

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

**RPC
Representatives**

Bethany:
Michael Calhoun

Branford:
Charles Andres

East Haven:
Vacant

Guilford:
Walter Corbiere

Hamden:
Ryszard Szczypek

Madison:
Christopher Traugh

Meriden:
David White

Milford:
Benjamin Gettinger

New Haven:
Kevin DiAdamo
(Chair)

North Branford:
Frances Lescovich

North Haven:
James Giulietti
(Secretary)

Orange:
Vacant

Wallingford:
Vacant

West Haven:
Christopher Suggs

Woodbridge:
Peggy Rubens-Duhl

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Thursday, February 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 January 8, 2015 RPC Meeting **1**

2. Action Items

2.1. Town of North Branford: Proposed Zoning Regulation Amendments to Storage of Liquid Natural Gas (LNG). Submitted by: Private Applicant. Received: January 23, 2015. Public Hearing: February 19, 2015. **3**

2.2. Town of Clinton: Proposed Zoning Regulation Amendments pertaining to "Hotels". Submitted by: Town of Clinton. Received: January 30, 2015. Public Hearing: March 2, 2015 **10**

3. Other Business

3.1. RPC Vacancies

The agenda and attachments for this meeting are available on our website at www.scrco.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.

La Agenda y Adjuntos para esta reunión están disponibles en nuestro sitio web en www.scrco.org. Favor en contactar con SCRCOG al (203) 234-7555 para obtener una copia de la Agenda en un idioma distinto al Inglés. Ayudas/servicios auxiliares e intérpretes para personas de Dominio Limitado del Inglés serán proporcionados con dos semanas de aviso.

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, January 8, 2015 Meeting

Present: Kevin DiAdamo, James Giulietti, Michael Calhoun, Charles Andres, David White, Benjamin Gettinger, Christopher Traugh, Eugene Livshits

1 Administration

1.1 Minutes of the December 11, 2014 RPC meeting.

Motion to accept the minutes as presented: James Giulietti. Second: Michael Calhoun. Vote: Unanimous.

2 Statutory Referrals

2.1 Town of North Branford: Proposed Zoning Regulation Amendments to Section 54 - Alcoholic Beverages

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: Michael Calhoun. Second: Christopher Traugh. Vote: Unanimous.

2.2 Town of Clinton: Proposed Zoning Regulation Amendments to Section 10 – Standards for Special Exception

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: Benjamin Gettinger. Vote: Unanimous.

2.3 City of West Haven: Proposed Zoning Regulation Amendments pertaining to Medical Marijuana Dispensaries and Producers

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: Christopher Traugh. Second: Benjamin Gettinger. Vote: Unanimous.

2.4 Town of Stratford: Proposed Zoning Regulation Amendment to extend a Moratorium on Medical Marijuana Dispensaries and Producers and Methadone Dispensaries and/or Clinics

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.

Motion: Benjamin Gettinger. Second: Michael Calhoun. Vote: Unanimous.

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

2.5 *City of Shelton: Proposed Zoning Regulation Amendments pertaining to Keeping of Chickens in Residential 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 in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Michael Calhoun. Second: James Giulietti. Vote: Unanimous.

3 Other Business

3.1 *Nomination of Officers and Executive Committee Members:*

Chairman: Kevin DiAdamo, New Haven
Vice Chairman: James Giulietti, North Haven
Secretary: Christopher Suggs, West Haven

Executive Committee: Kevin DiAdamo, New Haven
James Giulietti, North Haven
Christopher Suggs, West Haven
Charles Andres, Branford
Peggy Rubens-Duhl, Woodbridge
Christopher Traugh, Madison
David White, Meriden

Motion to accept slate of Officers and Executive Committee Members: Christopher Traugh. Second: Kevin DiAdamo. Vote: Unanimous

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

Referral 2.1: Town of North Branford

Subject:

Proposed Zoning Regulation Amendments to Storage of Liquid Natural Gas (LNG)

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:

A private applicant has proposed Zoning Regulation Amendments pertaining to the Storage of Liquid Natural Gas (LNG), including propane, in the Town of North Branford. The proposed regulations add a new section, 51.7(a) – Natural Gas Storage. The maximum amount of commercial LNG storage including retail, wholesale and industrial facilities, cumulatively on any one lot is 5,000 gallons. If there is storage of over 1,500 gallons, the setback from all residential districts and properties would be 1,500 feet. Any storage of LNG over 2,500 gallons would need to be equipped with a blast and fire protection earthen berm. Any storage of LNG over 2,500 gallons would require a special permit after a public hearing. Retail LNG storage facilities are required to meet the NFPA 58 for commercial and wholesale storage. Section 23.2.6, which prohibits bulk storage of cement and petroleum products, public utility company electric power plants, generating facilities has been modified to include “retail, commercial, industrial or wholesale liquid natural gas storage (LNG) in excess of 5,000 gallons.”

Communication:

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

MAYOR
ANTHONY S. CANDELORA

DEPUTY MAYOR
JOANNE S. WENTWORTH

TOWN MANAGER
MICHAEL T. PAULHUS



COUNCIL MEMBERS
ROSE MARIE ANGELONI
VINCENT P. CAPRIO
MARIE E. DIAMOND
ERIC HIBSON
JOSEPH E. FAUGHNAN
DONALD J. FUCCI, II
ALFRED O. ROSE

TOWN OF NORTH BRANFORD

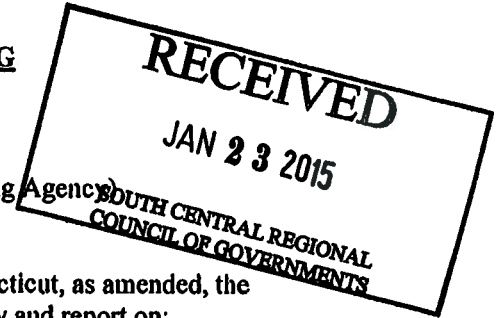
TOWN HALL 909 FOXON ROAD NORTH BRANFORD, CONNECTICUT 06471-1290
Building Department (203) 484-6008 Engineering Department (203) 484-6009 Planning & Zoning (203) 484-6010
Department Fax (203) 484-6018

SENT VIA EMAIL TO: Eugene Livshits ELIVSHITS@SCRCOG.ORG
FAX: (203) 234-9850

Date: January 23, 2015

TO: South Central Regional Council of Governments (Regional Planning Agency)

FROM: North Branford Planning and Zoning Commission



Pursuant to the provisions of Section 8-3b of the General Statutes of Connecticut, as amended, the following proposed application is referred to the Regional Agency to review and report on:

- Proposed subdivision located within 500 feet of another South Central municipality
- Adoption or Amendment of ZONING REGULATIONS affecting the use of a zone within 500 feet of another South Central municipality

The change was originally requested:

- by municipal agency
- by petition **PZ Application #2014/15-12, Applicant: Christopher Kranick**


Proposed Zoning Regulation Amendment: Application #2014/15-12, The proposed Zoning Regulations Amendment focuses on the storage of liquid natural gas (LNG) including propane in the Town of North Branford and seeks to limit the combined volumes of gas storage within a radius of other similar facilities and to provide for fire protection over and above the minimum required by state and federal law and to provide for public hearing and special permit considerations in the permitting of LNG storage facilities. The Zoning Text Amendment also seeks to increase public notice for text amendment so that the public may better be informed of zoning regulation changes, as opposed to map changes which may affect their interests. **Applicant: Christopher Kranick**

Public hearing has been scheduled for February 19, 2015.

Material submitted herein:

- Legal Notice
- Supporting statements, site map
- Map of proposed subdivision
- Text of proposed amendment

Other: See Current Zoning Regulations and Zoning Map on Town Web Site under Planning Department. www.townofnorthbranfordct.com

 (Authorizing Signature)

Carey Dupres, Town Planner/Planning & Zoning Administrator

North Branford Town Hall

909 Foxon Road

North Branford, CT 06471-0287

Phone: (203) 484-6010 Fax: (203) 484-6018

**PETITION TO AMEND ZONING REGULATIONS
NORTH BRANFORD PLANNING & ZONING COMMISSION**

In Re: Application of Christopher Kranick

Text Amendments to Zoning Regulations

November 12, 2014

The Petitioner, Christopher Kranick, a resident and taxpayer of the Town of North Branford hereby petitions the Commission to amend the Zoning Regulations text as noted below. The reason for seeking the changes is to set in place reasonable health and safety regulations and performance standards regarding the storage of liquid natural gas (LNG) including propane in the Town of North Branford to decrease fire and explosion hazards and to safeguard real property values and the quiet enjoyment of neighboring property. The proposed changes seek to limit the combined volumes of gas storage within a radius of other similar facilities and to provide for fire protection over and above the minimum required by state and federal law and to provide for public hearing and special permit considerations in the permitting of LNG storage facilities.

In addition, the petition seeks to increase the public notice for text amendments so that the public may better be informed of zoning regulation changes, as opposed to map changes, which may affect their interests.

The text affected by the proposed changes are set forth below as currently written.

SECTION 63 - AMENDMENTS

63.1 These Regulations, including the Zoning Map which is part hereof, may be amended by the Commission on its own initiative or when initiated by a written petition. Any amendment may be adopted only after due notice and public hearing as prescribed by the General Statutes of the State of Connecticut. Any petition for amendment shall be accompanied by the following:

63.1.1

Text: For petitions concerning the text of these Regulations, 20 copies of the precise wording of both the existing and proposed text shall be submitted.

63.2* Posting of Notice of Public Hearing

Sign: The petitioner requesting amendment of the Zoning Map shall post a sign on property in the area proposed to be changed, which sign shall be visible and legible to passersby on the principal street at the change area. Such sign, to be provided to the petitioner by the Town, shall state the date, time, and place of the public hearing, shall indicate what change of zone is being requested, and shall be in evidence for the continuous period of 14 days preceding the date of the public hearing. In addition, the petitioner requesting amendment of the Zoning Map shall provide proof of certified mail letter notification to all property owners within 500 feet in all directions of the property including in the proposed change 15 days prior to any public hearing.

23.2 Prohibited Uses

: Any use not specified in Schedule A as permitted is prohibited. To further assist in the interpretation of Schedule A, the following uses, the listing of which is not intended to be exhaustive, are specifically prohibited:...

23.2.6 Bulk storage of cement and petroleum products; public utility company electric power plants, generating facilities and gas storage

Permitted uses by Zone I-2

C-23.

Bulk storage of propane on parcels of land south of Route 80, east of Ciro Road and bounded on all sides at the time of application by similarly zoned properties.

51.7 Danger

: No material which is dangerous due to explosion, extreme fire hazard or radioactivity shall be used, stored, manufactured, processed or assembled except in accordance with applicable codes, ordinances and regulations of the Town of North Branford, State of Connecticut and Federal Government.

The Petition proposes the following language. *The new Text Amendments are in bold italics.*

(NEW) 51.7(a) – Natural Gas Storage – The storage of liquefied natural gas (LNG), including propane, is recognized as a danger due to explosion and thus all such facilities must comply to the following performance standards:

1. The maximum amount of commercial LNG storage, including retail, wholesale and industrial facilities, cumulatively on any one lot is five thousand (5000) gallons.

2. The storage of bulk LNG over 1500 gallons shall be set back from all residential districts and abutting residential properties and structures by 1500 feet and shall be measured by a straight line between the closest point on the property on which the LNG storage occurs and the nearest line of any property on which a residential use is permitted.

3. An LNG storage facility containing greater than 2500 gallons shall be equipped with a blast and fire protection earthen berm the dimensions of which are 125% above the height of and 125% the length of the fuel storage tank on any side facing a property within 1500 feet on which a residential or commercial use is permitted or on which an LNG storage facility with more than 2500 gallons exists.

4. The Commission shall not permit an LNG storage facility of more than 2500 gallons except by special permit and after a public hearing. The Commission shall not permit an LNG storage facility unless the applicant meets its burden to prove that the public safety, the effect on neighboring property values, the effect on traffic and traffic safety from the transport and delivery and distribution of the LNG, and the compatibility with surrounding uses promotes the general welfare of the surrounding community and the community as a whole and that the proposed facility will be in conformance with the Plan of Conservation and Development.

5. Retail LNG storage facilities shall meet all requirements of the NFPA 58 for commercial and wholesale storage.

6. For any application for LNG bulk storage a sign shall be posted on the property and the applicant shall cause a mailed notice of the public hearing in accordance with 63.2 of these regulations.

Proposed language:

23.2.6 Bulk storage of cement and petroleum products; public utility company electric power plants, generating facilities and *retail, commercial, industrial or wholesale liquid natural gas (LNG) storage in excess of 5000 gallons.*

Proposed language:

Permitted uses by Zone I-2

C-23.

Bulk storage of propane on parcels of land south of Route 80, east of Ciro Road and bounded on all sides at the time of application by similarly zoned properties *by special permit only under section 51.7(a)1 – 6.*

Proposed language

SECTION 63 - AMENDMENTS

63.1 These Regulations, including the Zoning Map which is part hereof, may be amended by the Commission on its own initiative or when initiated by a written petition. Any amendment may be adopted only after due notice and public hearing as prescribed by the General Statutes of the State of Connecticut ***and these regulations.*** Any petition for amendment shall be accompanied by the following:

63.1.1

Text:

(1) For petitions concerning the text of these Regulations, 20 copies of the precise wording of both the existing and proposed text shall be submitted.

(2) A description of all properties with the Town of North Branford potentially affected by the text amendment, including a description of the zones and uses affected and the nature of the change.

(3) A detailed description of the reason for the change.

63.2* Posting of Notice of Public Hearing

Sign: The petitioner requesting amendment of the Zoning Map shall post a sign on property in the area proposed to be changed, which sign shall be visible and legible to passersby on the principal street at the change area. Such sign, to be provided to the petitioner by the Town, shall state the date, time, and place of the public hearing, shall indicate what change of zone is being requested, and shall be in evidence for the continuous period of 14 days preceding the date of the public hearing. In addition, the petitioner requesting amendment of the Zoning Map shall provide proof of certified mail letter notification to all property owners within 500 feet in all directions of the property including in the proposed change 15 days prior to any public hearing.

63.3 The petitioner for a text change shall post a sign at meeting all the requirements for amendments of the Zoning Map except that the sign shall be posted in a prominent location at the site of Town Hall.

Respectfully,

Christopher Kranick, Petitioner

By

Keith R. Ainsworth, Esq.

Law Offices of Keith R. Ainsworth, Esq, LLC

31 Green Springs Drive

Madison, CT 06443

Referral 2.2: Town of Clinton

Subject:

Proposed Zoning Regulation Amendments pertaining to “Hotels”

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 Clinton has proposed special exception standards for Hotels. A special exception may be granted if the lot is served by a public water supply and the minimum lot area meets the zoning district standard. The rooms are required to be a minimum of 300 square feet and a maximum of 10% of the rooms can contain kitchens. There is a distance requirement of 1,000 feet from another hotel or motel. The following is permitted as an accessory use for hotels: fitness centers, meeting/conference rooms, business center, breakfast bar, gift shop, pool and/or guest laundry facilities.

Parking is permitted underneath the hotel. If the parking is located at grade it will count as the first floor. A bicycling parking area is required. There is a requirement for a surveillance system and the owner/operator is required to have a management plan. An applicant for a hotel is required to submit a landscaping plan, lighting plan, litter control plan, traffic study and a letter from the Connecticut Water Company that there is an adequate water supply to the site.

Communication:

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

FORM FOR SUBMITTING REFERRALS
TO THE LOWER CONNECTICUT RIVER VALLEY
REGIONAL PLANNING COMMISSION



DATE OF SUBMISSION TO THE RIVERCOG: 1/30/2015
DATE OF PUBLIC HEARING: 3/2/2015
TOWN SUBMITTING REFERRAL: Clinton
ABUTTING MUNICIPALITIES OF THE RIVERCOG (IF ANY): Killingworth
Westbrook
SUMMARY OF PROPOSAL:
 ZONING TEXT AMENDMENT: Addition of Hotel Regulations
 ZONING MAP AMENDMENT:
 SUBDIVISION:
 OTHER:
COMMENTS:

10.18 Hotels

10.18.1 Purpose: These Regulations are intended to ensure that new hotels and the expansion of any hotels constructed in the future are compatible with the surrounding area and contributes to the unique community character and economic viability of the town of Clinton.

10.18.2 Qualifications: A Special Exception for a Hotel may be granted provided that:

- (a) The minimum lot area for a hotel shall not be less than the district minimum.
- (b) The lot shall be served by a public water supply.

10.18.3 Standards and Requirements: A Special Exception may be granted provided that the following criteria are met in addition to the standards, criteria and conditions stated in Section 9:

- (a) New or remodeled rooms shall be no smaller than three hundred square feet (300 sq. ft.).
- (b) All rooms may contain coffee makers, microwave ovens and mini-fridge units.
 - (1) No more than ten percent (10%) of the rooms shall contain kitchen or cooking facilities including but limited to ranges, full sized refrigerators, or dishwashers.
- (c) Occupancy of rooms for transient lodging by any person shall not exceed thirty (30) consecutive days in a ninety (90) day period.
- (d) No mechanical equipment, other than public utility facilities, or refuse receptacles shall be visible from grade level on the public rights-of-way.
- (e) No hotel shall be located within one thousand feet (1,000') of the property line of any other hotel or motel.
- (f) The following shall be considered valid accessory uses for hotels:
 - (1) Fitness center
 - (2) Meeting/Conference rooms
 - (3) Business center (in the nature of internet-connected computers, a printer and a workspace, but not meant to be used as a regular office)
 - (4) "Breakfast bar" style food service area

- (5) Gift/amenities shop
- (6) Pool, indoor or outdoor
- (7) Guest Laundry facilities
- (g) Parking may be located underneath the hotel structure and if located at grade, it shall count as the first floor of the structure.
- (h) A bicycle parking area shall be provided.
- (i) The owner or operator of the hotel is encouraged to coordinate with regional transit services such as, but not limited to, 9 Town Transit, to allow for the picking up and dropping off of individuals at or near the hotel location.
- (j) The premises shall be equipped with a surveillance system, such as a video recording system, deployed to the satisfaction of the Clinton Police Department, or other appropriate law enforcement agency so as to make visible all interior common areas, including but not limited to lobbies, stairwells, hallways, and elevators and all exterior grounds, walkways, parking area and public sidewalks surrounding the premises.
- (k) The owner or operator of a hotel shall have a management plan to ensure that occupants of the hotel do not create a public nuisance, or that such occupants are removed should the owner or operator determine that the occupant is creating a public nuisance. Nuisance includes but is not limited to excessive noise odors detectable outside the occupants room, the presence of unregistered occupants, the presence of animals not approved by the hotel owner or operator, damage to the hotel room in excess of ordinary wear and tear, illegal activity, or any threat to the health or safety of other hotel occupants, personnel or public.
- (l) Sign Standards
 - (1) There shall be no more than one (1) wall sign per each exterior wall of the hotel structure. Each sign shall not exceed forty-eight square feet (48 sq. ft.).

10.18.4 Procedures: The applicant shall follow the procedures set forth in Section 4 of these Regulations in addition to the following:

- (a) An affidavit shall be provided upon the application for a Special Exception affirming that the application will comply with the above stated limitation on the duration of room occupancies and the property owner grants permission

to the agent of the Commission to make inspections of the site so that this regulation may be enforced.

- (1) This affidavit shall be filed as a property deed restriction in the Town of Clinton Land Records in the Office of the Town Clerk should the Commission approve the Special Exception application.
 - (2) This affidavit shall also be filed simultaneously with the Certificate of Special Exception.
- (b) The applicant shall submit the following plans and documents:
- (1) Landscaping plan
 - (2) Lighting plan
 - (3) Litter Control Plan
 - (4) Traffic Study
- (c) The applicant shall submit a letter from the Connecticut Water Company certifying that there is adequate water supply to the site.