

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

**RPC
Representatives**

Bethany:
Michael Calhoun
(Secretary)

Branford:
Charles Andres

East Haven:
Vacant

Guilford:
Walter Corbiere

Hamden:
Robert Roscow

Madison:
Joel Miller

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, March 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 January 12, 2017 RPC Meeting

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2. Action Items

2.1. City of West Haven: Proposed Zoning Regulation Amendment to Sections 65 and 69 allowing the use of digitally enhanced or electronic billboards along I-95. Submitted by: Private Applicant. Received: January 19, 2017. Public Hearing: February 14, 2017.

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2.2. City of West Haven: Proposed Zoning Regulation Amendment to Section 46 regarding the keeping of hens on residential properties. Submitted by: City of West Haven. Received: January 19, 2017. Public Hearing: March 14, 2017.

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2.3. Town of Hamden: Proposed Zoning Regulation Amendment to create Section 677-Housing Opportunity Development Zone. Submitted by: Private Applicant. Received: January 24, 2017. Public Hearing: TBD.

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2.4. City of Milford: Proposed Zoning Regulation Amendments to Sections 5.3.5 and 5.3.7.1 regarding allowing blade signs in office, business, and industrial districts. Submitted by: City of Milford. Received: February 1, 2017. Public Hearing: TBA.

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2.5. Town of North Branford: Proposed Zoning Regulation Amendments to Section 6 Definitions; Section 41 Site Development Plan Standards; Section 63 Amendments; Section 61 Zoning Board of Appeals; and Section 62 Administration. Proposed Subdivision Regulation Amendments to add Article III Section 310 regarding Fire Suppression System. Submitted by: Town of North Branford; Received: February 2, 2017; Public Hearing: March 2, 2017.

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2.6. City of West Haven: Proposed Zoning Regulation Amendments to Table 39.2 Uses in Commercial, Mixed Use, Industrial & Other Districts; Table 62.1 Parking and Loading Requirements; and Section 38.2 Public Facilities (PF) District, to allow housing as a Special Permit Use in the PF District. Submitted by: City of West Haven. Received: February 10, 2017. Public Hearing: March 14, 2017.

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**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

- 2.7. Town of Southington: Proposed Zoning Regulation Amendment to Section 6 Floodplain. Submitted by: Town of Southington. Received: February 28, 2017. Public Hearing: April 4, 2017.

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3. Other Business

3.1. Discussion: Regional POCD Update

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.

**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 12, 2017 Meeting (5:15 pm at Bellini's Restaurant, North Haven, CT).

Present: James Giulietti, Charles Andres, David White, Michael Calhoun, Robert Roscow, Joel Miller, Eugene Livshits

1 Administration

1.1 Minutes of the November 10, 2016 RPC meeting.

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

1.2 Minutes of the December 8, 2016 RPC meeting.

Motion to accept the minutes as presented: Charles Andres. Second: David White.
Vote: Unanimous.

2 Statutory Referrals

2.1 Town of North Haven: Proposed Zoning Regulation Amendment pertaining to Section 5.1.1 – Uses Permitted in Light Industrial Districts (IL)

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: David White. Second: Michael Calhoun. Vote: Unanimous.

2.2 City of Derby: Proposed Zoning Regulation Amendments pertaining to Notice Requirements in Section 195-46 – Procedure, Section 195-82 – Hearings, Section 195-140 – Amendments, and 195-141 Notification; amendments pertaining to Liquor Permitting in Section 195-122 – Location of liquor outlets and Section 195-123 – Minimum distances and measurement; amendments pertaining to Section 195-7 – Definitions and word usage.

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: David White. Second: Charles Andres. Vote: Unanimous.

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

2.3 Town of Hamden: Proposed Zoning Regulation Amendment pertaining to Section 650.1 – Motor Vehicles

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

2.4 Town of Hamden: Proposed Zoning Regulation Amendment to create Section 581 – Lighting for Outdoor Athletic Facilities

The staff recommendation was amended as concerns were raised on the potential locations of outdoor athletic facilities and the potential impacts if there are adjacent residential uses.

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment has the potential for inter-municipal impacts depending on the location of the athletic fields and adjacency to residential uses. There do not appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion to accept as amended: David White. Second: Joel Miller. Recuse: Robert Roscow. Vote: Unanimous.

3 Other Business

3.1 Nomination of Officers and Executive Committee Members:

Chairman:	James Giuliatti
Vice Chairman:	David White
Secretary:	Michael Calhoun

Executive Committee:

James Giuliatti
David White
Michael Calhoun
Charles Andres
Fran Lescovich
Robert Roscow
Joel Miller

The Executive Committee was amended to include Joel Miller in place of Kevin DiAdamo (due to availability).

Motion to accept slate of Officers and Executive Committee Members as amended:
Charles Andres. Second: Michael Calhoun. Vote: Unanimous

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

Referral 2.1: City of West Haven

Subject:

Proposed Zoning Regulation Amendments to Sections 65 and 69 allowing the use of digitally enhanced or electronic billboards along I-95

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 submitted proposed zoning regulation amendments to Sections 65 and 69, which would allow digitally enhanced or electronic billboards with changing images along Interstate-95. These billboards would be subject to Special Permit approval. Billboards must be facing I-95 and be within 100 ft of the centerline of the highway. The applicant would be required to eliminate two existing billboard faces for each face of a digitally enhanced/electronic billboard.

Communication:

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



CITY OF WEST HAVEN, CONNECTICUT

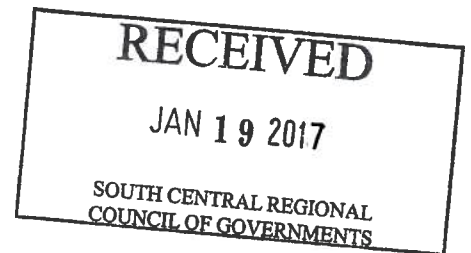
Planning and Development Department

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



January 13, 2017

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



RE: Planning and Zoning Applications # ZR-17-01

Dear Mr. Livshits:

In accordance with Section 8-3b of the Connecticut General Statutes, the City of West Haven hereby refers to you the following application that has been submitted for your review:

Text Change Application – Outfront Media, LLC

- The applicant proposes to amend the City's current Zoning Regulations by revising Sections 65 and 69 to allow the use of digitally enhanced or electronic billboards along I-95.

The West Haven Planning and Zoning Commission plans to hold a public hearing on this application on Tuesday, February 14, 2017 at 7:00 PM in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT.

Please submit any comments on these proposed applications by the date of this public hearing. Thank you for your assistance. Please contact me if you have any questions on these applications.

Sincerely,

David W. Killeen
Assistant City Planner

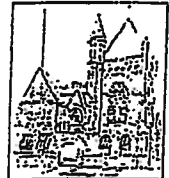


CITY OF WEST HAVEN, CONNECTICUT

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

1. Article and Section of Zoning Regulations

65.2, 65.4.7 and 69.5

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

The proposed amendment permits the modern use of LED.

billboards along the I-95 corridor

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

The amendment would allow a more effective + efficient method to communicate. As drafted, the regulation would also decrease non conformities within the

City

4. Applicant Information

Name Outfront Media, LLC

Firm 355 Washington Avenue

Street Address North Haven Ct 06473

City North Haven State CT ZIP 06473

Dated: 12/21/16

Daytime Phone:

☒ Business ☐ Home 203-404-6123

☒ Fax: 203-985-0420 ☐ Cell: _____

☐ E-mail annette.petersen@outfrontmedia.com

Annette Petersen
Signature of APPLICANT

5. Counsel Information

Name Timothy J. Lee, Esq.

Firm Fasano, Ippolito, Lee + Florentine, LLC

Street Address 388 Orange Street

City New Haven State CT ZIP 06511

Daytime Phone: 203-787-6555

☒ Business ☐ Home

☒ Fax: 203-776-2119 ☐ Cell: _____

☐ E-mail TLee@fellow.com

6. Provide Text of Proposed Change

Please see attached

Rev 4-30-11

Sec. 69.5 – a digitally enhanced or electronic billboard with changing images is allowed subject to Special Permit approval on the conditions that:

- (1) The digitally enhanced or electronic billboard faces and is primarily directed toward Interstate 95 and must be located within 100 ft of the centerline of said highway;
- (2) The applicant must eliminate two faces of an existing billboard(s) located anywhere within the City of West Haven for each face of a digitally enhanced or electronic billboard proposed; and
- (3) The digitally enhanced or electronic billboard must comply with all rules and regulations of the State of Connecticut, Department of Transportation.

Sec. 65.2- SIGN, DIGITALLY ENHANCED OR ELECTRONIC BILLBOARD – a non-accessory advertising sign promoting a product or service by displaying periodically changing digitally enhanced or electronic messages not related to the use of the property on which it is located.

Sec. 65.4.7- Digitally enhanced or electronic billboards with changing images, except where specifically permitted by special permit pursuant to Sec. 69.5

Referral 2.2: City of West Haven

Subject:

Proposed Zoning Regulation Amendment to Section 46 regarding the keeping of hens on residential properties

Staff Recommendation:

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

Background:

The City of West Haven has submitted a proposed zoning regulation amendment to Section 46, regarding the keeping of hens on residential properties. The amendment proposes allowing a maximum of six (6) hens in R-1 and R-2 Zones. Hens require a proper building that is no more than 200 square feet in area and is located at least ten (10) feet from any lot line. Roosters are not allowed.

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



January 13, 2017

91 7199 9991 7034 4693 6086

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

RE: Planning and Zoning Applications # ZR-17-02

Dear Mr. Livshits:

In accordance with Section 8-3b of the Connecticut General Statutes, the City of West Haven hereby refers to you the following application that has been submitted for your review:

Text Change Application – West Haven Animal Control Officer

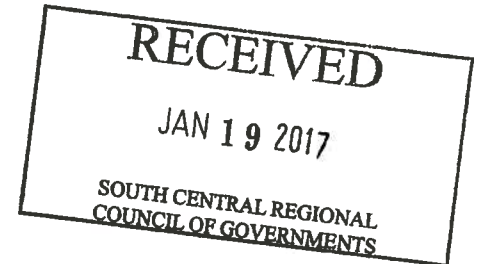
- The City proposes to amend its current Zoning Regulations to establish standards for the keeping of hens on residential properties, by amending Section 46 of the Regulations.

The West Haven Planning and Zoning Commission plans to hold a public hearing on this application on Tuesday, March 14, 2017 at 7:00 PM in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT.

Please submit any comments on these proposed applications by the date of this public hearing. Thank you for your assistance. Please contact me if you have any questions on these applications.

Sincerely,

David W. Killeen
Assistant City Planner





CITY OF WEST HAVEN, CONNECTICUT

Planning and Development Department

City Hall | 305 Main Street | Third Floor
Phone: 203-937-3580 Ext. 203-937-3742

West Haven, Connecticut 06516-0112
E-Mail: planning@cityofwesthaven.com



CITY HALL 1898-1967

APPLICATION FOR CHANGE TO ZONING REGULATIONS

1. Article and Section of Zoning Regulations

3/14/17

Article 3 Section 46

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

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

Keeping of Hens on certain residential properties for the health, convenience and personal enjoyment benefits while maintaining quality of life for the surrounding neighborhood.

4. Applicant Information

Name Denise L. Ford

Firm West Haven Animal Control

Street Address 7 Collis St.

City West Haven State CT ZIP 06516

Dated: 12/21/16

Daytime Phone: 203-937-3642

☒ Business ☐ Home

☐ Fax: ☐ Cell:

☒ E-mail dford@whpd.com

Denise L. Ford
Signature of APPLICANT

5. Counsel Information

Name

Firm

Street Address

City State ZIP

Daytime Phone:

☐ Business ☐ Home

☐ Fax: ☐ Cell:

☐ E-mail:

6. Provide Text of Proposed Change

See Attached

Rev 4-30-11

DEPARTMENT OF POLICE SERVICES

CITY OF WEST HAVEN, CONNECTICUT 06516

ANIMAL CONTROL DIVISION

December 21, 2016

Dear Planning and Zoning Board and Commissioner,

I respectfully request your consideration on the following zoning regulation change. Attached is a copy of my application to change zoning regulation Article 3 Section 46 to now include the keeping of hens.

During my 15 years of being an Animal Control Officer with the City of West Haven I have worked several times with both the Police Department Community Resource officers and the Zoning Enforcement Officer on cases of chickens being owned against zoning policy. Some have been a definite issue and we were justified in having the residents get rid of the chickens (i.e: too many animals to be sanitary, owning a rooster to crow and disturb the neighbors, or not properly housing and/or caring for the chickens) yet others have been much more considerate of the community with their ownership of chickens (i.e: properly cleaning and housing them, not having too many, and not owning a rooster). These residents considered them pets and enjoyed having the convenience and self-sustainability of the fresh eggs and meat.

I'm proposing this change to help allow those residents that live in Detached Single Family Zoned properties (Zone R-1 & R-2) to be able to enjoy this privilege while ensuring that it is done properly with the consideration of the communities' public health and right to not have their neighbors cause them nuisance.

Included with my application is a copy of the proposed changes that I believe can achieve this goal. I consulted with the City of West Haven Health Department, The West Haven Police Department Community Resource Officers, and The City of West Haven City Clerk on which provisions they believe are necessary to achieve this goal. All of their concerns have been taken into account when I was writing the provisions. I thank you for your consideration of this change.

Sincerely,



Denice L. Ford

Humane Officer WHPD

#7 Collis St., West Haven, CT. 06516
Email – dford@whpd.com

46 - KEEPING OF ANIMALS

46

KEEPING OF ANIMALS

46.1 FARM ANIMALS

46.1.1 Purpose

The purpose of this subsection is to regulate the keeping of farm animals in the City of West Haven in order to protect the health, safety, and public welfare of residents of the (community) city and to insure their right of quiet and peaceful enjoyment of their property.

* Additional Sentence

46.1.2 Scope

Farm animals include all those animals traditionally raised on farms or ranches such as but not limited to chickens, geese, ducks, turkeys, hogs, rabbits, cattle, sheep, goats, horses, ponies, donkeys, etc., whether for the residents pleasure or consumption, or for breeding or other commercial purposes. This shall not include animals listed above for which one (1) farm animal less than 100 pounds in weight is kept on the property as a pet.

46.1.3 Health Hazard or Nuisance

A health hazard or nuisance shall include situations of rat harborage, noxious odors, excessive noise, animals running loose and any other situation or nuisance which might be mentioned in the health code, zoning regulation, local ordinance, state statutes or accepted legal interpretation.

46.1.4 Keeping of Farm Animals

The keeping of one or more farm animals whether of one species or more than one species will be permitted in any district provided:

1. The animal or animals are housed overnight in a structure which is a minimum of 100 feet from any dwelling unit.
2. The animal or animals shall be kept a minimum distance of 25 feet from all adjoining property lines and that they shall be prevented from straying onto any street, roadway or adjoining private property;
3. The premises or operation meet all applicable local and state health codes;
4. No nuisance is created or maintained; and
5. Any manure, feces or animal droppings shall be kept in a covered watertight pit or chamber and shall be removed at least once weekly.

46.3 Keeping of Hens

46.2 DOG KENNELS

46.2.1 A Dog Kennel may be established only in a commercial or industrial zone by Special Permit issued by the Planning and Zoning Commission under the following conditions:

1. The site shall contain at least two acres.

Keeping Of Animals
Page 46 - 1

Anything Highlighted has
Been either Removed, Added,
or Changed

46 – Keeping of Animals

46.1 FARM ANIMALS

46.1.1 Purpose

The purpose of this Subsection is to regulate the keeping of farm animals in the City of West Haven in order to protect the health, safety, and public welfare of residents of the (community) city and to ensure their right of quiet and peaceful enjoyment of their property. These Requirements are in addition to the minimum lot area requirements for a farm. (see Table 39.1)

46.1.2 Scope

Farm animals include all those traditionally raised on farms or ranches such as but not limited to geese, ducks, turkeys, hogs, rabbits, cattle, sheep, goats, horses, ponies, donkeys, etc., whether for the residents pleasure or consumption, or for breeding or other commercial purposes. This shall not include animals listed above for which one (1) farm animal less than 100 pounds in weight is kept on property as a pet.

46.1.3 Health Hazard or Nuisance

A health hazard or nuisance shall include situations of rat harborage, noxious odors, excessive noise, animals running loose and any other situation or nuisance which might be mentioned in the health code, zoning regulation, local ordinance, state statutes or excepted legal interpretation.

46.1.4 Keeping of Farm animals

The keeping of one or more farm animals whether of one species or more than one species will be permitted in any district provided:

1. The animal or animals are housed overnight in a structure which is a minimum of 100 feet from any dwelling unit.
2. The animal or animals shall be kept a minimum distance of 25 feet from all adjoining property lines and that they shall be prevented from straying onto any street, roadway, or adjoining private property.
3. The premises or operation meet all applicable local and state health codes.
4. No nuisance is created or maintained.
5. Any manure, feces or animal droppings shall be kept in a covered watertight pit or chamber that shall be removed at least once weekly.

46.3 Keeping of Hens

1. No more than six (6) female chickens henceforth referred to as hens may be kept on any property located in the following residential zoning districts as a non-commercial accessory use:
R-1 (Single Family Detached Residence)
R-2 (Single Family Detached Residence)
2. The use shall be confined to a fenced enclosure of no more than 200 square feet in area, located in a rear yard. The fenced enclosure shall be at least twenty Five (25) feet from any street line, at least ten (10) feet from any residential dwelling and at least ten (10) feet from any property line. In the instance that more than one distance requirement shall apply, the greater distance requirements shall apply.



City Of West Haven

Planning & Development

Keeping of Hens Application



PLEASE PROVIDE ALL REQUESTED INFORMATION AND SUBMIT BY MAIL OR IN PERSON TO THE PLANNING AND DEVELOPMENT DIVISION AT WEST HAVEN CITY HALL 355 MAIN ST. WEST HAVEN, CT. 06516 WITH A \$25 CHECK PAYABLE TO: CITY OF WEST HAVEN. FOR FURTHER INFORMATION, PLEASE PHONE 203-937-3580

Date: _____

Applicant Information

Name: _____ Telephone # _____

Property Address: _____

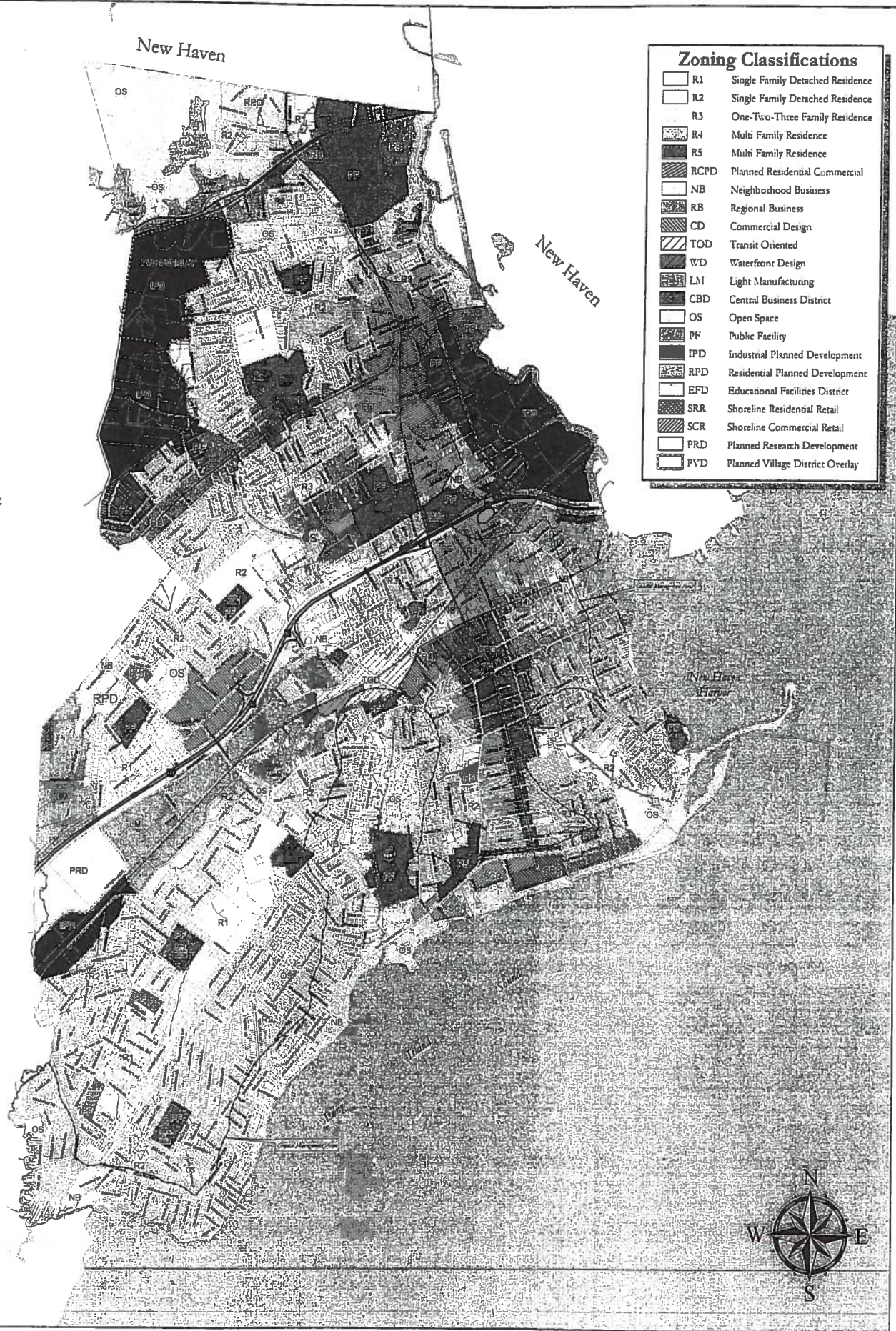
City: _____ State: _____ Zoning District: _____

Mailing Address (if different) : _____

Disclosure Statement

HEREBY ACKNOWLEDGE THAT I ACCEPT THE FOLLOWING TERMS AND CONDITIONS:

1. No more than six (6) hens may be kept on any property located in the following residence zoning districts as a non-commercial accessory use:
R-1 (Single Family Detached Residence)
R-2 (Single Family Detached Residence)
2. The use shall be confined to a fenced enclosure of no more than 200 square feet in area, located in a rear yard. The fenced enclosure shall be at least twenty Five (25) feet from any street line, at least ten (10) feet from any residential dwelling and at least ten (10) feet from any property line. In the instance that more than one distance requirement shall apply, the greater distance requirements shall apply.
3. Any portion of the enclosure located closer than ten (10) feet to a property boundary or directly visible from a street line at any distance shall be screened by either a fence or a landscaped buffer of at least four feet in height.
4. A proper building shall be required for the hens. Any building used for this purpose shall be located at least ten (10) feet from any lot line. All such buildings shall be constructed so as to prevent pests or predators to access it. All food products and animal waste is to be kept in a watertight and pest proof container or structure so as to prevent offensive odors and the presence of pests and predators.
5. No hens may be kept inside any structure used for residential purposes.
6. No rooster shall be kept on any property.



Printed August 2013

NEW ENGLAND
GEOSYSTEMS



City of West Haven, CT Zoning Districts

0 800 1,600 2,400 3,200 4,000
Feet

1 inch = 1,000 feet

City of West Haven
Planning Department

Map Approved By: _____ Amended: August 01, 2012

Approval Date: May 28, 2013 August 19, 2013

Effective Date: June 26, 2006

Department of Public Health**Public Health Code****19-13-B1. Conditions specifically declared to constitute public nuisances****Public Nuisances****19-13-B1. Conditions specifically declared to constitute public nuisances**

The following conditions are specifically declared to constitute public nuisances:

- (a) Bakeries, restaurants and other places where food is prepared or served that are not kept in a clean and sanitary condition; or in which persons who have any communicable disease are employed; or for which suitable toilet facilities are not provided; or in which there is evidence that rats, mice or vermin are present.
- (b) Spoiled or diseased meats, whether exposed and offered for sale or being transported or kept for sale.
- (c) Barns or stables, hogpens, chicken yards or manure piles or accumulations of organic material so maintained as to be a breeding place for flies.
- (d) The discharge or exposure of sewage, garbage or any other organic filth into or on any public place in such a way that transmission of infective material may result thereby.
- (e) Privies not screened against flies in populous districts and privies likely to pollute the ground or surface water from which water supply is obtained.
- (f) Transportation of garbage, night soil or other organic filth except in tight, covered wagons which prevent leakage or access of flies.
- (g) Stagnant water likely to afford breeding places for mosquitoes within a residential district or within a distance of one thousand feet there from.
- (h) Bone boiling, fat rendering establishments, or tallow or soap works, or other trades, when they can be shown to affect public health or produce serious offense.
- (i) Buildings or any part thereof which are in a dilapidated or filthy condition which may endanger the life or health of persons living in the vicinity.

19-13-B2. Abatement of nuisance

- (a) Any local director of health, upon information of the existence of a nuisance or any pollution occurring within his jurisdiction, or when any such nuisance or pollution comes to his attention, shall, within a reasonable time, investigate and, upon finding such nuisance or pollution exists, shall issue his order in writing for the abatement of the same.
- (b) Such order shall specify the nature of such nuisance or pollution and shall designate the time within which such abatement or discontinuance shall be accomplished; and if such order is not complied with within the time specified, the facts shall be submitted to the prosecuting authority. Copies of all orders shall be kept on file by the director of health in his office and copies of the same shall be furnished the state commissioner of health on request.

19-13-B21. Garbage and refuse

- (a) The owner of premises upon which persons reside or which are frequented for pleasure or business shall keep such premises free from accumulations of garbage, rubbish, rags, tin cans, paper, empty barrels, boxes or any material which, because of its character, condition or improper storage, may invite the breeding or collection of flies, mosquitoes or rodents, or which may in any other prejudice the public health.
- (b) In populous districts stable manure shall be kept in a covered water-tight pit or chamber and shall be removed at least once a week during the period from May first to October first and during the other months at intervals sufficiently frequent to maintain a sanitary condition satisfactory to director of health. Manure on farms or isolated premises other than dairy farms need not be so protected and removed unless ordered by the director of health.

19-13-B22. Manufacturing and other wastes

No materials or waste products from any mill, factory, slaughterhouse, rendering or fertilizing works, junk establishment, common carrier or other industry or utility shall be stored or deposited so as to cause the surrounding atmosphere, land or water to be contaminated or polluted in such a manner as to injure the public health or create offensive conditions.

Current with materials published in Connecticut Law Journal through 06/01/2006

Referral 2.3: Town of Hamden

Subject:

Proposed Zoning Regulation Amendment to create Section 677- Housing Opportunity Development Zone.

Staff Recommendation:

The Zoning Regulation Amendment to add Section 677 – Housing Opportunity Development Zone has the potential to cause inter-municipal impacts if located in areas within 500 ft of a municipality in the South Central Region, which do not have the infrastructure capacity to accommodate the significant increase in density. The proposed Section 677.4.e states the following: “Except as otherwise set forth in this Section 677 as applying to a HOD, no other sections of the Hamden Zoning Regulations shall be applicable to the approval or development of a HOD.” This language may also lead to adverse environmental impacts as it may exempt the proposed Section from the regulations and standards of Section 520 – Environmental Conditions of the Hamden Zoning Regulations.

Background:

A private applicant has submitted a proposed zoning regulation amendment to create Section 677 – Housing Opportunity Development Zone (HODZ). This zone would allow multifamily affordable housing development following regulations put forth under CGS 8-30g. The proposed HODZ would not require a Special Permit or Special Exception Approval. There is an additional provision within the proposed zoning text amendment, which may exempt it from additional Town of Hamden Zoning Regulations (“Except as otherwise set forth in this Section 677 as applying to a HOD, no other sections of the Hamden Zoning Regulations shall be applicable to the approval or development of a HOD.”) A Site Plan Approval would need to include a proposed Affordability Plan. An application for a Site Plan Approval may need to include, as applicable, a storm water management report, coastal area management report, and a traffic study. The proposed regulations do not have specific standards proposed for storm water management, excavation, and earth removal.

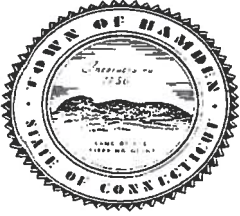
A property can be rezoned as HODZ if it is between 15 and 25 acres in an R3, R4, or R5 zone and has access to public water supply and public sanitary sewer. The property would also need access to a public street. The maximum number of housing units in the HODZ is 20 units per acre, maximum lot coverage is 70%, and maximum building height is 60 feet. Sidewalks and two-way streets are required within the property.

The HODZ can be located in zoning district R4, adjacent to North Haven, and R3, R4, and R5, adjacent to New Haven. New Haven’s adjacent residential zones have much different densities compared to the proposed 20 units/acre in Hamden’s HODZ (RM-1: 12 units/acre; RS-1 and RS-2: 5 units/acre). North Haven’s adjacent residential zones pose a similar situation (R-20: 2 units/acre; R-12: 4 units/acre).

The proposed referral from the Town of Hamden included a proposed zone map change (R-3 to HODZ), at 64 Rocky Top Road and 46 Rainbow Ct, which is not within 500 feet of a municipality in the South Central Region.

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

January 20, 2017

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

RECEIVED

JAN 24 2017

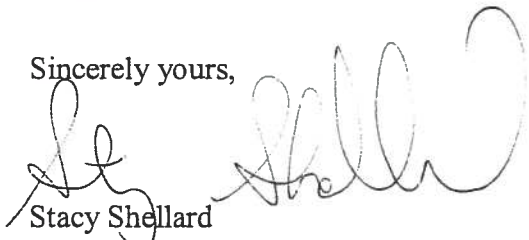
**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

Dear Mr. Amento,

Enclosed is the Proposed Zoning Regulation Amendment 17-963, Section 677-Housing Opportunity Development Zone & the Proposed Zoning Map Amendment 17-962, Change the R-3 zone to a Housing Opportunity Development Zone. The Public Hearing date for this application has yet to be determined.

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

Sincerely yours,


Stacy Shellard
Administrative Assistant to Boards & Commissions

Enclosures



RECEIVED
TOWN OF HAMDEN

JAN 17 2017

PLANNING AND
ZONING DEPT.

Date of Filing _____
Fee _____
Date Paid _____
Receipt # _____
Application# _____

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

Pursuant to Section 702 of the Hamden Zoning Regulations

APPLICANT Mountain View Estates LLC TELEPHONE 203-783-1200
(Name)
ADDRESS 200 Boston Post Road Orange, CT 06477
(Street No and Name) (Town and State) (Zip Code)

EMAIL ADDRESS OF CONTACT PERSON: rberchem@bmdlaw.com

PROPERTY OWNER(S) of subject address
(If title is held in partnership a sworn statement disclosing the identification of equitable owners is required.)

<u>Name</u>	<u>Mailing Address (include zip code)</u>	<u>Telephone No.</u>
<u>Mountain View Estates LLC</u>	<u>200 Boston Post Road, Orange, CT 06477</u>	<u>203-783-1200</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

ZONING MAP CHANGE SITE LOCATION: 64 Rocky Top Road & 46 Rainbow Court. Note,
Mountain View Estates LLC is the contract purchaser of 46 Rainbow Court.

ZONING MAP AMENDMENT: FROM ZONE(S) Residential R3 TO ZONE(S) HODZ (new)

Will this proposed zoning map change affect the use of a zone or any portion of a zone that is within 500 feet of the boundary of another municipality? ☐ YES ☒ NO

If yes, which municipality (ies)? _____

If the answer is "yes", pursuant to Connecticut General State Statutes Section 8-3b, you must provide stamped (not metered) envelopes with completed certified mail tickets addressed to any municipalities identified above. The towns that abut Hamden are listed below:

1. Town Clerk of North Haven
18 Church Street
North Haven, CT 06473
2. Town Clerk of New Haven
135 Church Street
New Haven, CT 06510

3. Town Clerk of Cheshire
84 South Main Street
Cheshire, CT 06410

4. Town Clerk of Wallingford
45 South Main Street
Wallingford, CT 06492

5. Town Clerk of Bethany
40 Peck Road
Bethany, CT 06525

6. Town Clerk of Woodbridge
11 Meeting House Lane
Woodbridge, CT 06525

Will this proposed zoning map change affect the use of a property or any portion of a property that is in the:

Spring Glen Village District
Newhall Design District

☐ YES

☒ NO

☐ YES

☒ NO

DESCRIPTION OF PROPERTY (Map showing affected property and abutting zones must be attached.)

Approximately 18.39 acres. Parcel 1 is approximately 17.78 acres, Parcel 2 is approximately 0.61 acres. See zone change map and legal descriptions attached hereto as Schedule A.

REASON FOR PETITION FOR CHANGE


Applicant is proposing a new Housing Opportunity Development Zone ("HODZ") to allow for affordable multifamily residential housing development.

Have there been any previous petitions for same location? ☐ YES ☒ NO

If YES, list name of applicant _____

RIGHT OF ENTRY: The undersigned owner and/or authorized Agent grants permission to the Zoning Enforcement Officer, Town Planner or their authorized representatives to enter and re-enter property identified to be changed, for purposes of inspection prior to Commission action.

SIGNATURE


(Name) Robert L. Berchem, Esq., agent and
attorney for Mountain View Estates, LLC

TELEPHONE 203-783-1200

MAILING ADDRESS

75 Broad Street

(Street No. and Name)

Milford, CT 06460

(Town and State)

06460

(Zip Code)

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

Public Water Supply Watershed/Aquifer
Project Notification Form
For The
South Central Connecticut Regional Water Authority

REQUIREMENT:

All applicants before a municipal Planning and Zoning Commission, Inland Wetlands Commission, or Zoning Board of Appeals for any project located within a public water supply watershed are required by Public Act 89-301 (Sections 8-3i and 22a-42f of the Connecticut General Statutes) to notify the affected public water utility by certified mail within 7 days of the application.

GENERAL INFORMATION:

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

Please mail this completed form and attachments to:

Environmental Analysts
Environmental Planning Department
Regional Water Authority
90 Sargent Drive
New Haven CT 06511

RWA Watershed/Aquifer Project Notification Form
Page 2

1. Applicants are requested to submit any information that was included in the application to the municipality including: site plan, project narrative, sediment and erosion control plan and drainage calculations if applicable.

2. Project address 64 Rocky Top Road & 46 Rainbow Ct. Town Hamden

3. Application for: ☒ Planning and Zoning ☐ Inland Wetlands ☐ Zoning Board of Appeals

4 Project Description: Applications to PZC for zone text change, zone map change,
and site plan to construct 288 unit multifamily affordable housing development
on approximately 17.78 acres.

5. Waste Water Disposal: ☐ Septic System ☒ Public Sewer ☐ None

6. Water Supply: ☐ Private Well ☒ Public Water

7. Heating Fuel: ☐ Oil ☒ Gas Other _____

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

8. Total acreage of project site Approximately 18.39 acres (Parcel 1 is approximately
17.78 acres, Parcel 2 is approximately 0.61 acres).

9. Total acreage of area to be disturbed including structures, additions, paving, and soil disturbance
Approximately 15 acres.

10. Percent of existing impervious surfaces including buildings, roads and pavement Less than 1%.

11. Proposed increase in impervious surfaces Approximately 60%.

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

No floor drains or sump pumps proposed.

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

Yes, small transitional wetland in northwest corner of property. Development is
100 ft. outside URA but within 200 ft. URA. Will maintain existing wetland hydrology.

RWA Watershed/Aquifer Project Notification Form, Page 3

14. Brief description of **existing and proposed** stormwater management system, including roof drainage, paved areas etc., and discharge points e.g. municipal system, drywells, streams, vegetated areas, detention basins etc. Attach drainage plans and calculations if available The site is currently undeveloped and does not incorporate any stormwater management. Runoff either flows overland to wetlands west of the site or to a residential neighborhood on Rainbow Court to the east. The proposed system attempts to mimic the natural hydrology to the greatest extent possible while promoting water quality. Water quality and stormwater attenuation*

15. List of **existing and proposed** underground or above-ground storage tanks including age, capacity and contents
No existing USTs or ASTs on Parcel 1; none proposed.

16. List of potentially harmful chemicals stored or used on property (**existing and proposed**) and typical onsite volumes, including but not limited to petroleum products, lubricants, solvents, detergents, and pesticides
No existing chemicals used or stored on Parcel 1. Parcel 2, single family residence. Post development, typical quantities of products for cleaning, landscaping and pool maintenance for multifamily development.

17. Describe any wastes generated and their means of disposal
Typical municipal waste from residential use, owner will contract for private trash collection.

18. Contact Information:

Name: Robert L. Berchem

Company: Berchem, Moses & Devlin, P.C.

Address: 75 Broad Street

Milford, CT 06460

Phone: 203-783-1200

Email: rberchem@bmdlaw.com

Robert L. Berchem
Name of Person Completing Form

Signature

Date

1/17/17
Regional Water Authority Notification Form Revised 05/17/11

3

measures include, a wet extended detention pond, water quality dry swales, sediment forebays, vegetated swale, hydrodynamic separators, subsurface detention systems with isolator rows, impeded catch basins, and promotion of landscaped areas. The discharge points will be the wetlands to the west of the site and the town closed pipe drainage network in Rainbow Court to the east.

NEW REQUIREMENT: NEED TO NOTIFY
CONNECTICUT DEPARTMENT OF PUBLIC HEALTH
Using Public Water Supply Watershed or Aquifer Area Project Notification Form

Note: All applicants before a municipal Planning Commission, Zoning Commission, Planning and Zoning Commission, Zoning Board of Appeals or Inland Wetlands Commission for **any project located within a public water supply aquifer or watershed area** are now required by Public Act No. 06-53 of the CT General Statutes to notify The Connecticut Commissioner of Public Health of the proposed project within seven days of filing.

To notify the Commissioner of Public Health, you must use the Online Notification Form, which you can find by doing the following:

10. Type in the following URL to access the website:
www.dir.ct.gov/dph/water/web_form.htm -- It will take you to the DPH Drinking Water Section web page and the form you need to complete.
11. Answer each question. For Steps 2.1 and 2.2., consult the map in the Planning & Zoning Department to see which one applies. ***Note: If your property lies outside the public water aquifer and watershed areas, you do not need to fill out the online form.***
12. For Step 2.3, the PWSID number is: **0930011**
13. Print a copy of the completed form and submit to the Planning and Zoning Department with your application.
14. If you have any questions or problems concerning the website contact the Department of Public Health staff at: (860) 509-8000.

RECEIVED
TOWN OF HAMDEN
JAN 17 2017
PLANNING AND
ZONING DEPT.

STATEMENT OF USE
IN SUPPORT OF APPLICATIONS TO
AMEND THE ZONING REGULATIONS,
REZONE PROPERTY AND SITE PLAN APPROVAL

64 ROCKY TOP ROAD & 46 RAINBOW COURT
HAMDEN, CT

Mountain View Estates, LLC (the “Applicant”) has filed an affordable housing application with the Town of Hamden Planning and Zoning Commission pursuant to Connecticut General Statutes §8-30g. Specifically, the Applicant seeks to amend the Zoning Regulations to add a new zone, entitled Housing Opportunity Development Zone (“HODZ”), to address the town’s need for more affordable housing and to provide an alternative to single family homeownership, in the northern area of Town. The Applicants also seek to rezone approximately 18.39 acres of land on Rocky Top Road and Rainbow Court from Residence R3 to HODZ. Finally, the Applicant seeks site plan approval, in accordance with Connecticut General Statutes §8-30g and the proposed new HODZ regulations, for 288 luxury apartment homes in 5 multifamily residential buildings.

They propose to construct a mix of one and two bedroom rental apartments, some with parking beneath the building, as a set-aside development which means that thirty (30%) percent of the 288 proposed luxury apartments (i.e. 87 apartments) will be restricted affordable housing units for 40 years in accordance with Connecticut General Statutes §8-30g and applicable state regulations. One-half of the affordable apartments will be rented to qualified persons and families with incomes less than or equal to eighty (80%) percent of the lesser of the state median income or area median income and one-half of the affordable apartments will be rented to qualified persons and families with income less than or equal to sixty (60%) percent of the applicable median income. Possible on-site resident amenities may include a clubhouse and health center, swimming pool and tennis court.

The proposed mix of market-rate and affordable rental housing will have direct ingress and egress to and from Rocky Top Road. The Applicant owns 64 Rocky Top Road, a vacant 17.78 acre parcel which directly abuts the Rocky Top Campus of Quinnipiac University. The Applicant also has a contract to purchase 46 Rainbow Court (approximately 0.61 acres) which

abuts 64 Rocky Top Road to the east, and proposes to raze the existing single family house in order to use that property for gated emergency access.

The mixed-income residential community will be served by public water and public sewer which are nearby and will be brought to the property by the Applicant. The sewer tie-in is expected to be via Rainbow Court; the other utilities, i.e. electric, telephone, cable, water and gas will be tied-in from Rocky Top Road.

The proposed amendment to the Zoning Regulations is consistent with various aspects of the Town's Plan of Conservation and Development ("POCD") including, without limitation:

- The encouragement of diverse housing types to maintain a strong community, including a mix of market-rate and quality affordable apartments for single adults, young couples and empty-nesters as well as for seniors who want to continue to reside in Hamden.
- The availability of quality, affordable housing opportunities, particularly in the much sought-after northern part of Town, is important for maintaining a strong community by, among other things, making it easier to attract new residents and retain qualified people to work at existing, and attract new, businesses to Hamden.
- Meets the need for more affordable housing in Hamden.
- Provides an alternative to homeownership and condominium ownership, particularly north of Mount Carmel.
- Will enhance water quality by protecting inland wetlands, both on and off-site, and by incorporating a number of recognized Stormwater quality measures into the development.
- Will preserve the Blue Blazed Trail by providing a formal easement for it to traverse the property.

JAN 17 2017

PLANNING AND
ZONING DEPT.**Property Description****Parcel 1 – 64 Rocky Top Road**

The following parcels of land are depicted on a map entitled "Boundary Map Mountain View Estates Lands of Carlie Capital, LLC 64 Rocky Top Road and Edward Ryan Reed and Anya Esonis Reed 64 Rainbow Court Hamden, Connecticut" 1" = 60' dated June 27, 2016, revised July 7, 2016 prepared by Stone Wall Boundaries, LLC, Wallingford, CT.

Beginning at a point on the northerly street line of Rocky Top Road, thence N52°16'23"E along land now or formerly of McNamara a distance of 234.54 ft. to a point;

Thence N82°21'07"E along a stone wall a distance of 177.15 ft. to a point;

Thence by the following 3 courses and distances along land now or formerly of Aleksjuks, N15°20'30"E, 195.25'; N14°27'26"E, 299.45'; and N74°03'23"E, 67.42' to a point;

Thence N11°59'26"W along land now or formerly of Reed a distance of 104.75' to a point;

Thence N17°19'21"W along land now or formerly of Finn a distance of 54.16 ft. to a point;

Thence N05°08'12"W along land now or formerly of R.J. Greene Construction Inc. a distance of 111.99 ft. to a point;

Thence N32°45'28"W along land now or formerly of Quinnipiac College a distance of 416.38 ft. to a point;

Thence S80°59'38"W along land now or formerly of Pecoraro a distance of 392.42 ft. to a point;

Thence S10°18'48"W along land now or formerly of Rennie a distance of 159.64 ft. to a point;

Thence by the following 3 courses and distances along land now or formerly of LaVecchia, S10°18'48"W, 42.64 ft.; S71°18'18"W, 84.79 ft.; S70°22'08"W, 52.86 ft. to a point;

Thence S70°22'08"W along land now or formerly of Howell a distance of 152.11 ft. to a point;

Thence by the following 4 courses and distances along land now or formerly of the Town of Hamden, S24°00'01"E, 285.67 ft.; S15°38'28"E, 119.70 ft.; S18°04'33"E, 324.94; S27°32'46"E, 216.74 to the northerly street line of Rocky Top Road;

Thence along the northerly street line of Rocky Top Road by the following 2 courses and distances, S80°56'38"E, 42.44 ft.; S34°08'47"E, 47.43 ft. to the point and place of beginning.

Said parcel contains 17.78 acres, more or less.

Parcel 2 – 46 Rainbow Court

Beginning at a point on the westerly street line of Rainbow Court, thence N74°40'19"W along land now or formerly of Finn a distance of 201.25 ft. to a point;

Thence S11°59'26"E along land now or formerly of Mountain View Estates LLC a distance of 104.75 ft. to a point;

Thence S04°21'05"E along land now or formerly of Aleksjuks a distance of 95.40 ft. to a point;

Thence N79°43'56"E along land now or formerly of Padua a distance of 188.33 ft. to the westerly street line of Rainbow Court;

Thence along the westerly street line of Rainbow Court by the following 2 courses and distances, N06°83'26"W, 76.09 ft.; along a curve to the right having a radius of 60 ft. and an arc length of 40.55 ft. to the point and place of beginning.

Said parcel contains 0.61 acres, more or less.

CONSENT AND AUTHORIZATION

The undersigned, as the owner of property known as 64 Rocky Top Road, Hamden, Connecticut, (map, block, lot 3028-015-00-0000), hereby designates and consents to Robert L. Berchem or Stephen W. Studer, of the law firm of Berchem, Moses & Devlin, P.C., acting as agents with respect to one or more applications by the undersigned to the Inland Wetlands Commission for regulated activity in the upland review area of an inland wetland in connection with multifamily residential development on the listed property.

MOUNTAIN VIEW ESTATES, LLC

By: *Gm. Richetelli*
Gary M. Richetelli, Member
Duly Authorized

January 16, 2017
Date

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TOWN OF HAMDEN
JAN 17 2017
PLANNING AND
ZONING DEPT.



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TOWN OF HAMDEN

JAN 17 2017

PLANNING AND
ZONING DEPT.

Date of Filing 17-963
Fee _____
Date Paid _____
Receipt # _____
Application # 17-923

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

Pursuant to Sections 702 – 702.12 of the Hamden Zoning Regulations

APPLICANT Mountain View Estates LLC TELEPHONE 203-783-1200
(Name)
ADDRESS 200 Boston Post Road Orange, CT 06477
(Street No and Name) (Town and State) (Zip Code)

EMAIL ADDRESS OF CONTACT PERSON: rberchem@bmdlaw.com

REGULATION TO BE: ☐ AMENDED ☒ ADDED or ☐ DELETED:
Article Number VI Section 677 Group Use _____

CURRENT
LANGUAGE Not applicable. Section 677 is proposed new language.

PROPOSED
LANGUAGE See attached entitled "Section 677 Housing Opportunity Development Zone."

REASON FOR PETITION FOR
CHANGE To allow for construction of multifamily affordable housing pursuant to CGS Section 8-30g.

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

If YES, list name of
applicant Petitioner is not aware of prior similar petitions.

SIGNATURE OF
APPLICANT



(Name) Robert L. Berchem, agent and attorney for
Mountain View Estates LLC

TELEPHONE NO. 203-783-1200

MAILING ADDRESS

75 Broad Street

Milford, CT

06460

(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.

Public Water Supply Watershed/Aquifer
Project Notification Form
For The
South Central Connecticut Regional Water Authority

REQUIREMENT:

All applicants before a municipal Planning and Zoning Commission, Inland Wetlands Commission, or Zoning Board of Appeals for any project located within a public water supply watershed are required by Public Act 89-301 (Sections 8-3i and 22a-42f of the Connecticut General Statutes) to notify the affected public water utility by certified mail within 7 days of the application.

GENERAL INFORMATION:

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

Please mail this completed form and attachments to:

Environmental Analysts
Environmental Planning Department
Regional Water Authority
90 Sargent Drive
New Haven CT 06511

RWA Watershed/Aquifer Project Notification Form
Page 2

1. Applicants are requested to submit any information that was included in the application to the municipality including: site plan, project narrative, sediment and erosion control plan and drainage calculations if applicable.

2. Project address 64 Rocky Top Road & 46 Rainbow Ct. Town Hamden

3. Application for: ☒ Planning and Zoning ☐ Inland Wetlands ☐ Zoning Board of Appeals

4 Project Description: Applications to PZC for zone text change, zone map change,
and site plan to construct 288 unit multifamily affordable housing development
on approximately 17.78 acres.

5. Waste Water Disposal: ☐ Septic System ☒ Public Sewer ☐ None

6. Water Supply: ☐ Private Well ☒ Public Water

7. Heating Fuel: ☐ Oil ☒ Gas Other _____

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

8. Total acreage of project site Approximately 18.39 acres (Parcel 1 is approximately
17.78 acres, Parcel 2 is approximately 0.61 acres).

9. Total acreage of area to be disturbed including structures, additions, paving, and soil disturbance
Approximately 15 acres.

10. Percent of existing impervious surfaces including buildings, roads and pavement Less than 1%.

11. Proposed increase in impervious surfaces Approximately 60%.

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

No floor drains or sump pumps proposed.

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

Yes, small transitional wetland in northwest corner of property. Development is
100ft* outside URA but within 200 ft. URA Will maintain existing wetland hydrology.

RWA Watershed/Aquifer Project Notification Form, Page 3

14. Brief description of **existing and proposed** stormwater management system, including roof drainage, paved areas etc., and discharge points e.g. municipal system, drywells, streams, vegetated areas, detention basins etc. Attach drainage plans and calculations if available The site is currently undeveloped and does not incorporate any stormwater management. Runoff either flows overland to wetlands west of the site or to a residential neighborhood on Rainbow Court to the east. The proposed system attempts to mimic the natural hydrology to the greatest extent possible while promoting water quality. Water quality and stormwater attenuation*

15. List of **existing and proposed** underground or above-ground storage tanks including age, capacity and contents
No existing USTs or ASTs on Parcel 1; none proposed.

16. List of potentially harmful chemicals stored or used on property (**existing and proposed**) and typical onsite volumes, including but not limited to petroleum products, lubricants, solvents, detergents, and pesticides
No existing chemicals used or stored on Parcel 1. Parcel 2, single family residence. Post development, typical quantities of products for cleaning, landscaping and pool maintenance for multifamily development.

17. Describe any wastes generated and their means of disposal
Typical municipal waste from residential use, owner will contract for private trash collection.

18. Contact Information:

Name: Robert L. Berchem

Company: Berchem, Moses & Devlin, P.C.

Address: 75 Broad Street

Milford, CT 06460

Phone: 203-783-1200

Email: rberchem@bmdlaw.com

Robert L. Berchem

Name of Person Completing Form

Signature

Date

[Signature] 1/17/17
Regional Water Authority Notification Form Revised 05/17/11

3

measures include, a wet extended detention pond, water quality dry swales, sediment forebays, vegetated swale, hydrodynamic separators, subsurface detention systems with isolator rows, pumped catch basins, and promotion of landscaped areas. The discharge points will be the wetlands to the west of the site and the town closed pipe drainage network in Rainbow Court to the east.

NEW REQUIREMENT: NEED TO NOTIFY
CONNECTICUT DEPARTMENT OF PUBLIC HEALTH
Using Public Water Supply Watershed or Aquifer Area Project Notification Form

Note: All applicants before a municipal Planning Commission, Zoning Commission, Planning and Zoning Commission, Zoning Board of Appeals or Inland Wetlands Commission for **any project located within a** public water supply aquifer or watershed **area** are now required by Public Act No. 06-53 of the CT General Statutes to notify The Connecticut Commissioner of Public Health of the proposed project within seven days of filing.

To notify the Commissioner of Public Health, you must use the Online Notification Form, which you can find by doing the following:

1. Type in the following URL to access the website: www.dir.ct.gov/dph/water/web_form.htm
-- It will take you to the DPH Drinking Water Section web page and the form you need to complete.
2. Answer each question. For Steps 2.1 and 2.2., consult the map in the Planning & Zoning Department to see which one applies. **Note: *If your property lies outside the public water aquifer and watershed areas, you do not need to fill out the online form.***
3. For Step 2.3, the PWSID number is: **0930011**
4. Print a copy of the completed form and submit to the Planning and Zoning Department with your application.
5. If you have any questions or problems concerning the website contact the Department of Public Health staff at: (860) 509-8000.

SECTION 677
HOUSING OPPORTUNITY DEVELOPMENT ZONE [New]

677.1 Purpose: The Housing Opportunity Development Zone (“HODZ”) is a zone established to meet the housing needs of the community by increasing the availability of affordable housing and providing an alternative to single family home ownership.

677.2 Definitions: The following definitions shall apply to development in the HODZ.

- a. “Affordable Housing Law” means the provisions of (i) Connecticut General Statutes §8-30g through §8-30i, inclusive, and (ii) Regulations of Connecticut Agencies, §8-30g-1 through 8-30g-11, inclusive, in effect on the date any affordable housing application, as defined in C.G.S. §8-30g(a)(2), is filed with the Town of Hamden Planning and Zoning Department.
- b. “Housing Opportunity Development” (“HOD”) means a proposed multifamily affordable housing development on property zoned HODZ which is either “assisted housing” or a “set aside development” as those terms are defined in C.G.S. § 8-30g(a) (3) and (6) respectively.
- c. “Housing Opportunity Unit” means a housing unit for which the maximum rent or maximum sale price is calculated and maintained for the requisite period so that qualified persons and families pay thirty percent (30%) or less of their annual income in accordance with the provisions of Affordable Housing Law.
- d. “Lot Area” shall mean the gross horizontal area contained within the perimeter property lines of a lot, or an assemblage of lots, without diminution or deduction.

677.3 Permitted Uses in the HODZ: Subject to approval of a site plan by the Planning and Zoning Commission, the following principal and accessory uses shall be permitted in the HODZ:

- a. A HOD. The housing units in a HOD may either be sold or rented.
- b. Accessory buildings, structures and uses customarily associated with multifamily residential development including, without limitation, tennis courts, swimming pools, recreation facilities and buildings, community and meeting rooms, model units, management/leasing office, maintenance, storage and utility buildings, parking garages, trash receptacles.
- c. Accessory signs, including, but not limited to, directional and informational signs necessary for the public safety or convenience, one or more wall signs and a free-standing sign at each entrance to a HOD for the identification of the residential community.

- d. Off-street parking facilities for residents and visitors.
- e. Home occupation or home office for residents subject to, and in accordance with, the provisions of Section 644 of the Zoning Regulations.

677.4 General Provisions:

- a. Property shall be rezoned to HODZ if the applicant demonstrates: (i) a need for affordable housing opportunities in Hamden, (ii) that the property which is the subject of a zone change application consists of no less than fifteen (15) acres, no more than twenty-five (25) acres and is presently located in a R3, R4 or R5 residential zone, (iii) that the property which is the subject of a zone change application has access to a public water supply and to a public sanitary sewer system and (iv) that the property which is the subject of a zone change application has access to a public street.
- b. A change of zone to HODZ shall not require a change to the town's Plan of Conservation and Development.
- c. Notwithstanding any provision of the Hamden Zoning Regulations to the contrary, a HOD shall not require approval of a special permit or special exception.
- d. If there is an inconsistency or conflict between any provision, standard, requirement or procedure in any other section of the Hamden Zoning Regulations and the provisions, standards, requirements and procedures of this Section 677, then, the provisions, standards, requirements and procedures of this Section 677 shall control and apply to the proposed (i) change of zone to HODZ and (ii) approval and development of a HOD.
- e. Except as otherwise set forth in this Section 677 as applying to a HOD, no other sections of the Hamden Zoning Regulations shall be applicable to the approval or development of a HOD.
- f. The Planning and Zoning Commission shall review and approve the site plan for a HOD in accordance with the standards set forth in Connecticut General Statutes §8-30g provided the standards of this Section 677 are satisfied.

677.5 Site Plan Application:

- a. Each application for site plan approval of a HOD shall include the materials required under Section 720.4 of the Hamden Zoning Regulations.

- b. In addition to the requirements of Section 677.5(a), an application for site plan approval of a HOD should include, as applicable: (i) a storm water management report, (ii) coastal area management report, and (iii) a traffic study.
- c. Each application for site plan approval of a HOD shall include a proposed Affordability Plan which demonstrates, among other things, compliance with applicable Affordable Housing Law, including, without limitation, the following:
 - i. that Housing Opportunity Units shall be of a construction quality and size that is comparable to market-rate units within the HOD, shall be dispersed throughout the HOD and allocated pro-rata among the various unit types; i.e. studio, one, two and three bedroom housing units.
 - ii. if the HOD is to be built in phases, the Housing Opportunity Units will be built on a pro rata basis as construction proceeds.
 - iii. that Housing Opportunity Units shall be occupied only as the primary residence of the purchaser or tenant, as applicable. Subletting shall be prohibited by any lease for a Housing Opportunity Unit.
 - iv. that the applicant or its successor may change the designation of which housing units within a HOD shall be set aside as Housing Opportunity Units, provided that the minimum thirty percent (30%) set aside shall be maintained for a forty (40) year period as provided by Section 8-30g(a)(1)(B) of the Connecticut General Statutes, and provided further that the HOD as a whole shall continue to comply with the provisions of this Section 677.5(c).
 - v. that the forty (40) year affordability period shall be calculated separately for each Housing Opportunity Unit and shall begin on the date a Housing Opportunity Unit is first leased or sold to a qualified household, as applicable.
 - vi. that at the same time that the market-rate units in a HOD are first advertised to the general public, notice of availability of Housing Opportunity Units shall be provided by advertising such availability in the real estate section of a newspaper of general circulation in the Town of Hamden, and by providing written notice to the Hamden Town Clerk, Mayor, and Planning and Zoning Commission.
 - vii. that the Planning and Zoning Commission may, as a condition of site plan approval, require an annual report from the applicant or its successors verifying unit occupant income and HOD compliance with the applicable requirements of this Section 677.5(c).

- viii. that the Planning and Zoning Commission may, as a condition of site plan approval, require the applicant to provide a draft of a proposed deed, restrictive covenant, apartment lease, declaration of common interest community or other legal document reasonably requested by the Commission, as applicable, to demonstrate compliance of the HOD with the requirements of this Section 677.
- d. All principal residential buildings in a HOD shall be equipped with internal fire suppression (sprinkler) systems, in accordance with, but not more stringent than, the applicable provisions of the State of Connecticut Building Code.
- e. No application for site plan approval of a HOD shall be referred to, or require the approval of, an Architectural Review Committee or similar town agency.

677.6 General Standards for Site Plan Approval:

- a. A HOD may not be located on less than fifteen (15) or on more than twenty-five (25) acres of land in the HODZ and must have access to an improved public street.
- b. A minimum of thirty percent (30%) of the housing units in a HOD shall be designated as Housing Opportunity Units.
- c. Except as provided in Section 677.6(r), all principal residential buildings shall be setback a minimum of twenty (20) feet from a perimeter property line and a minimum of fifty (50) feet from a public street.
- d. Except as provided in Section 677.6(e), all accessory structures, parking spaces, transformers and switching gear shall be setback a minimum of fifteen (15) feet from either (i) a perimeter property line or (ii) a public street.
- e. There shall be no minimum setback from either a perimeter property line or a public street for the following: internal roadways or driveways, pedestrian sidewalks or walkways, fences and retaining walls, gates, storm water facilities and structures, underground galleys, vaults and pipes and ground signs.
- f. A HOD shall be supplied with adequate water from a public water supply and connected to a public sanitary sewerage system prior to receipt of a certificate of occupancy. Where such utilities are not at the property at the time of application, the applicant need only demonstrate that it is feasible to bring both a public water supply and a public sanitary sewer to the property on which a HOD is proposed.
- g. All utilities (except for transformers, switch gear and meters) within a HOD shall be placed underground.

- h. The following number of off-street parking spaces shall be required for each housing unit in a HOD, which number of parking spaces shall include visitor parking: 1.5 spaces for each studio and 1 bedroom unit; 2.0 spaces for each 2 bedroom and 3 bedroom unit. The number, size, designation, location and markings of parking spaces for the handicapped shall be as per the State of Connecticut Building Code. Handicapped parking spaces shall be included in the total number of required parking spaces and shall not be in addition thereto.
- i. Sidewalks and/or walkways shall be provided within a HOD in order to provide a safe and convenient pedestrian network. Sidewalks and/or walkways shall be a minimum of four feet wide and constructed of cement concrete unless an alternative surface is approved by the Planning and Zoning Commission.
- j. Internal driveways and/or internal roadways (other than for gated emergency access) shall be a minimum of twenty-two feet (22) in width and designed to accommodate two-way traffic.
- k. Internal driveways and/or internal roadways shall be designed to facilitate traffic circulation and emergency vehicle movement. There shall be at least two means of access from a public street into a HOD, one of which may be gated for emergency use only. Emergency Access may be through an adjoining parcel which need not be zoned HODZ.
- l. Any reports and recommendations concerning an application for final site plan approval for a HOD from Town of Hamden Engineering, Health, Traffic, Building, Public Works, Fire, Planning or other town agency or official shall be advisory only.
- m. The maximum number of housing units in a HOD shall not exceed 20 units per acre of lot size.
- n. Filling with, and removal of, rock and other earthen materials, and the onsite processing of same, shall be permitted in connection with the development of a lot pursuant to, and in accordance with, an approved site plan in the HODZ.
- o. The building height limitations for a HOD shall not apply to chimneys; flues; flag poles; parapet walls extending not more than five (5) feet above the limiting height of the building on which they rest; ventilators; copulas; clerestories; skylights; air conditioning equipment; necessary mechanical equipment or appurtenances not used for human occupancy and usually extending above the roof level, including, without limitation, elevator enclosures and stair towers; and satellite earth stations.
- p. The use of any basement area (including half-basements) for accessory residential services including, without limitation, resident storage, trash rooms, parking and loading areas, mechanical equipment and elevator and stair lobbies, shall not

cause the basement to be defined as a “story” nor the basement floor area to be included in the calculation of building floor area.

- q. Architectural projections, including, but not limited to bays, overhangs, balconies, accent trims, cornices and eaves may project or extend up to five (5) feet into any required yard.
- r. Free standing fences used for landscaping purposes shall not exceed six feet (6 feet) without the approval of the Planning and Zoning Commission.
- s. Landscaping for a HOD shall be designed to provide an aesthetically pleasing environment for residents and abutting properties and not to act as a building screen.
- t. On site lighting fixtures shall be “dark-sky” compliant and comply with the standards of Section 580.7 of the Hamden Zoning Regulations.

677.7 Area and Building Requirements: The following area and building requirements apply to the HODZ:

- A. Minimum/Maximum Lot Area: 15.0 acres/25.0 acres
- B. Maximum Floor Area Ratio (excluding all parking within structures): 1.0
- C. Minimum Yard Requirements:
 - (1) Principal Buildings:
 - i front yard 50 feet
 - ii side yard 20 feet
 - iii rear yard 20 feet
 - (2) Accessory Buildings:
 - i front yard 15 feet
 - ii side yard 15 feet
 - iii rear yard 15 feet
- D. Maximum Building Height, calculated as per the definition of “building height” in the Hamden Zoning Regulations: 60 feet for principal buildings; 25 feet for accessory buildings (subject to the provisions of Sections 677.6(p).
- E. Maximum Lot Coverage: 70%
- F. Maximum Building Coverage: 30%

- G. Minimum Street Frontage: 50 feet
- H. Minimum Lot Shape, exclusive of access ways: 300 feet diameter circle
- I. Allowed signs in the HODZ shall comply with the following standards:
 - i. Free standing signs may be either ground signs or pole signs; the area of each sign face shall not exceed 50 sq. ft. and the maximum height shall not exceed 15 ft. above the surface of the ground;
 - ii. Each face of a directional or informational sign shall not exceed 10 sq. ft;
 - iii. Wall signs shall not exceed 50 sq. ft. each;
 - iv. All signs on a lot, excluding directional, window and door signs, shall not exceed 1 sq. ft. for each linear foot of building façade length (as measured along internal roadways);
 - v. Signs may be externally illuminated, provided the light source is shielded.

STATEMENT OF USE
IN SUPPORT OF APPLICATIONS TO
AMEND THE ZONING REGULATIONS.
REZONE PROPERTY AND SITE PLAN APPROVAL

64 ROCKY TOP ROAD & 46 RAINBOW COURT
HAMDEN, CT

RECEIVED
TOWN OF HAMDEN
JAN 17 2017
PLANNING AND
ZONING DEPT.

Mountain View Estates, LLC (the “Applicant”) has filed an affordable housing application with the Town of Hamden Planning and Zoning Commission pursuant to Connecticut General Statutes §8-30g. Specifically, the Applicant seeks to amend the Zoning Regulations to add a new zone, entitled Housing Opportunity Development Zone (“HODZ”), to address the town’s need for more affordable housing and to provide an alternative to single family homeownership, in the northern area of Town. The Applicants also seek to rezone approximately 18.39 acres of land on Rocky Top Road and Rainbow Court from Residence R3 to HODZ. Finally, the Applicant seeks site plan approval, in accordance with Connecticut General Statutes §8-30g and the proposed new HODZ regulations, for 288 luxury apartment homes in 5 multifamily residential buildings.

They propose to construct a mix of one and two bedroom rental apartments, some with parking beneath the building, as a set-aside development which means that thirty (30%) percent of the 288 proposed luxury apartments (i.e. 87 apartments) will be restricted affordable housing units for 40 years in accordance with Connecticut General Statutes §8-30g and applicable state regulations. One-half of the affordable apartments will be rented to qualified persons and families with incomes less than or equal to eighty (80%) percent of the lesser of the state median income or area median income and one-half of the affordable apartments will be rented to qualified persons and families with income less than or equal to sixty (60%) percent of the applicable median income. Possible on-site resident amenities may include a clubhouse and health center, swimming pool and tennis court.

The proposed mix of market-rate and affordable rental housing will have direct ingress and egress to and from Rocky Top Road. The Applicant owns 64 Rocky Top Road, a vacant 17.78 acre parcel which directly abuts the Rocky Top Campus of Quinnipiac University. The Applicant also has a contract to purchase 46 Rainbow Court (approximately 0.61 acres) which

abuts 64 Rocky Top Road to the east, and proposes to raze the existing single family house in order to use that property for gated emergency access.

The mixed-income residential community will be served by public water and public sewer which are nearby and will be brought to the property by the Applicant. The sewer tie-in is expected to be via Rainbow Court; the other utilities, i.e. electric, telephone, cable, water and gas will be tied-in from Rocky Top Road.

The proposed amendment to the Zoning Regulations is consistent with various aspects of the Town's Plan of Conservation and Development ("POCD") including, without limitation:

- The encouragement of diverse housing types to maintain a strong community, including a mix of market-rate and quality affordable apartments for single adults, young couples and empty-nesters as well as for seniors who want to continue to reside in Hamden.
- The availability of quality, affordable housing opportunities, particularly in the much sought-after northern part of Town, is important for maintaining a strong community by, among other things, making it easier to attract new residents and retain qualified people to work at existing, and attract new, businesses to Hamden.
- Meets the need for more affordable housing in Hamden.
- Provides an alternative to homeownership and condominium ownership, particularly north of Mount Carmel.
- Will enhance water quality by protecting inland wetlands, both on and off-site, and by incorporating a number of recognized Stormwater quality measures into the development.
- Will preserve the Blue Blazed Trail by providing a formal easement for it to traverse the property.

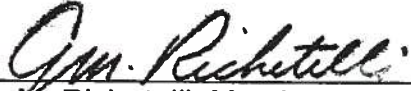
RECEIVED
TOWN OF HAMDEN
JAN 17 2017
PLANNING AND
ZONING DEPT.

CONSENT AND AUTHORIZATION

The undersigned, as the owner of property known as 64 Rocky Top Road, Hamden, Connecticut, (map, block, lot 3028-015-00-0000), hereby designates and consents to Robert L. Berchem or Stephen W. Studer, of the law firm of Berchem, Moses & Devlin, P.C., acting as agents with respect to one or more applications by the undersigned to the Planning and Zoning Commission for the development of affordable housing on the listed property, including without limitation, applications for site plan approval, zoning text change and zoning map change.

MOUNTAIN VIEW ESTATES, LLC

By: _____


Gary M. Richetelli, Member,
Duly Authorized

January 16, 2017
Date

Referral 2.4: City of Milford

Subject:

Proposed Zoning Regulation Amendments to Sections 5.3.5 and 5.3.7.1 regarding allowing blade signs in office, business, and industrial 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:

The City of Milford has submitted proposed zoning regulation amendments to Sections 5.3.5 and 5.3.7.1, allowing blade signs in office, business, and industrial districts. The amendment defines blade signs and delineates restrictions on them. Blade signs are to be no larger than 4 square feet and have no internal illumination. The regulation allows one (1) projecting sign for each ground floor tenant. Further specifications can be found in the referral packet.

Communication:

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



City of Milford, Connecticut

Department of Permitting
and Land Use

Founded 1639
70 West River Street ♦ Milford, Connecticut ♦ 06460-3317
www.ci.milford.ct.us

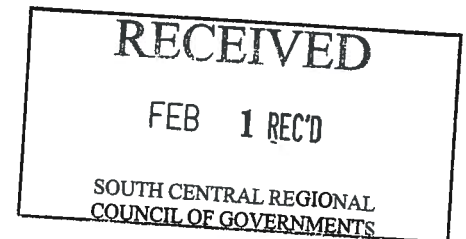
Amendment 2-17

TO: ☒ South Central Regional Council of Governments
☒ Greater Bridgeport Regional Planning Council
☒ City Attorney, City of Milford
☒ State of CT DEEP
☒ City of West Haven, City Clerk
☒ Town of Stratford, City Clerk
☒ Town of Orange, City Clerk

FROM: David B. Sulkis, City Planner /DBS

DATE: January 31, 2017

**RE: Proposed Changes to the City of Milford Zoning Regulations:
Sec. 5.3.5 and 5.3.7.1 BLADE SIGN**



In accordance with Milford Zoning Regulations 10.3 and CT General Statutes 8-3b and 22a-104, the distribution of the following proposed regulation changes is submitted for your agency's review and comment. Please provide this office with acknowledgment of your receipt of this memorandum and provide your comments or approval within 35 days of the above date.

EXISTING TEXT:

Sec. 5.3.7.1 No allowable sign, including canopy signs, shall be located in or project over, any street right-of-way.

PROPOSED TEXT: *(Change in bold and Italics)*

5.3.5.9 BLADE SIGNS: *A sign projecting or cantilevered from the face of a building or structure for identification of a tenant or tenancy with writing and/or graphics on one or both sides. Blade shall be allowed when meeting the following conditions:*

- 1. No larger than 4 square feet.*
- 2. No internal illumination.*
- 3. The bottom of the sign must be a minimum of 7' from the adjacent ground.*
- 4. The top of the sign shall not be more than 12' from the adjacent ground.*
- 5. There can be 1 (one) projecting sign for each ground floor tenant.*

6. *A blade sign can project be no more than 36" from the face of the building façade and can be no wider than 36" if hung from the canopy.*
7. *Any blade sign may overhang the public right of way provided the applicant provides written permission by the owner of the right of way (the City of Milford or the State of Connecticut), whoever is the owner of the sidewalk or street right of way.*
8. *In no case shall a blade sign extend beyond the existing curb line that divides the pedestrian side of the sidewalk from the vehicular portion of the right of way.*
(New)

Sec. 5.3.7.1 *Except where allowed by these regulations*, no allowable sign, including canopy signs, shall be located in or project over, any street right-of-way.

REASON FOR CHANGE:

Create a definition for blade signs where none exists; Amend 5.3.7.1 to prevent potential conflicts within the regulations and Cerate 5.3.5.9 to allow sign type in office, business and industrial districts.

A petition for substantially the same change in regulations has previously been filed:

Yes _____ No X if Yes, date of hearing:

This regulation change is proposed by: ☒ Planning and Zoning Regulations Subcommittee

C: P & Z Board Chairman
John L. Grant, Chairman Regulations Subcommittee
Joseph D. Griffith, Director, DPLU

Referral 2.5: Town of North Branford

Subject:

Proposed Zoning Regulation Amendments to Section 6 Definitions; Section 41 Site Development Plan Standards; Section 63 Amendments; Section 61 Zoning Board of Appeals; and Section 62 Administration. Proposed Subdivision Regulation Amendments to add Article III Section 310 regarding Fire Suppression System

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 North Branford has submitted proposed zoning regulation amendments to various sections of their regulations. These include Section 6 – Definitions, adding the definition of livestock. Section 41 is amended to allow lighting of the American flag from below, deviating from current sign lighting regulations. Amendments to Sections 61, 62, and 63 include minor administrative changes.

Communication:

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

Town of North Branford
SCRCOG Referral
PZC Application #2016-15
February 2, 2017



FEB 2 2017

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

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 HIDSON
JOSEPH E. FAUGHNAN
DONALD J. FUCCI, II
ALFRED D. 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: February 2, 2017

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
- (X) 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
- (X) by petition **PZ Application #2016-15, Applicant North Branford Planning and Zoning Commission**

Proposed Zoning Regulation Amendment: PZ Application #2016-15, Proposed Amendments of the North Branford Zoning Ordinance to modify the text of Sections 6 Definitions, Section 41 Site Development Plan Standards, Section 63 Amendments, Section 61 Zoning Board of Appeals and Section 62 Administration and proposed amendments of the North Branford Subdivision Regulations to modify the text of Article II Section 202 Definitions, Article VI Section 606 Public Hearing, and proposed formation of Article II Section 310 Fire Suppression System. *Applicant: North Branford Planning and Zoning Commission.*

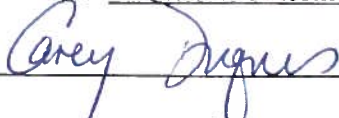
Town of North Branford
SCRCOG Referral
PZC Application #2016-15
February 2, 2017

Public hearing has been scheduled for March 2, 2017 at 7 pm.

Material submitted herein:

() Legal Notice () Supporting statements, site map
() Map of proposed subdivision (X) 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 Duques, 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

TOWN OF NORTH BRANFORD
PLANNING & ZONING COMMISSION

Appl. #2016-15
Submission Date: 1/19/17
Date of Receipt: 1/19/17
Fee: Φ

Circle One:

AMENDMENT TO ZONING REGULATIONS

AMENDMENT TO ZONING MAP

Applicant Name: North Branford Planning and Zoning Commission
Mailing Address: 909 Foxon Road North Branford, CT 06471 Telephone: 203-484-6010
E-mail address: townplanner@townofnorthbranfordct.com

For TEXT CHANGES, please supply information below:

Section of Zoning Regulations to Amend: Various; Section 6 Definitions; Section 41 Site Development Plan Standards; Section 63 Amendments; Section 61 Zoning Board of Appeals; Section 62 Administration;

Amendments to the Subdivision Regulations, Article II- Definitions Section 202; Article VI Section 606 Public Hearing; proposed addition of Article III Section 310 regarding Fire Suppression System, See attachment

Full Text of the Proposed Amendments: See attachment

For MAP CHANGES, please supply additional information below:

Address of Property: _____

Assessor's Map No: _____ Lot #: _____

Existing Zoning: _____ Proposed Zoning: _____

Has a previous zone change been requested for this property? _____

If so, when? _____

Owner's Name: _____

Mailing Address: _____

Telephone: _____ Cell #: _____

E-mail address: _____

ALL APPLICATIONS SHALL ADHERE TO THE FOLLOWING:

1. **SUBMISSION REQUIREMENTS** include a complete and comprehensive statement of the reasons for any proposed change, including any special interest the Applicant(s) may have in such change.

2. **ADJOINING MUNICIPALITIES:** Applications affecting sites within 500 feet of, or affecting, an adjacent municipality require notification to that municipality and to the regional planning agency.

☒ Site is within 500 feet of an adjoining municipality.

☐ Site is not within 500 feet and will not impact any adjacent municipality.

3. **REGIONAL WATER AUTHORITY (RWA) NOTIFICATION:** The applicant must provide written notice to the RWA and to the East Shore District Health Department (ESDHD) when any application is within the watershed of the RWA.

☐ Project is not within watershed of the RWA.


☒ Project is within the RWA's watershed and the RWA and ESDHD have been notified.

SIGNATURES REQUIRED ON THIS APPLICATION:

The following is the legal agreement regarding this application which must be signed by the applicant and by all property owners of property for which a zoning map change is requested.

The undersigned hereby applies for approval of the foregoing Regulation Amendment and/or Zoning Map Change and declares that the statements contained in this application and in all documents and/or drawings submitted as part of the same are, to the best of his/her knowledge and belief, true and accurate as presented.

APPLICANT(S):

	on behalf of PZC	1/19/17
signature	print name	date
<hr/>		
signature	print name	date

OWNER(S):

signature	print name	date
<hr/>		
signature	print name	date



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

Proposed Text Amendments to Town of North Branford Zoning Regulations PZC Application #2016-15

Below are proposed changes and why they are being proposed.

Issue #1: The regulations do not define livestock. When this becomes an issue is when a resident is claiming livestock as a pet which is not regulated in number

Proposed Change (noted in bold):

Section 6- Definitions

6.13 Farm***

a. **Livestock.** The term “livestock” shall have all those meanings set forth in Section 22-278 of the Connecticut General Statutes, as amended and includes but is not limited to any camelid or hooved animal raised for domestic or commercial use.

Issue #2: The zoning regulations treat the American flag as a sign and signs shall be illuminated from above or be internally lit. The lighting is not allowed to shine up creating a glare or hazard. It is challenging to illuminate a flag from above so below is a suggested language making an exception for the American flag.

Proposed Change (noted in bold):

41.2.11** **Lighting:** The location, height, design and arrangement of outside lighting shall conform to the provisions of 41.2.2, the standards of Section 51 and to the following:

- f. **Lighting for the American flag may deviate from these standards but shall not produce disability glare nor create a nuisance for abutting properties or residents of the area.**

Issue #3: The CT General Statute states that municipalities “may, by regulation, provide for additional notice” above and beyond the required legal notice for public hearings. It speaks to the ability of the town to require mailings to abutters, which we do, and “proof of mailing shall be evidenced by a certificate of mailing...” Currently the town’s regulations require certified mail, which is costly for the applicant and not everyone retrieves the slip from the post office in order to obtain their certified letter.

The suggested change, which brings the town regulations into alliance with the state statute, is to permit notice via certificate of mailing. Which requires the applicant to prove neighbors were

notified. See proposed language below in bold and existing language in parentheses. State statute attached.

Proposed Change (noted in bold):

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 ***notify all property owners within 500 feet in all directions of the property included in the proposed change, via a letter stating the current and proposed zone, date, time, and location of the public hearing by certificate of mailing not less than 15 days prior to any public hearing*** (shall provide proof of certified mail letter notification to all property owners within 500 feet in all directions of the property included in the proposed change 15 days prior to any public hearing.)

61.5.1*/** Notices: The Zoning Board of Appeals shall, upon receipt, transmit to the Commission a copy of each application made to the Board. In addition, the Board shall transmit to the Commission a copy of each notice of hearing and decision of the Board, which transmittal shall be made within the same time periods as required for publication of notices by the Board under the General Statutes of the State of Connecticut. Notice of applications for a variance in the use of property any portion of which lies with five hundred feet of a contiguous municipality shall, at least one week prior to the hearing on such application for applications be given to the clerk of such municipality. The notice shall be in writing and state the facts of the application and the date, time and place of the hearing.

After making application and being given assignment for public hearing thereon, the applicant shall submit a property map containing a list of names and addresses of owners of all properties within 100 feet in all directions of the subject property as verified from the most current Real Property Records on file in the Office of the Assessor of the Town of North Branford (or actual owners of record if otherwise known to the applicant). The list shall also include map numbers and lot numbers. The applicant shall mail notification of said pending application to the owner(s) of each property not less than fifteen (15) days prior to the day of the hearing. Notice of the public hearing shall be sent ***via certificate of mailing*** (certified mail/return receipt) and shall include the text of the application, schedule date, time and place of public hearing. Mail receipts shall be submitted to the Zoning Enforcement Officer prior to the public hearing.

Issue #4: In order to maximize compliance with the town's zoning regulations it is important to ensure that current applications do not have outstanding zoning violations. In order to ensure this we are proposing to add the language in bold below:

Proposed Change (noted in bold):

62.2 Application: APPLICATION for a ZONING PERMIT shall be submitted to the Zoning Enforcement Officer. The APPLICATION shall be accompanied by the following as applicable to the particular proposal:

62.2.1 application fees as specified in Par. 62.11;

- 62.2.2 a plot plan as specified in Par. 62.4;
- 62.2.3 a SITE DEVELOPMENT PLAN, including statement of use, site plan and architectural plans, as specified in Par. 62.5;
- 62.2.4 an application for any SPECIAL USE PERMIT; (and)
- 62.2.5 such application information that the Zoning Enforcement Officer or Planning and Zoning Administrator deems necessary to determine compliance with the provisions of these Regulations;
- 62.2.6 demonstrate compliance with regulations; No zoning permit shall be issued if it is determined that a violation of these Regulations, the North Branford Subdivision Regulations, or the North Branford Inland Wetlands and Watercourses Regulations exists on the subject property.**

Issue #5: Regulations currently do not require the owner to sign applications.

Proposed Change (noted in bold):

62.2 Application: APPLICATION for a ZONING PERMIT shall be submitted to the Zoning Enforcement Officer. The APPLICATION shall be accompanied by the following as applicable to the particular proposal:

- 62.2.1 application fees as specified in Par. 62.11;
- 62.2.2 a plot plan as specified in Par. 62.4;
- 62.2.3 a SITE DEVELOPMENT PLAN, including statement of use, site plan and architectural plans, as specified in Par. 62.5;
- 62.2.4 an application for any SPECIAL USE PERMIT; (and)
- 62.2.5 such application information that the Zoning Enforcement Officer or Planning and Zoning Administrator deems necessary to determine compliance with the provisions of these Regulations;
- 62.2.6 demonstrate compliance with regulations; No zoning permit shall be issued if it is determined that a violation of these Regulations, the North Branford Subdivision Regulations, or the North Branford Inland Wetlands and Watercourses Regulations exists on the subject property; **and**

62.2.7 all applications shall be signed by the property owner

Issue #6: Similar to Issue #4 this proposed change encourages compliance with the town's zoning regulations. This proposed change would require compliance with an existing site plan prior to being issued a certificate of zoning compliance.

Proposed Change (noted in bold):

62.7.8 In no case shall a CERTIFICATE OF ZONING COMPLIANCE be issued when it is determined that a violation of these Regulations, the North Branford Subdivision Regulations, or the North Branford Inland Wetlands and Watercourses Regulations exists on the subject property or if the provisions of any approved site plan or special permit have not been met.

Issue #7: Section 61 of the Zoning Regulations speaks to the Zoning Board of Appeals. Section **61.5.2 Appeals** details the process for appealing a decision of the Zoning Enforcement Officer. Currently the regulations do not require that abutters within 100 feet of the location of the appealed decision be notified. State Statue 8-7 does not require notification. However, given that the Town requires notification of abutters within 100 feet for variances and 500 feet for special use permits and we're recommending notification for a public hearing regarding subdivision and resubdivision, it makes sense to clearly state in Section 61.5.2 that the appellant shall notify abutters located within 100 feet.

Proposed Change (noted in bold):

61.5.2 Appeals: Any party aggrieved by a ruling of the Zoning Enforcement Officer or any other official charged with the enforcement of these Regulations, shall file such appeal in accordance with the procedures established herein, within 30 days after the date of such ruling. Such appeals shall be filed in accordance with the provisions of Section 8-7 of the State Statutes, using a form provided by the Board, which **specifies** the grounds for such appeal and includes such other information as may be required. **The aggrieved party shall provide notice per requirements detailed in Section 61.5.1 Notices which includes notice to adjacent municipality(ies) if located within 500 feet of the subject property and abutters of the subject property located within 100 feet of the subject property.**



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

Proposed Text Amendments to Town of North Branford Subdivision Regulations Application #2016-15

Below are the issues and proposed changes.

Issue #1: The subdivision regulations define a “cul-de sac” and place a limit on the number of lots that can be created to 12 lots. However, loop roads that also only have one vehicular outlet are not defined and can result in more than 12 lots.

Proposed Change (noted in bold):

ARTICLE II – DEFINITIONS

202 **“Cul-de sac” and loop roads** A dead-end street having only one vehicular outlet. The length, subject to Section 316(c) of these regulations, shall be measured beginning from the edge of the existing pavement intersection of two (2) streets continuing along the entire center line of the cul-de-sac street to the furthest point of the turn-around or end of the cul-de-sac street. No more than (12) twelve lots (proposed and/or existing) having sole access to the residential cul-de-sac street is permitted. (See Sketch 1-Appendix)

Issue #2: The Subdivision Regulations do not explicitly state that applicants are required to notify abutters. Historically applicants have since our zoning regulations require abutter notification as part of the public hearing process, but legally it is not required; because state statute doesn’t require it or because it’s not in the subdivision regulations. If the PZC would like to have abutters be notified of subdivisions and re-subdivisions a proposed change is suggested below.

Proposed Change (noted in bold):

Article VI

606 Public Hearing

- a. The Commission may hold a public hearing regarding any subdivision proposal if, in its judgment, the specific circumstances require such action. (C.G.S. Sec. 8-26).
- b. No plan for resubdivision shall be acted upon by the Commission without a public hearing. (C.G.S. Sec. 8-26).
- c. Notice of the public hearing shall be given by publication in a newspaper of general circulation in the Town at least twice at intervals of not less than two days, the first not more than fifteen days, nor less than ten days, and the last not less than two days prior to the date of such hearing, and by sending a copy thereof by registered or certified mail to the **application** (applicant)

(C.G.S. Sec. 8-26). Concurrent with its first publication, a copy of the notice of public hearing shall be filed in the office of the Town Clerk.

- d. **Notice of the public hearing shall be made to all property owners within 500 feet in all directions of the property included in the proposed subdivision or re-subdivision 15 days prior to any public hearing by certificate of mailing.**

Issue #3: The subdivision regulations currently do not have any language regarding requiring fire suppression systems for subdivisions that are not served by public water. The Fire Chief, Deputy Chief, Fire Marshal, and Deputy Marshal worked with the Town Planner to develop some preliminary language to meet the needs of the fire department(s). The goal of the regulations is to ensure that if a fire were to occur at a subdivision not served by public water, there would be enough supply to put out the fire and not allow it to spread.

Proposed Change (noted in bold):

Article III **310**

Subdivisions with 3 or more lots and/or total building square footage equaling 3,000 sq ft or more and is located outside a public water supply service area, shall provide the following:

- a. **Provision for adequate emergency vehicle access**
 - b. **Permanent water supply system for firefighting purposes. A permanent water supply for fire protection shall consist of an underground reinforced concrete cistern with fire department connection riser and vents, which shall have a capacity of at least 10,000 gallons of water.**
1. **Plans for the construction and installation of each tank shall be developed prior to subdivision approval. The plans must reflect site testing for location suitability, structural details and acceptable access. The plan shall also prescribe the area to be cleared for tank installation and long-term maintenance including replacement of the tank as may be necessary. The land where the tank is located shall be monumented and deeded to the Town of North Branford.**
 2. **The design, siting, and installation criteria for the permanent water supply shall be designed by a professional engineer, properly licensed and registered in the State of Connecticut. The permanent water supply shall be designed as a water supply for firefighting in accordance with nationally recognized criteria such as the national Fire Protection Association (NFPA) publication 1142 edition 2012, as amended. The design shall include depth of groundwater and ledge, anticipated loading requirements on top of the structure, and protection from freezing.**
 3. **An alternative permanent water supply may be substituted for the cistern if approved by the Fire Marshal or Authority Having Jurisdiction (AHJ) to include the following:**

- i. **Surface waterbody.** An approved body of water and dry hydrant assembly shall be based on an engineering analysis conducted in accordance with Section 310 b.2. above and shall provide adequate emergency vehicle access. Requests for approval of a natural or manmade on-site surface water supply must include an engineered drainage analysis which includes a minimum number of gallons available during the dry season of the year and indicates source and amount of water that is supplied to the surface water supply during all weather conditions.
 - ii. **Automatic sprinklers** installed in accordance with NFPA 13, 13D, or 13R as appropriate, and as adopted by the State of Connecticut at the time of building permit application.
4. **A schedule for installation shall be provided. The permanent water supply for fire protection shall be made available not later than the issuance of the first Certificate of Occupancy.**
5. **The subdivision developer shall be responsible for the entire installation including but not limited to site preparation, site security and traffic control.**
6. **The installation process, incremental process and site inspections, including the final installation and acceptance inspection shall be approved and or verified by the North Branford Fire Department or AHJ.**
7. **The Commission may, upon the recommendation of the NBFD or AHJ, require a surety bond to guarantee the successful operation of the tank for a specified period of time. In no event shall a bond be held for more than 3 years after completion of the installation and final inspection by the NBFD or AHJ.**

Referral 2.6: City of West Haven

Subject:

Proposed Zoning Regulation Amendments to Table 39.2 Uses in Commercial, Mixed Use, Industrial & Other Districts; Table 62.1 Parking and Loading Requirements; and Section 38.2 Public Facilities (PF) District, to allow housing as a Special Permit Use in the PF District

Staff Recommendation:

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

Background:

The City of West Haven has submitted proposed zoning regulation amendments to allow housing as a Special Permit use in the Public Facilities (PF) District, based upon the demonstrated need for housing by West Haven's elderly, disabled, and veteran population. The housing would be located within 0.5 miles of a hospital and supporting commercial services, with a maximum density of 25 units per acre. Changes to Table 62.1 would allow for the creation of parking for these housing developments, including 1 space per bedroom.

Communication:

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



CITY OF WEST HAVEN, CONNECTICUT PLANNING AND ZONING COMMISSION

City Hall | 355 Main Street | West Haven, Connecticut 06516



CITY HALL 1898-1967

February 6, 2017

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

RECEIVED

FEB 10 2017

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

RE: Planning and Zoning Applications # ZR-17-009

Dear Mr. Livshits:

In accordance with Section 8-3b of the Connecticut General Statutes, the City of West Haven hereby refers to you the following applications that have been submitted for your review:

Text Change Application – West Haven Planning and Zoning Commission

- The City proposes to amend its current Zoning Regulations by amending Section 38.2, Table 39.2 and Section 62.1 to add housing as a new Special Permit Use in the PF (Public Facilities) District and to modify current parking standards to accommodate the use.

The West Haven Planning and Zoning Commission plans to hold a public hearing on this application on Tuesday, March 14, 2017 at 7:00 PM in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT.

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

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

1. Article and Section of Zoning Regulations

Section 38.2, Table 39.2(A), Table 62.1(A)

3/14/17

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

The demonstrated housing needs of West Haven's elderly, disabled, and veteran population.

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

The general welfare and public health is served by these amendments.

4. Applicant Information

Name City of West Haven

Firm

Street Address 355 Main St

City West Haven State CT ZIP 06516

Dated: JANUARY 31, 2017

Daytime Phone: 203-937-3580

☒ Business ☐ Home

☐ Fax: ☐ Cell:

☐ E-mail


Signature of APPLICANT

5. Counsel Information

Name Vincent R. Falcone

Firm Falcone Law Firm, LLC

Street Address 334-336 Main Street

City West Haven State CT ZIP 06516

Daytime Phone: 203-931-1762

☒ Business ☐ Home

☒ Fax: 203-934-7099 ☐ Cell:

☒ E-mail falcone@falconelaw.com

6. Provide Text of Proposed Change

Rev 4-30-11

Proposed Amendments:

Change Section 38.2 Public Facilities District - Special Permit Uses - Publicly owned and/or controlled facility which is designed to meet the demonstrated housing needs of West Haven's elderly, disabled, and Veteran population to the satisfaction of the Planning and Zoning Commission and when located within .5 miles (a half mile) of a hospital and supporting commercial services, not to exceed 25 dwelling units per acre when involving residential use.

Change Table 39.2 (A) Summary Table of Uses to make Multi-Family dwellings an allowable use by Special Permit. (Change X to SP in Multi-Family row, PF column).

Change 62.1(A) Summary Table of Parking and Loading Requirements, Same Uses as Permitted in Residence District, Required Parking Spaces Column, add PF to "Except in CBD & TOD zones only 1 Space per Bedroom" to read "Except in CBD, TOD and PF zones only 1 Space per Bedroom"

SECTION 38 – PUBLIC FACILITIES DISTRICT

38.1 PURPOSES

Public Facilities Districts shall provide uses and services supportive of public health, education and service needs of the neighborhood or city and any structure or facility constructed in this district and shall be subject to use and Site Plan Review by the Planning and Zoning Commission.

38.2 SPECIAL PERMIT USES

Uses in Public Facilities Districts are allowed only at the discretion of the Commission subject to the standards and procedures of Article 10 including a Public Hearing and Site Plan Review:

1. Public and private educational institutions and ancillary residential or recreational facilities.
2. Places of worship and associated parsonages, monasteries, convents, novitiates and cemeteries.
3. Religious, service and fraternal organizations.
4. Hospitas and public health treatment facilities (not including residential treatment centers).
5. Public or private utilities and substations.
6. Governmental offices or facilities.
7. Publicly-owned and/or controlled facility which is designed to meet the demonstrated housing needs of West Haven's elderly, disabled, and Veteran population to the satisfaction of the Planning and Zoning Commission and when located within .5 miles (a half mile) of a hospital and supporting commercial services, not to exceed 25 dwelling units per acre when involving residential use.

38.3 PROHIBITED USES

All uses not listed in Section 38.2 above are prohibited.

38.4 SUPPLEMENTAL SITE PLAN REQUIREMENTS

The Commission shall consider the following criteria prior to approving any use or site plan and shall be subject to the following supplemental requirements:

1. Effect of the proposed use on the street system, storm and sanitary sewers.
2. Adequacy of off-street parking.
3. Buffering from adjoining properties.
4. The location and screening of all structures shall be at the discretion of the Planning and Zoning Commission.
5. All parking spaces, walkways, and driveways shall be a minimum of five (5) feet from all adjoining properties.
6. The height limitations for the adjoining district shall prevail. Any deviation from this height requirement shall be at the discretion of the Planning and Zoning Commission.
7. Lighting shall be directed on the lot and away from adjoining properties.
8. Directional and parking signs, historical markers or plaques, kiosks, and community bulletin boards with information regarding use regulations and other pertinent information for the enjoyment of the facility and one sign facing each public roadway or at each designated entrance announcing the name and hours of operation of the facility may be erected.

TABLE 39.2 SUMMARY TABLE OF USES IN COMMERCIAL, MIXED USE, INDUSTRIAL & OTHER DISTRICTS

KEY	USE CATEGORY	Commercial		Mixed Use								Industrial		Other		
		NB	RB	RPD	RCPD	CBD	CD	SCR	SRR	WD	TOD	LM	IPD	OS	PF	PRD
A.	USES AS PERMITTED IN RESIDENCE DISTRICTS															
	Single Family Dwellings:															
	Detached	R	R	R	R	R	SP	X	R	SP	R	X	X	X	X	X
	Attached	SP	SP	SP	SP	R	SP	X	R	SP	R	X	X	X	X	X
	Dwellings Above Ground Floor Only	SP	R	X	X	R	X	X	X	X	X	X	X	X	X	X
	Accessory Apartments in Single Family Detached Dwelling	SU	SU	X	X	X	X	X	X	X	X	X	X	X	X	X
	Home Occupation	X	X	R	R	R	R	X	SU	SP	R	X	X	X	X	X
	Two and three family dwellings	X	X	X	R	R	R	X	R	SP	R	X	X	X	X	X
B.	Multi-family dwellings	X	X	X	SP	SP	X	X	R	SP	R	X	X	X	SP	X
	Congregate Housing, Assisted Living	SP	SP	SP	SP	SP	SP	X	SP	X	X	X	X	X	X	X
	TRANSIENT LODGING															
	Bed & Breakfast or Tourist Home	X	X	X	X	SP	X	SP	SP	SP	SP	X	X	X	X	X
	Rooming, Boarding, Lodging House	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	Hotels, Motels, Boatels or Inns	X	R	X	X	R	R	R	R	R	SP	X	X	X	X	R
	FOOD, DRINK & ENTERTAINMENT															
	Banquet Hall	SP	R	X	R	R	R	R	SP	R	SP	X	X	X	X	R
C.	Convention Center	SP	SP	SP	SP	R	SP	SP	SP	R	SP	X	X	X	X	R
	Liquor, Package Store, Grocery Beer	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X	X	X	X
	Nightclubs, Taverns, Cafes or Bars	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X	X	X	X
	Restaurant	R	R	R	R	R	R	R	R	R	R	R	R	X	X	R
	With Outdoor Seating ≤25% Total Seating	R	R	R	R	R	R	R	R	R	R	R	R	X	X	X
	With Drive-In or Drive-Thru Service	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X	X	X	X
	PERSONAL SERVICES															
	Bank or Credit Union	R	R	R	R	R	R	R	R	R	R	R	R	X	X	R
D.	Barber and Beauty Shops	R	R	R	R	R	R	R	R	R	R	X	X	X	X	X
	Child Care Facilities	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X	R
	Craft Shops (i.e. potter, woodworking, tailor)	R	R	R	R	R	R	R	R	R	R	X	X	X	X	X
	Flea Markets	SP	SP	SP	SP	X	SP	X	X	SP	X	SP	SP	X	X	X
	Funeral Parlor	R	R	SP	SP	X	SP	SP	X	X	X	X	X	X	X	X
	Laundry or Dry Cleaning Establishment	SP	SP	SP	SP	SP	SP	SP	X	SP	SP	SP	SP	X	X	X
	Massage Parlor	SP	SP	SP	SP	X	SP	SP	X	X	X	X	X	X	X	X
	Nail Salon *	SP	SP	X	X	SP	X	X	X	X	X	X	X	X	X	X
	Pawn or Swap Shop, Second hand, used, pre-owned goods dealer	X	SP	SP	SP	X	SP	SP	X	X	X	X	X	X	X	X
	Consignment Shop for Clothing, Furniture and Sporting Goods	SP	SP	SP	SP	X	SP	SP	X	X	X	X	X	X	X	X
	Pet Shop/Grooming Facility (non-boarding)	SP	SP	SP	SP	SP	SP	SP	X	SP	X	X	X	X	X	X
	COMMERCIAL															
Neighborhood Shopping Area	X	R	X	R	R	R	R	R	R	R	X	X	X	X	X	
Regional Shopping Center	X	R	X	R	R	X	X	X	R	R	X	X	X	X	X	
Retail Store, Shop or Boutique	R	R	X	R	R	R	R	R	R	R	R	R	X	X	X	
Small Appliance, TV, Repair Shops, etc.	R	R	X	R	R	R	R	R	R	R	R	R	R	X	X	X
Regional Shopping Center	X	R	X	R	R	X	X	X	R	R	X	X	X	X	X	X

TABLE OF USES IN COMMERCIAL, INDUSTRIAL, MIXED-USE & OTHER DISTRICTS

TABLE 62.1 SUMMARY TABLE OF PARKING AND LOADING REQUIREMENTS

KEY	USE CATEGORY	REQUIRED PARKING SPACES	REQUIRED LOADING SPACES
A.	SAME USES AS PERMITTED IN RESIDENCE DISTRICT <i>Single Family Dwellings</i> , Detached or Attached: <i>Two and three family dwellings</i> , <i>Multi-family dwellings</i>	1 Space per Bedroom, 2 Space Minimum, <i>Except in CBD & TOD & PF zones only,</i> 1 Space per Bedroom	NONE
	Accessory Apartment	1 Additional Space	
	Home Occupation	2 Visitor Spaces	
	Congregate Housing, Assisted Living	1 Space per Bedroom	
B.	TRANSIENT LODGING Bed & Breakfast or Tourist Home	1 Space per Sleeping Room	B
	Rooming, Boarding, Lodging House	1 per 2 Beds	
	Hotels, Motels, Boatels or Inns	1 Space per Sleeping Room	
C.	FOOD, DRINK & ENTERTAINMENT NOTE: FOOD PREP AREA IS CONSIDERED A SEPARATE USE. Banquet Hall	1 Space per 3 Seats	A
	Convention Center	1 Space per 3 Seats	A
	Nightclubs, Taverns, Cafes or Bars	1 Space per 3 Seats	A
	Restaurant	1 Space per 3 Seats	A
	Liquor, Package Store, Grocery Beer	1 per 200 SF Sales or Service Area	A
D.	PERSONAL SERVICES Bank or Credit Union	1 per 200 SF	B
	Barber and Beauty Shops	1 per 200 SF	B
	Child Care Facilities	1 per Employee	B
	Craft Shops (i.e. potter, woodworking, tailor)	1 per 200 SF	B
	Flea Markets	1 per 200 SF	B
	Funeral Parlors	1 per 200 SF	B
	Laundry or Dry Cleaning Establishment	1 per 200 SF	A
	Massage Parlor	1 per 200 SF	B
	Pawn or Swap Shop , Second hand, used, pre-owned goods dealer, Consignment shop	1 per 200 SF	B
	Pet Shop/Grooming Facility (non-boarding)	1 per 200 SF	B
E.	COMMERCIAL Neighborhood Shopping Area	1 per 200 SF	A
	Regional Shopping Center	1 per 200 SF	A
	Retail Store, Shop or Boutique	1 per 200 SF	A
	Small Appliance, TV, Repair Shops, etc.	1 per 200 SF	B
	Temporary Vending Stand or Cart	Not Applicable	NONE
F.	EDUCATION Public or Private Elementary or Secondary School, University or College including related facility (dorm, sports complex, etc.) Trade School	1 per 3 seats in largest place of assembly or 1 per 20 Students, whichever is larger	A A
G.	GOVERNMENT Government Office, Building, Public Facility	1 per 200 SF	B
	Municipal or Quasi-Municipal Facilities	1 per 200 SF	B
	Public Park, Playground or Field, Walkway, Trail; Beach, Natural Resource Education Area; Boating or Fishing Facility; Required	As Determined by P&Z Commission	B

Referral 2.7: Town of Southington

Subject:

Proposed Zoning Regulation Amendment to Section 6 Floodplain

Staff Recommendation:

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

Background:

The Town of Southington has submitted a proposed zoning regulation amendment to Section 6 – Floodplain, to comply with FEMA requirements regarding the new Flood Insurance Rate Map (FIRM). The amendment defines the area of special flood hazard as Zones A and AE as designated on the FIRM.

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

February 28, 2017

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

RECEIVED

FEB 28 2017

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

RE: Proposed Zoning Regulation Amendment - (ZA #591)

Dear Sir or Madam:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of a proposed zoning text amendment for revisions to Section 6 – Floodplain, of the Town of Southington Zoning Regulations.

The Planning and Zoning Commission anticipates opening the public hearing on this item on April 4, 2017. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6248.

Respectfully,



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, 4th Floor West
North Haven, CT 06473

1.) General Information:

Date Sent: 2/28/17

Subject: ZA #591

Applicant Name: Town of Southington Planning + Zoning Commission

Property Address (if applicable): _____

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: April 4, 2017

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:

☒

via email
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: 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>

PLANNING AND ZONING DEPARTMENT

MUNICIPAL CENTER, 196 NORTH MAIN STREET
SOUTHINGTON, CONNECTICUT 06489
PHONE (860) 276-6248 – FAX (860) 628-3511



FEE: See fee schedule

Date: 2/27/17

Z.A. # 591

PETITION TO ENACT A ZONING REGULATION AMENDMENT OF TEXT

The undersigned respectfully petitions the Southington Planning and Zoning Commission to consider granting a change in the text of the Zoning Regulations.

Description of proposed amendment with all related subsection numbers. Show existing text in upper and lower case and show proposed additions in all upper case letters or underlined numbers. Proposed deletions should be enclosed within double parentheses.

Revisions to Section 6 - Floodplain zoning

see attached

Is any zoning district potentially impacted by this proposed amendment within 500 feet of a Town boundary?

X yes no

Reason for desired amendment: To comply with FEMA Requirements
regarding the new Flood Insurance Rate Map that will
be effective May 16, 2017

Applicant:

Southington Planning & Zoning
Name municipal Center Commission
196 No Main St
mailing address

Southington CT 06489

860-276-6248
phone # fax #

PhillipsR@southington.org
email

applicant signature: 

P:\P & Z forms\zone regulation amendment application form.doc

Agent:

Robert A. Phillips, AICP
Name Municipal Center
mailing address

196 No Main St
Southington CT 06489
860-276-6248
phone # fax #

PhillipsR@southington.org
email

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

6-03. GENERAL PROVISIONS

6-03.1 LANDS TO WHICH THIS REGULATION APPLIES

This regulation shall apply to all areas of special flood hazard within the jurisdiction of Southington.

6-03.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

~~*[The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Insurance Study (FIS) for the Town of Southington, dated April 15, 2002 and revised effective September 26, 2008, with accompanying Flood Insurance Rate maps (FIRM) and other supporting data, and any revision thereto, are adopted by reference and declared to be a part of this ordinance. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment is obtained.]*~~

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Hartford County, Connecticut, dated May 16, 2017, and accompanying Flood Insurance Rate Maps (FIRM), dated May 16, 2017 (Panels – 09003C0469G, 09003C0488G, 09003C0582G, 09003C0584G, 09003C0592G, 09003C0601G, 09003C0603G, 09003C0611G), and September 26, 2008 (Panels – 09003C0465F, 09003C0468F, 09003C0489F, 09003C0581F, 09003C0583F, 09003C0591F, 09003C0602F, 09003C0604F), and other supporting data applicable to the Town of Southington, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this ordinance. Since mapping is legally adopted by reference into this regulation it must take precedence until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A and AE including areas designated as a floodway on the FIRM. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The FIS and FIRM are on file with the Town clerk.