimpeded access;
f. No parking in any required front yard, or side yard that is unpaved as of November 14, 2006;
g. Parking is prohibited within 10 feet of the rear yard line;
h. The landlord shall be responsible for providing trash receptacles and recyclable bins and posting instructions regarding Town of Hamden pick-up schedules;
i. Submission of floor plans and, thereafter, any proposed modifications thereto;
j. Initial and renewal registration of student rental housing providing 24-hour contact person in Connecticut to resolve complaints;
k. Compliance with following density: A maximum of 4 students per dwelling unit, provided compliance with housing code for minimum square footage;
l. A Zoning Permit must be obtained;
m. The Zoning Permit will automatically renew each year upon submission of registration, provided that the ZEO has not made a finding of non-compliance with the provisions of this section. A renewal registration form and fee must be received by August 1st of each year.

670.3 Student Housing in Multiple-Dwelling-Unit Buildings
Existing multiple-dwelling-unit buildings as of the effective date of this section shall be regulated as follows:
a. Student housing units located within existing multiple-unit buildings as of the effective date of this section are not subject to the provisions of Section 670 unless they are converted to either a multiple-unit student housing building in which more than 50% of the units are occupied by students or are converted to a dormitory.
b. Multiple-dwelling-unit buildings existing as of the effective date of this section and converted to multiple-unit student-housing building in which more than 50% of the units are occupied by students shall comply with the following conditions:
i. Current building, housing, and fire code compliance as of the date of the conversion;
ii. Initial and thereafter renewal registration of student rental housing providing 24-hour contact person in Connecticut to resolve complaints;
iii. Side and rear yards shall be adequately screened from adjoining properties by a suitable landscape buffer of at least 10 feet;
iv. Off street parking must be provided in amounts sufficient to meet student demand, i.e., one space per student;
v. Submission of floor plans and thereafter any proposed modifications thereto;
vi. Special Permit, Site Plan and Zoning Permit;
vii. The Zoning Permit will automatically renew each year upon submission of registration, provided that the ZEO has not made a finding of non-compliance with provisions of this section. A renewal registration form and fee must be received by August 1st of each year;

670.4 New Construction Multiple-Unit Student-Housing Buildings
Student-Housing Multiple-Unit Buildings (occupied more than 50% by students) constructed after the effective date of these regulations shall meet the following requirements:
a. Multi-dwelling-unit student-housing buildings are permitted only where multiple-dwelling-unit buildings are permitted and must meet the requirements for multiple-dwelling-unit structures in the applicable zone, and the provisions of Article III and Section 652 in addition to the provisions of Section 670. In the case of conflicts, the more restrictive provision shall apply;
b. All buildings shall be served by fire sprinklers;
c. Submission of floor plans and, thereafter, any proposed modifications thereto;
d. Initial and thereafter renewal registration of student rental housing, providing 24-hour contact person in Connecticut to resolve complaints;
e. Special Permit and Site Plan approval for building; Zoning Permit for building;
f. The Zoning Permit will automatically renew each year upon submission of registration, provided that the ZEO has not made a finding of non-compliance with the provisions of this section. A renewal registration form and fee must be received by August 1st of each year;

Definitions in Article VIII. Definitions and Abbreviations

Rooming House or Boarding House: Any dwelling in which at least 3 persons but less than 15 persons are housed or boarded for consideration or otherwise without separate kitchen facilities, with or without meals. If 15 or more persons are housed or boarded, such building shall be considered a hotel or motel.
ATTACHMENT II

Proposed Amendments to the Zoning Regulations Affecting Student Housing

Summary of Proposed Amendments

1. Elimination of Section 670.1
2. Amendment of Section 670.2 to:
   a. Restrict new student housing permits in 1-3 family homes to those that are the owners' permanent residence (670.2)
   b. Eliminate the requirement that the Building Official approve Student Housing applications (670.2.a)
   c. Authorize the Zoning Enforcement Officer to require an A-2 Survey where deemed necessary for new Student Housing applications (670.2.f & g)
   d. Clarify the source of trash bins (670.2.h)
   e. Require an annual owner affidavit regarding primary residence (670.2.m)
   f. Allow property inspections by staff of the Planning and Zoning Department (670.2.n)
   g. Require specific language to be incorporated into Student Housing lease agreements (670.2.o)
3. Amendment of Article VIII. Definitions and Abbreviations to:
   a. Add a definition of Principal Residence
   b. Modify the definition of Rooming House or Boarding House

Text of Proposed Amendments of Section 670 Student Housing and Relevant Definitions

Notes:

New language is shown in boldface

Section headings 670.1 and 670.2 are in boldface in the current regulations and are meant to be in boldface in the proposed language

Eliminate the following entire section:

Section 670.1 Owner-Occupied Buildings
Section 670.1 is eliminated.

Section 670.2 Non-Owner-Occupied One-, Two- and Three-Dwelling unit Buildings

Change to:

Section 670.2 Student Housing in One-, Two- and Three-Dwelling Unit Buildings

Student housing is permitted in a one-, two- or three-dwelling unit building only if the building is the permanent residence of the owner of the property, verified each year by a notarized affidavit certifying that the property is the owner's primary residence. With the exception of students living with their parents or guardians, all such student housing will be subject to the following requirements:

a. Subsection a. is eliminated;
b. Health Official approval for current housing-code compliance;
c. Fire Marshall approval for fire safety-code compliance;
d. No exterior changes to existing buildings unless required for compliance with building, housing or fire code;
e. The demonstrated provision for off-street parking at one space per student, with at least two spaces per dwelling unit having unimpeded access;
f. No parking in any required front yard, or side yard that is unpaved as of November 14, 2008. The Zoning Enforcement Officer may require an A-2 survey in instances where the plot plan is not sufficiently clear and there are concerns about a possible encroachment into the required front or side yard;
g. Parking is prohibited within 10 feet of the rear yard property line. The Zoning Enforcement Officer may require an A-2 survey in instances where the plot plan is not sufficiently clear and there are concerns about a possible encroachment into the 10 foot rear yard setback;
h. The landlord shall be responsible for providing trash receptacles and recyclable bins supplied by the Town and posting instructions regarding Town of Hamden pick-up schedules;
i. Submission of floor plans and, thereafter, any proposed modifications thereto;
j. Initial and renewal registration of student rental housing providing 24-hour contact person in Connecticut to resolve complaints;
k. Compliance with following density: A maximum of 4 students per dwelling unit, provided compliance with housing code for minimum square footage;
l. A Zoning Permit must be obtained;
m. The Zoning Permit will automatically renew each year upon submission of registration, including a notarized affidavit certifying that the property remains the owner's permanent residence, provided that the ZEO has not
made a finding of non-compliance with the provisions of this section. A renewal registration form and fee must be received by August 1st of each year;

e. The property owner or applicant shall allow any such dwelling unit approved or renewed under section 670.2 to be inspected, upon reasonable notification, by Planning and Zoning Department staff for compliance with these regulations. A clause granting such permission will be included in applications for new student housing and annual renewals, signed by the owner or agent on the owner's behalf.

f. A copy of the Student Housing Permit Renewal Packet or Student Housing Permit Application Packet, as appropriate, in use at the time the lease agreement is signed, shall be attached to the lease agreement.

The lease agreement shall include the following language:

“The lessee acknowledges having read and signed the Town of Hamden’s ‘Student Resource Information Sheet for Off-Campus Residential Living,’ stating that he or she has read the other Student Housing Permit or Student Housing Renewal documents and agrees to comply with all the requirements therein. The lessee further acknowledges that any violation of those conditions or the Hamden Zoning Regulations Student Housing Regulations is grounds for immediate termination of this lease agreement.”

A copy of the Lease Agreement will be provided to the Zoning Enforcement Officer as part of new and renewal applications

Article VIII. Definitions and Abbreviations

Add:

Permanent Residence: “The primary domicile occupied by the owner for at least ten months out of a twelve month period.”

Amend:

Rooming House or Boarding House: Any dwelling in which at least 3 persons but less than 15 persons are housed or boarded for consideration or otherwise without separate kitchen facilities, with or without meals. If 15 or more persons are housed or boarded, such building shall be considered a hotel or motel. Exception: The student housing provisions of these regulations will govern dwellings housing unrelated individuals meeting the definition of student.
ATTACHMENT III
REASON FOR PETITION FOR CHANGE

Over the past 25 years the Town of Hamden has witnessed an explosion in the size of its college and university student population, due primarily to the growth of Quinnipiac University. Lack of sufficient on-campus housing has forced over 1,500 QU students to seek housing off-campus.

There are at present 228 valid student housing permits for students living in one to three-family homes. The Department has issued 180 permits to private property owners and 48 to Quinnipiac University. These permits account for approximately 900 of the students living off-campus. The remaining 600 or more live in houses that pre-date the Zoning Regulations regarding Student Housing, in multi-family housing that is exempt from the requirement of a zoning permit, dwelling units that have not been properly approved, in other communities or with their parents.

The negative impact associated with off-campus student housing is most acute in Hamden's residential neighborhoods, where student tenants have created noise, property maintenance and parking problems for many non-student residents. This is due to the fact that students have a lifestyle generally incompatible with that of non-transient residential neighbors.

The intent of the proposed amendments is multifold:

- Limit future growth of student housing to properties that are owner occupied. The presence of property owners should prevent the types of problems that currently occur.
- Encourage new student housing in areas with multifamily housing options.
- Ensure that the Zoning Enforcement Officer has more accurate information when evaluating applications.
- Provide the Planning and Zoning Department with the authority to inspect student housing to make sure that no more than four students live in each approved dwelling unit. The property owner's permission is necessary for on-site inspections.
- Eliminate language that is either unenforceable or simply unnecessary.
- Provide landlords with stronger lease language, while making the requirements more explicit for student tenants.
• Eliminate potential inconsistencies between the Zoning Regulations and the Housing Code regarding student housing and avoid having student housing treated as rooming houses.

The proposed language would apply to housing for full-time students who attend any university or college and are renting housing in Hamden.
Public Water Supply Watershed/Aquifer
Project Notification Form
For The
South Central Connecticut Regional Water Authority

REQUIREMENT:

All applicants before a municipal Planning and Zoning Commission, Inland Wetlands Commission, or Zoning Board of Appeals for any project located within a public water supply watershed are required by Public Act 89-30' (Sections 8-3i and 22a-42f of the Connecticut General Statutes) to notify the affected public water utility by certified mail within 7 days of the application.

GENERAL INFORMATION:

Maps showing the location of Regional Water Authority (RWA) watershed boundaries are on file with municipal planning and zoning, and inland wetlands staff, and Town Clerks. The applicant's notification to the RWA should include the information requested on pages two and three. The RWA may request additional information if it is determined that a more detailed review is necessary. Any questions should be directed to (203) 401-2741, or (203) 401-2743.

Please mail this completed form and attachments to:

Environmental Analysts
Environmental Planning Department
Regional Water Authority
90 Sargent Drive
New Haven CT 06511
14. Brief description of existing and proposed stormwater management system, including roof drainage, paved areas etc., and discharge points e.g. municipal system, drywells, streams, vegetated areas, detention basins etc. Attach drainage plans and calculations if available.

15. List of existing and proposed underground or above-ground storage tanks including age, capacity and contents.

16. List of potentially harmful chemicals stored or used on property (existing and proposed) and typical onsite volumes, including but not limited to petroleum products, lubricants, solvents, detergents, and pesticides.

17. Describe any wastes generated and their means of disposal.

18. Contact Information:

Name: Daniel W. Kops, Jr., Assistant Town Planner

Company: Hamden Planning & Zoning Department

Address: Planning and Zoning Dept., Hamden Gov't. Center,

2750 Dixwell Ave, Hamden CT 06518

Phone: 203-287-7070

Email: dkops@hamden.com

Daniel W. Kops, Jr.
Name of Person Completing Form

Signature

Date

Regional Water Authority Notification Form Revised 05/17/11
1. Applicants are requested to submit any information that was included in the application to the municipality including: site plan, project narrative, sediment and erosion control plan and drainage calculations if applicable.

2. Project address __________ Townwide __________ Town  Hamden __________

3. Application for: __Planning and Zoning ____Inland Wetlands ____Zoning Board of Appeals

4. Project Description: No project proposed. Amendment to the Zoning Regulations #15-958 re Restrictions on Student Housing Permits and Renewals on Behalf of the Hamden Planning and Zoning Commission

5. Waste Water Disposal: ____ Septic System ____ Public Sewer ____ None N/A

6. Water Supply: ____ Private Well ____ Public Water N/A

7. Heating Fuel: ____ Oil ____ Gas Other ____________________ N/A

Applications involving additions or modifications to single family residences or applications with no site disturbance and no storage or use of hazardous chemicals skip to Item 18.

8. Total acreage of project site ________________________________

9. Total acreage of area to be disturbed including structures, additions, paving, and soil disturbance ________________________________

10. Percent of existing impervious surfaces including buildings, roads and pavement ________

11. Proposed increase in impervious surfaces ________________________________

12. Number of existing and proposed floor drains or sump pumps and their point of discharge e.g. sanitary sewer, holding tank, or ground

13. Are there any wetlands or watercourses on the property? If so, describe

______________________________

______________________________

RWA Watershed/Aquifer Project Notification Form
Page 2

Regional Water Authority Notification Form Revised 05/17/11
Watershed or Aquifer Area Project Notification Form

REQUIREMENT:

Within seven days of filing, all applicants before a municipal Zoning Commission, Planning and Zoning Commission, Zoning Board of Appeals or Inland Wetlands Commission for any project located within a public water supply aquifer or watershed area are required by Public Act No. 06-53 of the CT General Statutes to notify The Commissioner of Public Health and the area Water Company of the proposed project by providing the following information.

To determine if your project falls within a public water supply aquifer or watershed area visit the appropriate town hall and look at their Public Drinking Water Source Protection Areas map. If your project falls completely within or contain any part of a public water supply aquifer or watershed you are required to complete the following information.

Note: You will need information obtained from the Public Drinking Water Source Protection Areas map located in the appropriate town hall to complete this form.

Step 1: Have you already notified the CT Department of Public Health (CTDPH) of this project?

☑ No, Go to Step 2

☐ Yes, I have notified DPH under a different project name - Complete steps 4-6

☐ Yes, same name different year - Notification Year Complete steps 4-6

Step 2:

1. Name of public water supply aquifer your project lies within: Wellfields

2. Name of the public water supply watershed your project lies within: Mill River

3. Public Water Supply Identification number (PWSID) for the water utility: CT0930011

Step 3: For 1-5 Check all that apply

1. My project is proposing:

☐ Industrial use; ☐ Commercial use; ☐ Agricultural use; ☐ Residential use;

☐ Recreational use; ☐ Transportation Improvements; ☐ Institutional (school, hospital, nursing home, etc.);

☐ Quarry/Mining; ☐ Zone Change, Please Describe:

☑ Other, Please describe: Amendment of Zoning Regulations re Student Housin

2. The total acreage of my project is:

☐ Less than or equal to 5 acres ☐ Greater than 5 acres

3. My project site contains, abuts or is within 50 feet of a:

☐ Wetland; ☐ Stream; ☐ River; ☐ Pond or Lake
4. Existing use of my project site is:

☐ Grassland/meadow; ☐ Forested; ☐ Agricultural; ☐ Transportation; ☐ Institutional (school, hospital, nursing home, etc.); ☐ Residential; ☐ Commercial; ☐ Industrial; ☐ Recreational; ☐ Quarry/Mining

☑ Other Please Describe: No project and no site

5. My project will utilize:

☐ septic system; ☐ existing public sewer; ☐ new public sewer; ☐ agricultural waste facility;

☐ existing private well; ☐ new private well; ☐ existing public water supply;

☐ new public water supply, if new have you applied for a certificate of public convenience and necessity from DPH? ☐ Yes ☐ No

6. My project will contain this percentage of built up area (buildings, parking, road/driveway, pool): ☐ Less than or equal to 20% ☐ Greater than 20% to 50% ☐ Greater than 50%

Step: 4 Applicants Contact Information:

Name: Daniel W. Kops, Jr.

E-mail address: dkops@hamden.com

Telephone: 203-287-7070

Fax number: 203-287-7075

Step 5: Please provide the following if available:

Project name: No project

Project site address: N/A

Town: Hamden

Project site nearest intersection: N/A

Project site latitude and longitude: N/A

E-mail completed form to dph.swpmail@ct.gov