

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

**RPC
Representatives**

Bethany:
Michael Calhoun
(Secretary)

Branford:
Charles Andres

East Haven:
Sal Brancati

Guilford:
Walter Corbiere

Hamden:
Robert Roscow

Madison:
Joel Miller

Meriden:
David White
(Vice-Chair)

Milford:
Scott Marlow

New Haven:
Kevin DiAdamo

North Branford:
Frances Lescovich

North Haven:
James Giulietti
(Chair)

Orange:
Ralph Aschettino

Wallingford:
Jeffrey Kohan

West Haven:
David Killeen

Woodbridge:
Andrew Skolnick

To: Regional Planning Commission
From: Eugene Livshits, Senior Regional Planner
Subject: Thursday, November 9, 2017 RPC Meeting at 5:15pm at SCRCOG, 127 Washington Avenue, 4th Floor West, North Haven, CT 06473

AGENDA

1. Administration

1.1. Minutes of the October 12, 2017 RPC Meeting **1**

2. Action Items

2.1. City of West Haven: Proposed Zoning Regulation Amendments regarding Medical Regional Operations Centers in IPD Districts. Received: October 19, 2017. Public Hearing: November 28, 2017. **3**

3. Other Business

3.1. Town of Bethany: Application regarding opt out of State initiated Temporary Health Care Structure Act. Received: October 12, 2017. Public Hearing: November 1, 2017. **6**

3.2. 2018 Meeting Schedule **15**

3.3. RPC Annual Dinner

3.4. Nominating Committee: 2018 Officers & Executive Committee

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

127 Washington Avenue, 4th Floor West, North Haven, CT 06473

www.scrkog.org T (203) 234-7555 F (203) 234-9850 elivshits@scrcog.org

**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 12, 2017 Meeting at 5:15 pm at SCRCOG, 127 Washington Avenue, 4th FL West, North Haven, CT.

Present: James Giulietti, David White, Michael Calhoun, Andrew Skolnick, Scott Marlow, Robert Roscow, David Killeen (after “Action Items”), Jeffrey Kohan, Sal Brancati, Ted Stevens, Rebecca Augur (MMI), Eugene Livshits

1 Administration

1.1 *Minutes of the September 14, 2017 RPC meeting.*

Motion to accept the minutes as presented: Michael Calhoun. Second: David White.
Vote: Unanimous.

2 Statutory Referrals

2.1 *Town of North Haven: Proposed zoning regulation amendment to Section 5.1.3.16.16 to modify the adaptive reuse requirements*

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: Andrew Skolnick. Second: Sal Brancati. Vote: Unanimous. Abstain: James Giulietti

3 Other Business

3.1 There was a presentation on the Regional Plan of Conservation and Development (POCD) Update process conducted by the Milone & MacBroom consulting team. The focus of the presentation was to have a discussion and obtaining feedback on the vision, objectives and strategies being considered for the Regional POCD. In addition, there was an overview of the project schedule and the Regional POCD Update Survey Results were presented.

Motion to Adjourn: David White. Second: Michael Calhoun. Vote: Unanimous.

Referral 2.1: City of West Haven

Subject:

Proposed Zoning Regulation Amendments regarding Medical Regional Operations Centers in IPD Districts

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 submitted proposed zoning regulation amendments to Table 39.2.H, Definitions, and table 62.1.H regarding Medical Regional Operations Centers in IPD Districts. The amendment defines Medical Regional Operations Centers as facilities larger than 100,000 square feet “used by a medical/healthcare provider for the receipt, temporary storage, break-bulk, assembly, repackaging and/or redistribution of goods and materials associated with the health care and medical industries.” The amendment allows these facilities As-of-Right in IPD Districts. Minimum parking for these facilities is 1 space per employee for the two largest shifts combined.

West Haven’s IPD Zones are adjacent to New Haven’s IL Zone and Orange’s Residential Zone.

Communication:

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



CITY OF WEST HAVEN, CONNECTICUT

Planning and Development Department

City Hall | 355 Main Street | First Floor West Haven, Connecticut 06516-0312
Phone 203.937.3580 Fax 203.937.3742



October 19, 2017

RECEIVED

OCT 19 2017

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

TO: South Central Regional Council of Governments ✓
State of CT DEEP ✓
City of New Haven, City Clerk ✓
City of Milford, City Clerk ✓
Town of Orange, Town Clerk ✓
West Haven Harbor Management Commission

RE: Planning and Zoning Applications # ZR 17-071

The City of West Haven hereby refers the following application to your agency for your review, in accordance with Section 8-3b, 22a-104 and 22a-113p of the Connecticut General Statutes and Section 86 of the West Haven Zoning Regulations:

Text Change Application – Yale New Haven Health Services Corp.

- Yale New Haven Health Services Corp. proposes to amend the City’s current Zoning Regulations by revising Article 1, Section 2.2; Article 2, Table 39.2; and Article 5, Table 62.1 to add a definition for a new use, Medical Regional Operations Center, to add this use as a permitted use in the IPD District under Table 39.2.H, and to create a specific parking/loading requirement for this use. File # ZR 17-071.

The West Haven Planning and Zoning Commission plans to hold a public hearing on this application on Tuesday, November 28, 2017 at 7:00 PM in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT.

Copies of the proposed amendment are enclosed for your review. Please submit any comments on the proposed application by the date of this public hearing if possible. Thank you for your assistance. Please contact me if you have any questions on this application.

Sincerely,

David W. Killeen
Assistant City Planner



CITY OF WEST HAVEN, CONNECTICUT

Planning and Development Department

City Hall | 355 Main Street | Third Floor
 Phone 203.937.3580 Fax 203.937.3742

West Haven, Connecticut 06516-0312
 E-Mail: planning@cityofwesthaven.com



CITY HALL 1898-1967

APPLICATION FOR CHANGE TO ZONING REGULATIONS

11/28/17

1. Article and Section of Zoning Regulations

Article 1, Section 2.2; Article 2, Table 39.2; and Article 5, Table 62.1;

2. What special condition or reason makes passage of this amendment necessary?

Applicant intends to submit an application for a use that does not fit cleanly within any existing category of use. Rather than try to fit a square peg into a round hole, the Applicant is proposing a new use, a new definition for that use and specific parking/loading requirements for the use.

3. What other circumstances (i.e., public health, safety or general welfare) would justify the amendment?

The proposed new use is fairly narrowly defined so it should not result in a proliferation of regional operation centers within the City. In addition, the parking space criteria has been tailored to this specific use (as opposed to using the indoor storage parking ratio), which should result in a parking area that will be smaller, thus having less impact on the environment.

Applicant Information

Name Stephen Carbery
 Firm Yale New Haven Health Services Corp.
 Street Address 789 Howard Avenue
 City New Haven State CT ZIP 06519
 Dated: _____

Daytime Phone: 203-688-3055
 Business Home
 Fax: _____ Cell: _____
 E-mail STEPHEN.CARBERY@YNHH.ORG

Signature of APPLICANT
 STEPHEN T. CARBERY FOR YNNHSC

5. Counsel Information

Name: Susan Hays
 Firm: Updike, Kelly & Spellacy, P.C.
 Street Address: 100 Pearl Street, 17th Floor
 City: Hartford State: CT ZIP 06103

Daytime Phone: 860-548-2640
 Business Home
 Fax: 860-548-2680 Cell: _____
 E-mail SHAYS@UKS.COM

6. Provide Text of Proposed Change Please see attached

Rev 4-30-11

Applicant: Yale New Haven Health Services Corp.
Application: Zoning Text Amendment

TEXT OF PROPOSED CHANGE

- A. Add a new use to Table 39.2.H called “Medical Regional Operations Center” and put an R in the IPD column.
- B. Add a definition of Medical Regional Operations Center as follows: Medical Regional Operations Center (“MROC”) is a facility containing not less than 100,000 square feet used by a medical/healthcare provider for the receipt, temporary storage, break-bulk, assembly, repackaging and/or redistribution of goods and materials associated with the health care and medical industries, such as medical equipment, devices and materials, pharmaceuticals, linens and uniforms. MROC shall also include ancillary uses necessary for the operation of the facility, including such uses as offices, meeting rooms, IT facilities, cafeterias, break rooms and similar uses, as well as uses associated with the materials received at the facility, including compounding, repairs and refrigeration, but shall not include laundering of linens or uniforms.
- C. In table 62.1.H, add a new row for Medical Regional Operations Center; add a parking ratio of 1 per employee for the two largest shifts combined in the Required Parking Space column and add the letter A in the Required Loading Spaces column.



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PLANNING AND ZONING COMMISSION

TOWN OF BETHANY
Town Hall - 40 Peck Road
Bethany, Connecticut 06524-3338
Tel. (203) 393-2100 Ext. 115
Fax: (203) 393-0821

October 12, 2017

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

Attention: Mr. Carl J. Amento, Executive Director

Dear Mr. Amento:

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, November 1, 2017, beginning at 7:15 p.m. pertaining to the following Application #2017-015:

- Application #2017-015 regarding opt out of State initiated Temporary Health Care Structure Act, per Section 1.3(j) of Public Act 17-155, "An Act Concerning Temporary Health Care Structures", Planning and Zoning Commission initiated. Details regarding the above item are on file in the Planning and Zoning Office. At this hearing interested persons may appear and be heard and written communications will be received.

Your comments on this application are welcome to be heard or submitted in writing for receipt into the hearing record.

Respectfully submitted,

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

cc: E. Livshits

RECEIVED

OCT 12 2017

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**



Substitute Senate Bill No. 922

Public Act No. 17-155

AN ACT CONCERNING TEMPORARY HEALTH CARE STRUCTURES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2017*) (a) For the purposes of this section:

(1) "Caregiver" means a relative, legal guardian or health care agent who is responsible for the unpaid care of a mentally or physically impaired person.

(2) "Mentally or physically impaired person" means a person who requires assistance, as certified in writing by a physician licensed in this state, with two or more activities of daily living, including, but not limited to, bathing, dressing, grooming, eating, meal preparation, shopping, housekeeping, transfers, bowel and bladder care, laundry, communication, self-administration of medication and ambulation.

(3) "Temporary health care structure" means a transportable residential structure that provides an environment in which a caregiver may provide care for a mentally or physically impaired person and that (A) is primarily assembled at a location other than the site of installation, (B) has one occupant who is the mentally or physically impaired person, (C) is not larger than five hundred gross

Substitute Senate Bill No. 922

square feet, (D) is not placed on or attached to a permanent foundation, and (E) complies with the applicable provisions of the State Building Code, Fire Safety Code and Public Health Code.

(b) A temporary health care structure shall be allowed as an accessory use in any single-family residential zoning district on a lot zoned for single-family detached dwellings that is owned by a caregiver or mentally or physically impaired person and used as his or her residence. Such structures shall comply with all setback requirements, coverage limits and maximum floor area ratio limitations that apply to accessory structures in such zoning district as of October 1, 2017.

(c) No person shall install a temporary health care structure without first obtaining a permit from the municipality in which the structure will be installed, for which the municipality may charge a fee not to exceed two hundred fifty dollars and an annual permit renewal fee not to exceed one hundred dollars. The municipality shall not be required to hold a public hearing on the permit application and shall either approve or deny the permit not later than fifteen business days after the permit application is submitted to the municipality by the applicant. The municipality shall not deny the permit if the applicant provides proof of compliance with this section. The applicant shall send notice of the permit application, by certified or registered mail, to each person appearing of record as an owner of property which abuts the property upon which the temporary health care structure is proposed to be installed. The notice shall be sent not later than three business days after the permit application is submitted to the municipality by the applicant.

(d) The municipality may require a temporary health care structure installed pursuant to this section to be accessible to emergency vehicles and be connected to private water or septic systems or to water, sewer and electric utilities that serve the primary residence.

Substitute Senate Bill No. 922

(e) Not more than one temporary health care structure shall be installed on a lot zoned for a single-family detached dwelling.

(f) No signage advertising or otherwise promoting the existence of the temporary health care structure shall be permitted either on the exterior of the structure or elsewhere on the lot.

(g) Following issuance of such permit, the municipality may require that the applicant provide written evidence of compliance with this section as long as the temporary health care structure remains on the property. Evidence of compliance may be obtained through an inspection by the municipality of the temporary health care structure at reasonable times convenient to the caregiver.

(h) Any temporary health care structure installed pursuant to this section shall be removed not later than one hundred twenty days after the mentally or physically impaired person no longer occupies the structure or no longer qualifies as a mentally or physically impaired person. Upon issuance of the permit authorizing such structure, the municipality may require the applicant to post a bond in an amount not exceeding fifty thousand dollars to ensure compliance with this subsection.

(i) The municipality may revoke a permit issued pursuant to subsection (c) of this section if the permit holder violates any provision of this section.

(j) A municipality, by vote of its legislative body or, in a municipality where the legislative body is a town meeting, by vote of the board of selectmen, may opt out of the provisions of this section and the provision of subsection (a) of section 8-2 of the general statutes, as amended by this act, regarding authorization for the installation of temporary health care structures, provided the zoning commission or combined planning and zoning commission of the

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municipality: (1) First holds a public hearing in accordance with the provisions of section 8-7d of the general statutes on such proposed opt-out, (2) affirmatively decides to opt out of the provisions of said sections within the period of time permitted under section 8-7d of the general statutes, (3) states upon its records the reasons for such decision, and (4) publishes notice of such decision in a newspaper having a substantial circulation in the municipality not later than fifteen days after such decision has been rendered.

Sec. 2. Subsection (a) of section 8-2 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) The zoning commission of each city, town or borough is authorized to regulate, within the limits of such municipality, the height, number of stories and size of buildings and other structures; the percentage of the area of the lot that may be occupied; the size of yards, courts and other open spaces; the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes, including water-dependent uses, as defined in section 22a-93, and the height, size and location of advertising signs and billboards. Such bulk regulations may allow for cluster development, as defined in section 8-18. Such zoning commission may divide the municipality into districts of such number, shape and area as may be best suited to carry out the purposes of this chapter; and, within such districts, it may regulate the erection, construction, reconstruction, alteration or use of buildings or structures and the use of land. All such regulations shall be uniform for each class or kind of buildings, structures or use of land throughout each district, but the regulations in one district may differ from those in another district, and may provide that certain classes or kinds of buildings, structures or uses of land are permitted only after obtaining a special permit or special exception from a zoning commission,

Substitute Senate Bill No. 922

planning commission, combined planning and zoning commission or zoning board of appeals, whichever commission or board the regulations may, notwithstanding any special act to the contrary, designate, subject to standards set forth in the regulations and to conditions necessary to protect the public health, safety, convenience and property values. Such regulations shall be made in accordance with a comprehensive plan and in adopting such regulations the commission shall consider the plan of conservation and development prepared under section 8-23. Such regulations shall be designed to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population and to facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements. Such regulations shall be made with reasonable consideration as to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality. Such regulations may, to the extent consistent with soil types, terrain, infrastructure capacity and the plan of conservation and development for the community, provide for cluster development, as defined in section 8-18, in residential zones. Such regulations shall also encourage the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a. Such regulations shall also promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and shall encourage the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section 8-37t and

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in the housing component and the other components of the state plan of conservation and development prepared pursuant to section 16a-26. Zoning regulations shall be made with reasonable consideration for their impact on agriculture, as defined in subsection (q) of section 1-1. Zoning regulations may be made with reasonable consideration for the protection of historic factors and shall be made with reasonable consideration for the protection of existing and potential public surface and ground drinking water supplies. On and after July 1, 1985, the regulations shall provide that proper provision be made for soil erosion and sediment control pursuant to section 22a-329. Such regulations may also encourage energy-efficient patterns of development, the use of solar and other renewable forms of energy, and energy conservation. The regulations may also provide for incentives for developers who use passive solar energy techniques, as defined in subsection (b) of section 8-25, in planning a residential subdivision development. The incentives may include, but not be limited to, cluster development, higher density development and performance standards for roads, sidewalks and underground facilities in the subdivision. Such regulations may provide for a municipal system for the creation of development rights and the permanent transfer of such development rights, which may include a system for the variance of density limits in connection with any such transfer. Such regulations may also provide for notice requirements in addition to those required by this chapter. Such regulations may provide for conditions on operations to collect spring water or well water, as defined in section 21a-150, including the time, place and manner of such operations. No such regulations shall prohibit the operation of any family child care home or group child care home in a residential zone. No such regulations shall prohibit the use of receptacles for the storage of items designated for recycling in accordance with section 22a-241b or require that such receptacles comply with provisions for bulk or lot area, or similar provisions, except provisions for side yards, rear yards and front yards. No such regulations shall unreasonably

Substitute Senate Bill No. 922

restrict access to or the size of such receptacles for businesses, given the nature of the business and the volume of items designated for recycling in accordance with section 22a-241b, that such business produces in its normal course of business, provided nothing in this section shall be construed to prohibit such regulations from requiring the screening or buffering of such receptacles for aesthetic reasons. Such regulations shall not impose conditions and requirements on manufactured homes having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards or on lots containing such manufactured homes which are substantially different from conditions and requirements imposed on single-family dwellings and lots containing single-family dwellings. Such regulations shall not impose conditions and requirements on developments to be occupied by manufactured homes having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards which are substantially different from conditions and requirements imposed on multifamily dwellings, lots containing multifamily dwellings, cluster developments or planned unit developments. Such regulations shall not prohibit the continuance of any nonconforming use, building or structure existing at the time of the adoption of such regulations. Such regulations shall not provide for the termination of any nonconforming use solely as a result of nonuse for a specified period of time without regard to the intent of the property owner to maintain that use. Unless such town opts out, in accordance with the provisions of subsection (j) of section 1 of this act, such regulations shall not prohibit the installation of temporary health care structures for use by mentally or physically impaired persons in accordance with the provisions of section 1 of this act if such structures comply with the provisions of said section. Any city, town or borough which adopts the provisions of this chapter may, by vote of its legislative body, exempt municipal property from the regulations prescribed by the zoning commission of such city, town or

Substitute Senate Bill No. 922

borough; but unless it is so voted municipal property shall be subject to such regulations.

Approved July 6, 2017

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

2018 MEETING SCHEDULE

The South Central Connecticut Regional Planning Commission meets the second Thursday of every month at the offices of the *South Central Regional Council of Governments*, 127 Washington Avenue, 4th Floor West, North Haven, CT at **5:15 PM**, unless notified otherwise.

**January 11, 2018	July 12, 2018
February 8, 2018	August 9, 2018
March 8, 2018	September 13, 2018
April 12, 2018	October 11, 2018
May 10, 2018	November 8, 2018
June 14, 2018	December 13, 2018
	**January 10, 2019

** RPC Annual Dinner