

**SOUTH CENTRAL CONNECTICUT  
Regional Planning Commission**

**RPC  
Representatives**

**Bethany:**  
Michael Calhoun  
(Secretary)

**Branford:**  
Charles Andres

**East Haven:**  
Vacant

**Guilford:**  
Walter Corbiere

**Hamden:**  
Ryszard Szczepk

**Madison:**  
Vacant

**Meriden:**  
David White  
(Vice-Chair)

**Milford:**  
Anthony D. Sutton

**New Haven:**  
Kevin DiAdamo

**North Branford:**  
Frances Lescovich

**North Haven:**  
James Giulietti  
(Chair)

**Orange:**  
Vacant

**Wallingford:**  
Vacant

**West Haven:**  
Al Posey

**Woodbridge:**  
Vacant

To: Regional Planning Commission  
From: Eugene Livshits, Regional Planner  
Subject: Thursday, October 13, 2016 RPC Meeting at 5:15pm in the SCRCOG Offices:  
127 Washington Avenue, North Haven, CT 06473

**AGENDA**

**1. Administration**

1.1. Minutes of the July 14, 2016 RPC Meeting **1**

1.2. Minutes of the September 8, 2016 RPC Meeting **2**

**2. Action Items**

2.1. Town of Southington: Proposed Zoning Regulation Amendment pertaining to Section 12 – Automobile Parking and Loading Area Provisions. Submitted by: Town of Southington. Received: September 7, 2016. Public Hearing: October 18, 2016. **3**

2.2. Town of East Haven: Proposed Subdivision Application at 25 Warner Road. Submitted by: Private Applicant. Received: September 8, 2016. Public Hearing: N/A. **13**

2.3. Town of Hamden: Proposed Zoning Regulation Amendment pertaining to Section 670 - Student Housing. Submitted by: Town of Hamden. Received: September 30, 2016. Public Hearing: November 15, 2016. **28**

2.4. Town of Prospect: Proposed Zoning Regulation Amendments to Section 4.8 Commercial Garages, Gasoline Filling & Service Stations. Submitted by: Town of Prospect. Received: September 27, 2016. Public Hearing: November 2, 2016. **37**

**3. Other Business**

*The agenda and attachments for this meeting are available on our website at [www.scrkog.org](http://www.scrkog.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.scrkog.org](http://www.scrkog.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**

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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, July 14, 2016 Meeting

**Present:** James Giulietti, David White, Michael Calhoun, Charles Andres, Robert Roscow, Christopher Traugh, Eugene Livshits

**1 Administration**

*1.1 Minutes of the June 9, 2016 RPC meeting.*

Motion to accept the minutes as presented: Michael Calhoun. Second: Christopher Traugh.  
Vote: Unanimous.

**2 Statutory Referrals**

*2.1 Town of North Haven: Proposed Zoning Regulation Amendment to add Section – 5.1.3.5.4(e)*

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: Charles Andres. Second: Michael Calhoun. Vote: Unanimous.

**3 Other Business**

*3.1 Regional Recreational Trails*

The Representative were provided with information pertaining to the Regional Recreational Trails Project including a brief demonstration of the GIS component of the project.

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

**SOUTH CENTRAL CONNECTICUT  
Regional Planning Commission**

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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, September 8, 2016 Meeting

**Present:** James Giulietti, Charles Andres, Robert Roscow, Eugene Livshits

**The Regional Planning Commission Meeting on September 8, 2016 did not have a quorum. The referrals were reviewed by consensus of the members present.**

**1 Administration**

*1.1 Minutes of the July 14, 2016 RPC meeting.*

The approval of minutes from the July 14, 2016 meeting will be presented during the October 13, 2016 RPC meeting.

**2 Statutory Referrals**

**The statutory referrals were discussed and comments were determined by the consensus of the members present.**

*2.1 City of Milford: Proposed Zoning Regulation Amendment pertaining to Digital Billboards*

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the Proposed Zoning Regulation Amendment does not define or regulate “Digital Billboards” which would be permitted within the ICD and ID Zoning Districts within Milford. Consideration should be given to how the term is defined and differentiated from “Electronic Message Signs” and whether additional provisions to regulate “Digital Billboards” may be appropriate.

*2.2 City of West Haven: Proposed Zoning Regulation Amendments pertaining to Use Restrictions in the Waterfront Design (WD) District, and Hearing and Notice Restrictions for Coastal Site Plan Applications*

Although there was not an official quorum at the meeting, by consensus of the members present, 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.

*2.3 Town of Clinton: Proposed Zoning Regulation Amendment to add Schedule of Uses for the approved MSD-1 District*

Although there was not an official quorum at the meeting, by consensus of the members present, 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.

*2.4 City of Middletown: Proposed New Zoning Code and New Zoning Map*

Although there was not an official quorum at the meeting, by consensus of the members present, 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.

The rezoning of the IOP (Interstate Office District) to an IT-I (Interstate Trade District) on parcel adjacent to the City of Meriden may cause inter-municipal impacts as the access to the site is through a residential district in the City of Meriden.

## **Referral 2.1: Town of Southington**

### **Subject:**

Proposed Zoning Regulation Amendments pertaining to Section 12 – Automobile Parking and Loading Area Provisions

### **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 Southington has submitted proposed zoning regulation amendments pertaining to Automobile Parking and Loading Area Provisions. The proposed amendments permit 3 parking spaces per 1,000 square for retail and service area establishments. Overflow parking if necessary shall not exceed an additional parking space per 1,000 square feet. The overflow parking area would need to consist of pervious surfaces. Previous regulation had separate requirements for retail and services establishment less than 200,000 square feet of floor area and retail and service establishments with 200,00 square feet or more of floor area. There were no provisions for overflow parking within the subsection 12-01.1 – Number of Parking Space Required. Overall the amendments within the Section slightly reduce the amount of parking spaces required for business offices, financial institutions, restaurants, night clubs, taverns, other eating/drinking places and private clubs, theaters, auditoriums, stadiums, and places of assembly, amusement and recreation. The amendments introduce language pertaining to pervious pavement or concrete and shared uses.

### **Communication:**

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

# PLANNING AND ZONING DEPARTMENT

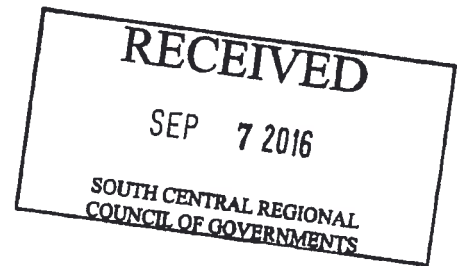
MUNICIPAL CENTER - 196 NORTH MAIN STREET  
SOUTHINGTON, CONNECTICUT 06489

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

Certified Mail: via email

September 7, 2016

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



RE: Proposed Zoning Regulation Amendment - (ZA #589)

Dear Sir or Madam:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of proposed zoning text revision from the Town of Southington for amendments to Section 12 (Automobile Parking and Loading Area Provisions) of the Town of Southington Zoning Regulations.

The Planning and Zoning Commission anticipates opening the public hearing on this item on October 18, 2016. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6248.

Respectfully,

A handwritten signature in black ink, appearing to read "R. Phillips", written over the printed name.

Robert A. Phillips, AICP  
Director of Planning and Community Development

enclosures

## RPC Referral Submission Form

South Central CT Regional Planning Commission

Please mail to:

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

### 1.) General Information:

Date Sent: 9/7/16

Subject: ZA # 589

Applicant Name: Town of Southington

Property Address (if applicable): n/a

Town/City: Southington

☐

Referral is from a private individual

☒

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

Public Hearing Date: \_\_\_\_\_

### 2.) Statutory Responsibility:

☐

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

☒

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

☐

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

☐

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

☐

Other: \_\_\_\_\_

### 3.) Process:

☒

Material sent via email "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: Robert A. Phillips, AICP

Telephone Number: 860-276-6248

E-mail Address: PhillipsR@southington.org

Comments: \_\_\_\_\_

Questions: (203) 234-7555

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

PROPOSED ADDITIONS IN BOLD UNDERLINE / DELETIONS IN BRACKETS ITALICS

6-21-16

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SECTION TWELVE

AUTOMOBILE PARKING AND LOADING AREA PROVISIONS

- 12-01 Off-street parking facilities shall be provided for all new uses or buildings hereafter constructed, reconstructed, or enlarged in accordance with the requirements of this section.<sup>1</sup>

Any lot or building hereafter used, altered or developed for office, business or industrial purposes shall be provided with adequate, **but not excessive**, space suitably located for the loading and unloading of goods and materials and the parking of vehicles in accordance with this section.<sup>2</sup>

12-01.1 NUMBER OF PARKING SPACES REQUIRED

The amount of required vehicle parking will depend on the nature of the land use and varies for different uses. When a specific use is not listed in these regulations, reference shall be made to the following publication, and other professional reference sources as may be available, to aid in determining the required amount of parking: "Parking Generation", by The Institute of Traffic Engineers, Washington, DC, 1987, and as revised.<sup>3</sup>

- A. For single and two-family dwellings, 2 parking spaces for each dwelling unit.
- B. For multi-family dwellings, two spaces for each dwelling unit.
- C. For converted units, rooming or boarding houses, 1 parking space for each unit or for each room offered for rent for separate occupancy.
- D. For permitted home occupations and professional offices, 2 parking spaces plus 1 parking space for each 200 square feet of building floor area devoted to such use.
- E. *[For retail stores and service establishments with a single or combined floor area of less than 200,000 square feet, 1 parking space per 250 square feet of gross floor area. Retail stores, service establishments and malls with a single or combined floor area of 200,000 square feet or more shall be required to have 1 parking space per 200 square feet of gross floor area.]*  
**For retail and service establishments, 3 parking spaces per 1,000 square feet gross floor area. Overflow parking for peak season retail, if necessary, shall not exceed an additional parking space per 1,000 square feet of gross floor area and such excess shall consist of pervious surfaces such as grass, grass/grid systems or similar materials.**

<sup>1</sup> Revised, ZA #540, effective 9/8/07

<sup>2</sup> Revised, ZA #540, effective 9/8/07

<sup>3</sup> Revised, ZA #540, effective 9/8/07



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- F. For business offices and financial institutions, [1] **3** parking space for each [300<sup>1</sup>] **1,000** square feet of [net] **gross** floor area. *[Net floor area means the gross floor area of a building minus areas used for vents, shafts, attics, basements used for storage only, hallways, stairways, foyers and other similar common areas. The applicant shall provide pertinent floor area usage calculations on the site plan and building plans.]*
- G. For restaurants, night clubs, taverns, or other eating and drinking places and private clubs, 1 parking space for [each] **every 2 seats** [25 square feet used for customer service or assembly.<sup>2</sup>]
- H. For hotels, conference centers and motels, 1 parking space for each rental unit plus 1 additional space for each three employees, plus one parking space for each 25 square feet of all area devoted to customer service for any included restaurant or banquet hall.<sup>3</sup>
- I. For hospitals, sanitariums, convalescent, nursing homes or managed residential community operated by an assisted living services agency, 1 parking space for each three beds excluding bassinets, plus 1 additional space for each 4 total employees.
- J. For medical or dental offices, excluding home occupations, 1 parking space for each 200<sup>4</sup> square feet of net floor area. Net floor area means the gross floor area of a building minus areas used for vents, shafts, attics, basements used for storage only, hallways, stairways, foyers and other similar common areas. The applicant shall provide pertinent floor area usage calculations on the site plan and building plans.
- K. For undertaking establishments, 1 parking space for each 25 square feet of gross public floor area.
- L. For theaters, auditoriums, stadiums and places of assembly, amusement and recreation, 1 parking space for every [3] **5** seats.
- M. For philanthropic or eleemosynary institutions, 1 parking space for each 150 square feet of floor area devoted to office or administrative use.

<sup>1</sup> Revised, ZA #580, effective 8/2/14

<sup>2</sup> Revised, ZA #540, effective 9/8/07

<sup>3</sup> Revised, ZA #540, effective 9/8/07

<sup>4</sup> Revised, ZA #580, effective 8/2/14



PROPOSED ADDITIONS IN BOLD UNDERLINE / DELETIONS IN BRACKETS ITALICS

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- N. For gasoline service stations - one parking space for each 50 square feet of gross floor area, not less than 5 spaces.<sup>1</sup>
- O. For wholesaling or warehousing establishments and laboratories, 1 parking space for each three employees customarily employed at one time or for each 1,000 square feet of gross floor area.
- P. For industries and manufacturing operations – the number of spaces shall be sufficient to accommodate personnel and customers based on the nature of the business.<sup>2</sup>
- Q. For elderly housing containing more than one bedroom, 2 parking spaces for each dwelling unit. For elderly housing designed as efficiency units or containing not more than one bedroom; 1 ¼ parking spaces per dwelling unit.
- R. For Executive Office & Accessory Uses within an Executive Park, one parking space per 300 square feet of floor area, excluding utility and storage area, and lobbies.
- S. For bed and breakfast establishments, a minimum of two (2) spaces plus one (1) space per guest bedroom.
- T. For colleges, trade schools, business colleges and secretarial schools, one space for every two (2) students, including full time and part time students. Parking requirements for ancillary theaters, auditoriums, stadiums and similar places of assembly shall be calculated separately.
- U. Theater, auditorium or stadium - one parking space for each [*three*] **four** seats or spectator equivalent.<sup>3</sup>
- V. Place of worship – one parking space for every three seats for the maximum congregation which can be accommodated at one service. When a place of worship includes accessory uses such as day care, schools or assembly halls for non-religious services the parking requirements for these uses shall also be met. These additional requirements may be waived in whole or in part provided it can be demonstrated to the satisfaction of the Commission that sufficient spaces are committed and available on a non-conflicting basis.<sup>4</sup>

<sup>1</sup> Revised, ZA #540, effective 9/8/07

<sup>2</sup> Revised, ZA #540, effective 9/8/07

<sup>3</sup> New, ZA #540, effective 9/8/07

<sup>4</sup> New, ZA #540, effective 9/8/07

PROPOSED ADDITIONS IN BOLD UNDERLINE / DELETIONS IN BRACKETS ITALICS

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W. Car wash establishment - 50 parking spaces minimum, including capacity of waiting lanes.<sup>1</sup>

12-02 VEHICLE PARKING AREAS, DESIGN & CONSTRUCTION<sup>2</sup>

- 12-02.01 All vehicle parking areas shall be constructed of bituminous or masonry concrete **or pervious pavement or concrete. Any overflow parking provided in excess of the parking requirements provided herein shall consist of pervious materials or be set aside as deferred parking for either peak period overflow needs or in the event additional parking is deemed necessary by Zoning Enforcement Officer, except parking areas designated as municipal parking.**
- 12-02.02 All vehicle parking areas shall be well drained and all drainage systems shall be approved by the town engineer.
- 12-02.03 All driveways shall be constructed in accordance with town standards.
- 12-02.04 All vehicle parking areas shall include landscaped sections and islands wherever possible designed to relieve the monotony of large areas of bituminous concrete, etc. All landscaped sections and islands shall contain appropriate evergreen shrubs, trees and plantings. There shall be not more than 10 parking spaces for less than 25 total parking spaces, and 15 for greater than 25 spaces, in a row without being broken with curbing and landscaped area. Further, there shall be additional landscaping established along the periphery of the parking area so as to be the equivalent in area of island loss in lots greater than 25 total spaces. Measurement of total lot area shall encompass the smallest geometric rectangle.
- 12-02.05 All parking lots shall contain landscaped area in the ratio of not less than 20 square feet for each parking space.
- 12-02.06 In vehicle parking lots the traffic lanes shall facilitate traffic movement and maneuverability, especially for ambulances and fire fighting vehicles. Traffic lanes leading to parking stalls shall be constructed to accepted standards.
- 12-02.07 Vehicle parking stalls shall be constructed so that no part of a vehicle extends beyond the property lines.
- 12-02.08 Notwithstanding 12-02.07, no vehicle parking shall be provided in the front yard unless separated from the public right-of-way by a fully bermed landscape border of not less than four feet. This area shall be landscaped with appropriate trees, shrubs, and plantings. In selecting the types of plantings, consideration shall be given to maintaining adequate sight lines to provide for safe access to the property.

<sup>1</sup> New, ZA #540, effective 9/8/07

<sup>2</sup> New, ZA #540, effective 9/8/07

PROPOSED ADDITIONS IN BOLD UNDERLINE / DELETIONS IN BRACKETS ITALICS

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12-02.09 No vehicle shall be parked on a property so as to intrude over or obstruct the public right-of-way or public sidewalks. Any structures used for parking or sheltering motor vehicles or recreational vehicles shall be at least 20 feet from the property line along a public street right-of-way, unless it can be demonstrated that the length of the driveway and the orientation of the garage doors shall ensure that vehicles parked in the driveway leading to such garage will not intrude into or obstruct the right-of-way or sidewalks.

12-03 OFF-STREET LOADING SPACE

Every building or lot hereafter put into use for business or industrial purposes or for a hospital or institutional use, and which has an aggregate floor area of 1,000 square feet or more devoted to any such use, shall be provided with off-street truck loading spaces.

In determining adequacy of space and suitability of location, the Planning and Zoning Commission shall be guided by the nature of the use, the types of trucks servicing the site, the volume of vehicular and pedestrian movement which passes the premises and the location of the principal building in relation to the street. In no event shall a loading space be designed and located which requires trucks to back in from the street or use the right-of-way for turning movements.

12-04 PARKING SPACE DIMENSIONS

A standard required parking space shall contain not less than nine (9) feet and a minimum length of not less than eighteen (18) feet. Each space shall be of usable shape, exclusive of driveways and access areas.

12-05 DIMENSIONS OF LOADING SPACE

A required loading space shall not be less than 10 feet wide and 25 feet long, exclusive of access, and 15 feet in height for vertical clearance for single-unit vehicles. If a semi-trailer or tractor-trailer truck is needed for the proposed use, the minimum width and length shall be 12 feet by 50 feet, respectively.

12-06 LOCATION OF PARKING FACILITIES

Except in Residential Zones, required parking facilities shall be provided on the same lot as the building they serve or on a lot within 400 feet from such building.

12-07 COMMON SPACES

A. Nothing in this section shall be deemed to prohibit a cooperative action on the part of any group designed to provide in common the parking spaces required for the individual members of the group, provided that the area, or a sufficient portion thereof, is located within 500 feet of the building which it serves.

PROPOSED ADDITIONS IN BOLD UNDERLINE / DELETIONS IN BRACKETS ITALICS

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- B. Theaters, bowling alleys, night clubs and other similar uses and activities, carrying on the major portion of their business during the evening hours or Sundays, may provide 50 percent of the required parking space, as specified above, through use of parking space provided for uses and buildings carrying on the major portion of their business during daytime hours, if suitable permissive agreements are presented.

12-08 ACCESS

Common spaces of two or more parking facilities on adjoining lots, if designed for use as a single parking area, may use the same means of access.

12-09 MIXED USES

In the case of mixed uses, the parking facilities required shall be the sum of the requirements for the various uses, computed separately, **with equivalent credit being given for shared uses or offsetting peaks as proposed by the applicant and accepted by the commission or staff under procedurally delegated authority.**

12-10 MUNICIPAL PARKING FACILITIES

- 12-10.1 Subject to the provisions of Section 9 and 14, the Commission or Town Planner may waive the minimum off-street parking requirements for any use hereafter constructed, reconstructed, or enlarged if said use is located in a Central Business Zone and can be reasonably served by an existing off-street municipal parking facility.<sup>1</sup>
- 12-10.2 The Commission or Town Planner shall refer said application for parking waivers to the Parking Authority who shall review and report back to the Commission or Town Planner within 30 days as to the adequacy of the existing off-street municipal parking facility for handling the contemplated additional users at the time of application.<sup>2</sup>
- 12-10.3 Subject to a favorable review from the Parking Authority, the minimum required off-street parking spaces for the use in question may be reduced in accordance with the following schedule:<sup>3</sup>

Walking Distance	Reduction Factor
0-100 feet	100%
101-200 feet	75%
201-300 feet	50%
301-400 feet	25%
Over 400 feet	0%

<sup>1</sup> revised ZA #566, effective 9.22.12

<sup>2</sup> revised ZA #566, effective 9.22.12

<sup>3</sup> revised ZA #566, effective 9.22.12

PROPOSED ADDITIONS IN BOLD UNDERLINE / DELETIONS IN BRACKETS ITALICS

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The walking distance shall be measured in straight lines along public rights-of-way or established pedestrian access ways extending between the nearest entrance of the proposed building and the nearest vehicular or pedestrian entrance to the existing off-street municipal parking facility.

12-11 DESIGN STANDARDS

- A. All off-street parking and loading facilities shall be designed with appropriate means of vehicular access to a street as well as maneuvering areas. Plans in accordance with Section 9 where appropriate, shall be submitted to the State Department of Transportation for approval of all curb cuts or driveway openings before a permit may be obtained therefor.
- B. All parking spaces, loading facilities and access roadways shall have adequate all-weather surfacing treated to inhibit dust, adequate drainage, and shall allow free and safe movement of all vehicles customarily using the facility.
- C. Any parking area designed for three or more vehicles located adjacent to any public sidewalk or area reserved for a public sidewalk, shall be separated from such sidewalk or reserved area by a four foot<sup>1</sup> landscaped strip so as to prevent the encroachment or parking of vehicles on such public sidewalk or reserved area.
- D. Lighting, including illuminated signs, on any parking area or driveway shall be located and arranged to reflect away from residential areas and public streets. Parking lot lighting shall be full cutoff fixtures with recessed lenses only. Applicants are encouraged to consider reducing the amount of lighting in use when the establishment is closed in an effort to reduce light pollution and energy consumption.<sup>2</sup>

12-12 HANDICAPPED PARKING REQUIREMENTS

Off-street parking requirements for the handicapped with regards to the size and number of parking spaces shall be in conformance with Section 14-253a of the Connecticut General Statutes and Section 2107.0 of the Connecticut Building Code, respectively.

A. **NUMBER OF SPACES TO BE PROVIDED**

On each site having parking spaces for at least twenty (20) but not more than twenty-five (25) spaces, at least one (1) space shall be specially designated and reserved for handicapped parking. Additional spaces for handicapped parking shall be in accordance with the following table. The first handicapped space on each site must be van accessible. Appropriate details of cross hatching and signage shall be provided on plans.<sup>3</sup>

<sup>1</sup> Revised, ZA #540, effective 9/8/07

<sup>2</sup> Revised, ZA #540, effective 9/8/07

<sup>3</sup> Revised, ZA #540, effective 9/8/07



## **Referral 2.2: Town of East Haven**

### **Subject:**

Proposed Subdivision Application at 25 Warner Road

### **Staff Recommendation:**

The Proposed sub division application 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:**

A private applicant in the Town of East Haven has submitted a proposed sub-division application. The application subdivides a parcel (24 Warner Road), which is adjacent to the Town of North Haven. The application would sub-divide the parcel (24.8 acres) into 5 lots. The portion (approx. 8 acres) of the property adjacent to North Haven has a pond and would remain open space. There is also a proposed 35' by 124' proposed access easement to be provided to 399 Barberry Road.

The property is zoned R-5 and based on the application appears to meet the requirements of the R-5 Zone. The property will not be served by public water and will not be served by sanitary sewers. It is proposed to have underground utilities. There is portion of the property within Flood Hazard Area Zone A (area around the pond), which based on plans would remain open space. The five lots as depicted in the plans would not be located in the Flood Hazard Area. The parcels or land area in North Haven adjacent to the subdivision are zoned R-40. Additional information can be reviewed in the plans found in this Agenda Packet.

### **Communication:**

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

## RPC Referral Submission Form

South Central CT Regional Planning Commission

Please mail to:

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

### 1.) General Information:

Date Sent: Sept. 8, 2016

Subject: 24 Warner Rd, 5 lot Sub-division

Applicant Name: Pat Tanereti (Trustee)

Property Address (if applicable): 24 Warner Rd

Town/City: East Haven CT 06512

☐

Referral is from a private individual

☒

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

Public Hearing Date: October 5, 2016 (Regular Item - NOT PUBLIC HEARING)

### 2.) Statutory Responsibility:

☒

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

☐

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

☐

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

☐

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

☐

Other: \_\_\_\_\_

### 3.) Process:

☐

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

☐

Information on proposed change included

☐

Existing language included (if applicable)

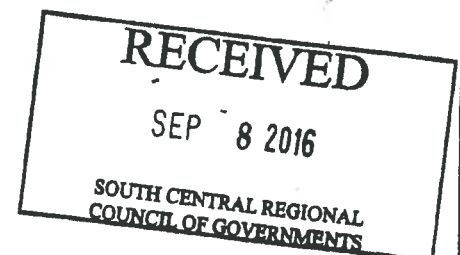
### 4.) Preferred contact regarding this RPC referral:

Name: Christopher Soto (Z.E.O.)

Telephone Number: 203-468-3349

E-mail Address: ch.zoning@gmail.com

Comments: \_\_\_\_\_



Questions: (203) 234-7555

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



**TOWN of EAST HAVEN - Planning & Zoning Commission**  
**APPLICATION for SUBDIVISION and/or RE-SUBDIVISION APPROVAL**

Date: 6-30-16

1) Applicant's Name: PAT TANCARETI (TRUSTEE) Phone: 203 464-1158  
Address: 960 THOMPSON ST. NORTH HAVEN CT 06473

2) Location of Subdivision/Re-subdivision: 24 WARNER ROAD

3) Size of parcel to be subdivided/re-subdivided 22.8 AC

4) If the applicant represents a firm, corporation, L.L.C., partnership, etc.; give all information regarding same: \_\_\_\_\_

5) Prop. Owner of Records Name: MANUEL TANCARETI REVOCABLE LIVING TRUST  
Address: 698 N GREEN BROAD DR, ORANGE Phone: \_\_\_\_\_

[6] Land Surveyor's Info:

Project Engineers Info:

Name: JOHN PAUL GARCIA & Assoc Name: SAME AS LAND SURVEYORS

Address: 190 FAIRWOOD RD Address: \_\_\_\_\_

Phone: 203 393-3306 Phone: \_\_\_\_\_

7) Title of Subdivision Map: \_\_\_\_\_

8) Title of Construction Plans: \_\_\_\_\_

9) Is this an application for a RE-SUBDIVISION? YES [ ] NO [X]

10) Assessor's Information: Zoning District R-5 Map# 630 Block # 8012 Parcel # 601

Deed Citation: Volume number: 2045 Page number: 58

11) Describe any existing EASEMENTS and/or DEED RESTRICTIONS which are Included In, or have an effect on this project? A PROPOSED 35' x 124' ACCESS EASEMENT TO BE PROVIDED TO 319 BARBERRY ROAD

12) Identify and describe any ZONING VARIANCES for any portion of this property. \_\_\_\_\_

N.A.

**PROPOSAL INFORMATION**

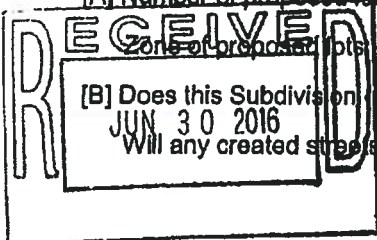
[A] Number of proposed lots: 5 Residential: ☒ Other: \_\_\_\_\_

Zoning of proposed lots: R-5

[B] Does this Subdivision (re-subdivision) propose the creation of new streets? YES [ ] NO [X]

Will any created streets be dedicated to the Town?

YES [ ] NO [X]



**TOWN of EAST HAVEN - Planning & Zoning Commission**  
**APPLICATION for SUBDIVISION and/or RE-SUBDIVISION APPROVAL**

[C] The mandated amount of OPEN SPACE for this proposal is: 8.0 acres.

[D] Does the applicant plan to request the Commission accept payment in lieu of creating open space?    ☐ YES    ☒ NO

[E] Will the created lots be served by:

Public Water	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Sanitary Sewers	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Underground Utilities	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO

[F] Is this application accompanied by a **Proposed Performance Bond**?

☐ YES    ☒ NO;

if "YES", what is the proposed amount of the suggested bond? \$ \_\_\_\_\_

[G] This application is accompanied by the following additional APPLICATIONS MAPS REPORTS STUDIES and/or DOCUMENTS: \_\_\_\_\_

YES

[H] Does this submission comply with **Sections 6 and 7** of the Town's Subdivision Regulations? ☒ YES    ☐ NO,

Does the applicant wish to request a waiver of any of the required elements for a subdivision/re-subdivision submission? If so, what waivers are being requested?

N.A.

[I] The following applications/approvals are also required, and are being submitted in Conjunction with this application:

C.A.M. (coastal area management)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Inland/Wetlands	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Flood& Erosion	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Other (list)	<input type="checkbox"/> YES	<input type="checkbox"/> NO

The owner and/or applicant submitting this proposal hereby grants the *East Haven Planning and Zoning Commission* members and it's staff and authorized agents permission to enter upon the property proposed for subdivision/re-subdivision under this application for the purpose of inspection; to conduct tests and/or to take any other actions related to the enforcement of the Zoning and Subdivision regulations of the Town of East Haven, Connecticut.

*AGENT*  
Applicant's printed name: Laura P. Cannon Date: 6-30-12

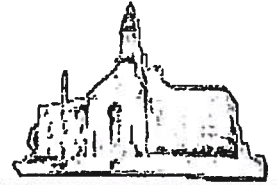
Applicant's signature: 

Property Owner's signature: \_\_\_\_\_ Date: \_\_\_\_\_

The Assessor's office is responsible for the maintenance of records on the ownership of properties. Assessments are computed at 70% of the estimated market value of real property at the time of the last revaluation which was 2011.



## TOWN of EAST HAVEN ASSESSOR



Information on the Property Records for the Municipality of East Haven was last updated on 6/30/2016.

### Parcel Information

Location:	24 WARNER RD	Property Use:	Residential	Primary Use:	Residential
Unique ID:	T0019900	Map Block Lot:	630 8042 001	Acres:	24.80
490 Acres:	24.80	Zone:	R-5	Volume / Page:	2045/0058
Developers Map / Lot:	PT J	Census:	1806000		

### Value Information

	Appraised Value	70% Assessed Value
Land	3,224	2,260
Buildings	0	0
Detached Outbuildings	0	0
Total	3,224	2,260

## Owner's Information

### Owner's Data

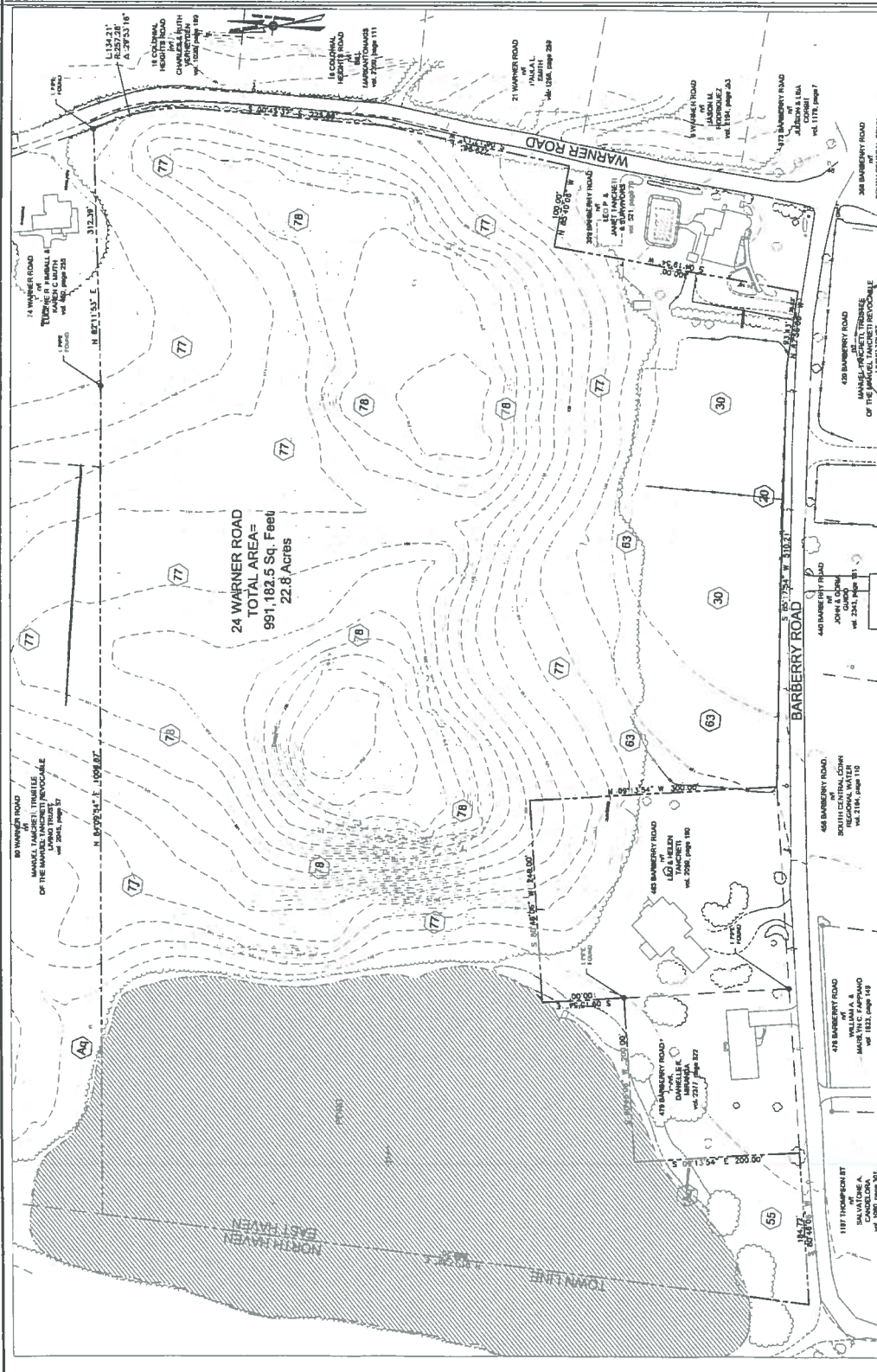
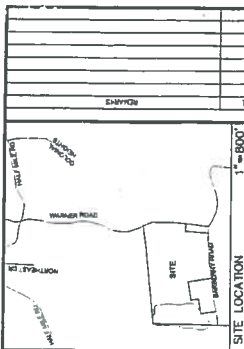
TANCRETI MANUEL TRUSTEE OF THE MANUEL  
TANCRETI REVOCABLE LIVING TRUST  
698 NORTH GREENBRIER DR  
ORANGE, CT 06477

## Owner History - Sales

Owner Name	Volume	Page	Sale Date	Deed Type	Valid Sale	Sale Price
TANCRETI MANUEL TRUSTEE OF THE MANUEL	2045	0058	08/13/2008	Quit Claim	No	\$0
TANCRETI MANUEL	0331	0620	12/14/1982		No	\$0

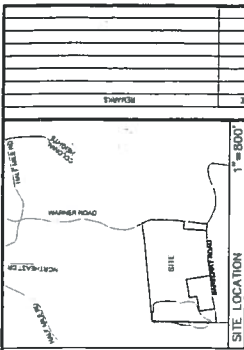
Information Published With Permission From The Assessor

**JPGA**  
JOHN PAUL GARCIA AND ASSOCIATES, P.C.  
ENGINEERS AND SURVEYORS  
180 FAIRWOOD ROAD  
BETHANY, CT  
OFFICE 203-363-3306 FAX 203-363-3341  
EMAIL jpgarcia@pc.com

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**JPGA**  
JOHN PAUL GARCIA AND ASSOCIATES, P.C.  
ENGINEERS AND SURVEYORS  
193 FAIRMWOOD ROAD  
BETHANY CT  
OFFICE 203-393-3126 FAX 203-393-3941

[illegible][illegible]











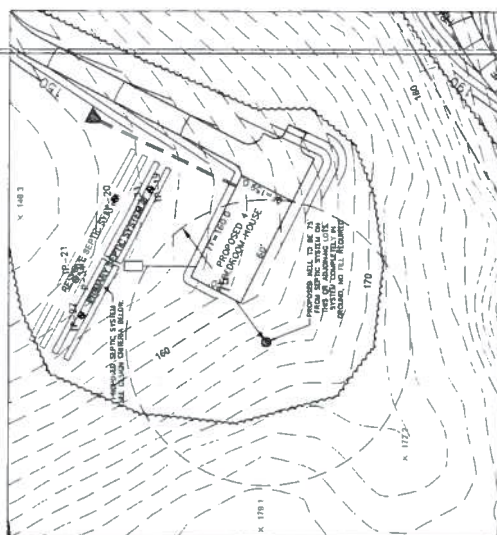
SEPTIC SYSTEM DESIGN  
PROPERTY OF TANCRETT  
24 WARNER ROAD  
EAST HAVEN, CONNECTICUT

**JPGA**  
JOHN PAUL GARCIA AND ASSOCIATES, P.C.  
ENGINEERS AND SURVEYORS  
180 FAIRWOOD ROAD  
BETHANY CT  
OFFICE 203-383-3208 / FAX 203-323-3841  
EMAIL: jg@jpcga.com

524/1000

DATE \_\_\_\_\_

LOT 5



## TEST PITs

[illegible]

## PERCOLATION TESTS

[illegible]

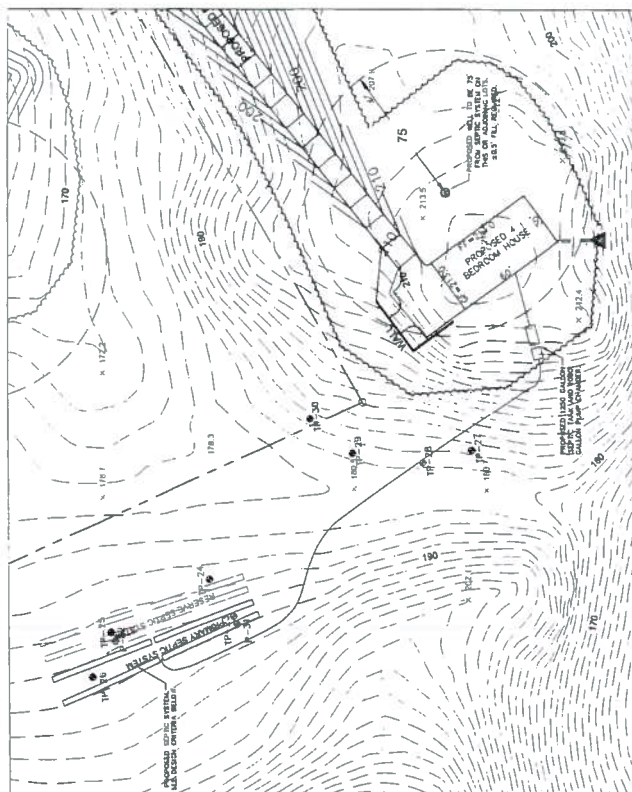
### SEPTIC DESIGN INFORMATION

555 (3.0PF=112, R5=18", PFC=1"/10-20 MM)  
 S = 20  
 T = 20  
 S = 15  
 S5= 20 X 2 X 18 = 64"

TEST PHS[illegible]

## NOTES

- THE ABOVE DESIGN INFORMATION IS BASED UPON INFORMATION OBTAINED FROM ACTUAL  
COLD TESTING.



LOT 4

[illegible]

WATER ON ROAD. LEAK AT 28"

TEST PIT TP-28  
3'-0" DEEP TOPSOIL  
3'-0" DEEP BROWN MEDIUM SILTY SAND  
3'-0" DEEP CLAYEY BROWN SAND  
NO WATER OR RESID. LIEGE AT 65'  
TEST PIT TP-29  
3'-0" DEEP TOPSOIL  
3'-0" DEEP BROWN MEDIUM SILTY SAND  
3'-0" DEEP CLAYEY BROWN SAND  
NO WATER OR RESID. LIEGE AT 48'  
TEST PIT TP-30  
3'-0" DEEP TOPSOIL  
3'-0" DEEP BROWN MEDIUM SILTY SAND  
NO WATER OR RESID. LIEGE AT 18'

NOTE: CLINCH WAS PERFORMED AUG. 2, 2004 BY J.P.C. AND J.E.C. AND WAS NOT RECORDED. THE RESULTS WERE OBSERVED BY LAST BUREAU CHIEF IN DISTRICT. TEST RESULTS WERE NOT RECORDED. THIS LOCATION WAS NOT USED FOR THE SIFTING SYSTEM.

[illegible][illegible][illegible][illegible]

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**JPGA**  
JOHN PAUL GARCIA AND ASSOCIATES, P.C.  
ENGINEERS AND SURVEYORS  
100 FAIRWOOD ROAD  
BETHANY CT  
OFFICE 203.393.3308 FAX 203.393.3541  
EMAIL jlg@jpga.com

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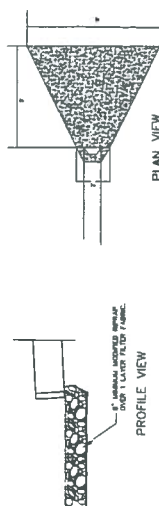
C-7

FILE	17457
DATE	3-20-18
BY NO	4183-B

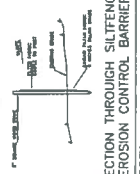
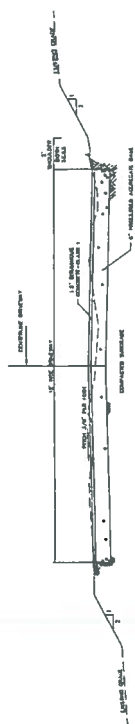
**DRAINING NO.**

TYPICAL DETAILS  
PROPERTY OF TANCREDI  
24 WARNER ROAD  
EAST HAVEN, CONNECTICUT

**JPGA**  
JOHN PAUL GARCIA AND ASSOCIATES, P.C.  
ENGINEERS AND SURVEYORS  
190 FAIRWOOD ROAD  
BETHANY, CT  
OFFICE 203-381-3308 FAX 203-381-1941  
EMAIL jpa@jpga.com

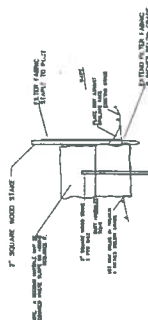
[illegible]

OUTLET PROTECTION  
LEVEL SPREADER DETAILS

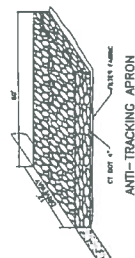
SECTION THROUGH SILTFENCE  
EROSION CONTROL BARRIER

**TYPICAL DRIVEWAY SECTION**

- CONSTRUCTION NOTES



SECTION THROUGH HAYBALE BACKED  
SILT FENCE EROSION CONTROL BARRIER

SECTION THRU HAYBALE  
EROSION CONTROL

ANTI-TRACKING APRON



## STOCKPILE EROSION CONTROL

PROPOSED ADDITIONS IN BOLD UNDERLINE / DELETIONS IN BRACKETS ITALICS

6-21-16

R. PHILLIPS

Total Parking On-Site	Required Number of Handicapped Parking Spaces
Up to 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
500 - 1000	2% of total
over 1000	20 plus 1 for each 100 over 1000



## **Referral 2.3: Town of Hamden**

### **Subject:**

Proposed Zoning Regulation Amendments pertaining to Section 670 - 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. The amendments would restore the previous regulations pertaining to Student Housing in place prior to the current regulations (more restrictive), which became effective December 16, 2015. The rationale and both the current and proposed provisions can be found in the Agenda Packet.

The current regulations permitted student housing in one, two or three dwelling unit buildings only if it is the permanent residence of the principal owner of the property or if the building is owned by a business entity, the permanent residence of the principal owner of the business entity. The proposed amendment would restore the provisions applicable to non-owner occupied one, two, and three dwelling unit buildings.

### **Communication:**

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



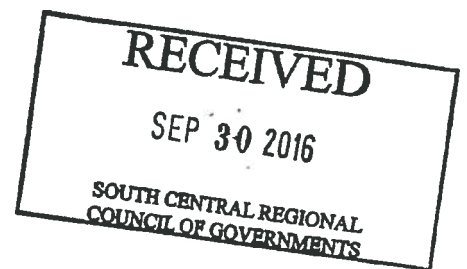


**Town of Hamden**  
Planning and Zoning Department

Hamden Government Center  
2750 Dixwell Avenue  
Hamden, CT 06518  
Tel: (203) 287-7070  
Fax: (203) 287-7075

September 27, 2016

Carl Amento, Executive Director  
South Central Regional Council of Governments  
127 Washington Ave. 4<sup>th</sup> Floor West  
North Haven, CT 06473-1715



Dear Mr. Amento;

Enclosed is the Proposed Zoning Regulation Amendment 16-959, Section 670 Student Housing. The Public Hearing date for this application is November 15, 2016.

Please address any comments to the Hamden Planning Office, Attention Town Planner.

Sincerely yours,

Stacy Shellard  
Administrative Assistant to Boards & Commissions

Enclosures



Date of Filing 9-27-16  
Fee Exempt  
Date Paid \_\_\_\_\_  
Receipt # \_\_\_\_\_  
Application # 16-959

**TOWN OF HAMDEN  
APPLICATION TO AMEND THE ZONING REGULATIONS**

Pursuant to Sections 702 – 702.12 of the Hamden Zoning Regulations

APPLICANT Hamden Planning & Zoning Commission TELEPHONE 203-287-7070  
(Name)

ADDRESS Planning and Zoning Dept., Hamden Gov't. Center, 2750 Dixwell Ave, Hamden CT 06518  
(Street No and Name) (Town and State) (Zip Code)

EMAIL ADDRESS OF CONTACT PERSON: DKOPS@HAMDEN.COM

REGULATION TO BE: ☒ AMENDED ☐ ADDED or ☐ DELETED:

Article Number VI Section 670.1, 670.2 Group Use \_\_\_\_\_  
STUDENT HOUSING


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: HAMDEN PLANNING AND ZONING COMMISSION

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 REGULATIONS**

**Section 670 Student Housing**

**Section 670.1 Deleted**

**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 principal owner of the property, or, if the building is owned by a business entity, the permanent residence of the principal owner of the business entity, verified each year by a notarized affidavit certifying that the property is the owner's permanent residence. With the exception of students living with their parents or guardians, all such student housing will be subject to the following requirements:

- a. Deleted
- 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;
- n. 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.
- o. 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**

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

## ATTACHMENT II

### PROPOSED LANGUAGE

### (RESTORING PRIOR 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.



## **ATTACHMENT III**

### **REASON FOR CHANGE**

On December 8, 2015 the Commission amended the Zoning Regulations regarding Student Housing. The changes became effective on December 16<sup>th</sup>. The key provisions include:

- Elimination of Section 670.1 Owner-Occupied Buildings
- Extensive changes to Section 670.2 Non-Owner-Occupied One-, Two- and Three-Dwelling-Unit Buildings, which now require the building to be the permanent residence of the owner..
- Addition of a definition for "Permanent Residence" in Article VIII.

Over the past year there have been a total of over 40 complaints filed with the Connecticut Commission on Human Rights and Opportunities, against the Town regarding the Student Housing Zoning Regulations in effect prior to the December 8<sup>th</sup> amendment. Although the CHRO has yet to rule definitively on those complaints there are strong indications that the viability of those regulations will be called into question.

The Planning and Zoning Commission recognizes that if the former regulations are considered to be too restrictive, the regulations passed last year will be considered even more objectionable, and has therefore requested that staff submit an application to change the regulations back to the prior version. The proposed amendment seeks to restore the pre-December 8<sup>th</sup> 2015 language.

## **Referral 2.4: Town of Prospect**

### **Subject:**

Proposed Zoning Regulation Amendments to Section 4.8 Commercial Garages, Gasoline Filling & Service Stations

### **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 Prospect has submitted zoning regulation amendments which would delete Subsections 4.8.1.3 and 4.8.1.4, while revising 4.8.1.5.

Subsection 4.8.1.3 (to be deleted) stated that no gasoline or diesel filling station shall be permitted near any building or premises used for such purposes on any part of a lot within a radius of 1,500 feet of any part of any lot uses for such purposes or for which a permit for such use has been issued.

Subsection 4.8.1.4 (to be deleted) stated a lot located in the B Zone used for a commercial garage/automobile service or repair cannot be located within 500 feet of any other lot with the same use.

Subsection 4.8.1.5 has been amended to include gasoline or diesel filling station in the distance requirement provision. The distance requirement is specific to the use within the public water supply and already included the commercial garage/automobile service or repair station.

### **Communication:**

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



TOWN OF PROSPECT  
LAND USE DEPARTMENT  
36 CENTER STREET  
PROSPECT, CT 06712

TEL: 203/758-4461 FAX: 203/758-4466  
EMAIL: [landuse03@sbcglobal.net](mailto:landuse03@sbcglobal.net)

September 27, 2016

**Via Electronic Mail**

Eugene Livshits ([elivshits@scrcog.org](mailto:elivshits@scrcog.org))  
South Central Council of Governments

Dear Mr. Livshits:

In accordance with Section 8-7d(f) of the Connecticut General Statutes please be advised that the Prospect Planning and Zoning Commission has scheduled a public hearing for Wednesday, November 2, 2016 at 7:10 p.m. in the Prospect Town Hall, 36 Center Street on the proposed revisions to the Prospect Zoning Regulations as attached.

Comments on the proposed revisions 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

Attachment

## Proposed Amendments to Zoning Regulations

### Section 4.8 Commercial Garages, Gasoline Filling & Service Stations

#### To be deleted:

**4.8.1.3** No gasoline or diesel filling station shall be permitted near any building or premises used for such purposes on any part of a lot within a radius of one thousand five hundred (1,500) feet of any part of any lot used for such purposes or for which a permit for such use has been issued.

**4.8.1.4.** A lot located in a Business District (B) zone used for a commercial garage or automobile service or repair station shall not be located within five hundred (500) feet of any other lot used for a commercial garage or automobile service or repair station or for which a permit for such use has been issued except as otherwise specified in Section 4.8.1.5.

#### To be amended: (proposed addition in bold italic):

**4.8.1.5** A lot used for a ***gasoline or diesel filling station***, commercial garage or automobile service or repair station and located within a public water supply watershed shall not be located within fifteen hundred (1,500) feet from any other lot used for a ***gasoline or diesel filling station***, commercial garage or automobile service or repair station also located within the same public water supply watershed.