

**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 Giuliatti
(Chair)

Orange:
Vacant

Wallingford:
Vacant

West Haven:
Al Posey

Woodbridge:
Vacant

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Thursday, April 13, 2017 RPC Meeting at 5:15pm at SCRCOG, 127 Washington Avenue, 4th Floor West, North Haven, CT 06473

AGENDA

1. Administration

- | | |
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| 1.1. Minutes of the January 12, 2017 RPC Meeting | 1 |
| 1.2. Minutes of the March 9, 2017 RPC Meeting | 3 |

2. Action Items

- | | |
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| 2.1. South Central Connecticut Regional Water Authority: Proposed Application in accordance with Special Act 77-98, as amended for the disposition of 1.67 acres located east of Sperry Road, 1.84 acres located west of Litchfield Turnpike, and 2.47 acres located east of Johnson Road in Woodbridge. Submitted by: RWA. Received: February 20, 2017. Public Hearing: April 20, 2017. | 5 |
| 2.2. City of Milford: Proposed Zoning Regulation Amendment to Section 5.8.2 Zoning Applicability – FEMA Flood Panel Changes. Submitted by: City of Milford. Received: March 15, 2017. Public Hearing: April 18, 2017. | 7 |
| 2.3. City of Milford: Proposed Zoning Regulation Amendment to Section 5.8.13.1 Residential Construction. Submitted by: City of Milford. Received: March 16, 2017. Public Hearing: TBD. | 10 |
| 2.4. Town of Hamden: Proposed Zoning Regulation Amendment to Section 430.1 – Flood Plain Zones & Special Flood Hazard Areas. Submitted by: Town of Hamden. Received: March 22, 2017. Public Hearing: April 25, 2017. | 13 |
| 2.5. City of Shelton: Proposed Zoning Regulation Amendments to Section 24 Area, Location and Bulk Standards; Section 44 Signs; Section 23 Permitted Uses; and Section 35 Replace Planned Residence Districts (PRD) with Design Residential Developments (DRD). Submitted by: City of Shelton. Received: April 3, 2017; Public Hearing: April 26, 2017. | 24 |

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

- 2.6. Town of Woodbridge: Proposed Zoning Regulation Amendment to Section 12 Flood Hazard Area Regulations, Subsection 14.2. Submitted by: Town of Woodbridge. Received: April 6, 2017. Public Hearing: May 2, 2017.

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3. Other Business

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.

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.

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.

DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, March 9, 2017 Meeting

Present: James Giulietti, David White, Charles Andres, Eugene Livshits

The Regional Planning Commission Meeting on March 9, 2017 did not have a quorum. The referrals were reviewed by consensus of the members present.

1 Administration

1.1 Minutes of the January 12, 2017 RPC meeting.

The approval of minutes from the January 12, 2017 meeting will be presented during the April 13, 2017 RPC meeting.

2 Statutory Referrals

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

2.1 City of West Haven: Proposed Zoning Regulation Amendment to Section 65 and 69 allowing the use of digitally enhanced or electronic billboard along I-95

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

2.2 City of West Haven: Proposed Zoning Regulation Amendment to Section 46 regarding the keeping of hens on residential properties

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed zoning regulation amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

2.3 Town of Hamden: Proposed Zoning Regulation Amendment to create Section 677- Housing Opportunity Development Zone

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that 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 feet 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.

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

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

2.5 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.

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

2.6 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

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

2.7 Town of Southington: Proposed Zoning Regulation Amendment to Section 6 Floodplain

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC has determined that the proposed zoning regulation amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

3 Other Business

3.1 There was an informal discussion pertaining to the Regional POCD Update process.

Referral 2.1: South Central Connecticut Regional Water Authority

Subject:

Proposed Application in accordance with Special Act 77-98, as amended for the disposition of 1.67 acres located east of Sperry Road, 1.84 acres located west of Litchfield Turnpike, and 2.47 acres located east of Johnson Road in Woodbridge.

Staff Recommendation:

The proposed application for disposition of 1.67 acres located east of Sperry Road, 1.84 acres located west of Litchfield Turnpike, and 2.47 acres located east of Johnson Road does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region. There do not appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Regional Water Authority has submitted applications for the disposition of 1.67 acres east of Sperry Road, 1.84 acres west of Litchfield Turnpike, and 2.47 acres east of Johnson Road in Woodbridge. The applications are all for the disposition of land and amendments to the South Central Connecticut Regional Water Authority (RWA) Land Use Plan. Litchfield Turnpike and Johnson Road are Class I and II lands, and Sperry Road is classified as Class II land. Sperry Road and Litchfield Turnpike are part of Land Unit WO 5, while Johnson Road is part of Land Unit WO 14. The application states that the sites are not needed for water supply purposes.

The three parcels are zoned as Residential. The land uses are forested open space, each with a vacant single-family residential house. The surrounding land uses are open space and residential. The sites would be sold to the Amity-Woodbridge Historical Society or one of their designees. Revenues for the sales are expected to be \$8,000 for Sperry Road, \$9,100 for Litchfield Turnpike, and \$7,100 for Johnson Road. Revenues would be used to purchase additional water supply watershed lands or conservation easements within the RWA's public water supply watersheds.

Communication:

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

Representative Policy Board

South Central Connecticut Regional Water District
90 Sargent Drive, New Haven, Connecticut 06511-5966 / 203-401-2515
<http://www.rwater.com>

Via UPS

February 17, 2017

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

Dear Mr. Amento:

In accordance with the provisions of Special Act 77-98, as amended, the Representative Policy Board ("RPB") of the South Central Connecticut Regional Water Authority ("Authority") is considering three applications submitted to it by the Authority for the disposition of:

- i. Application to the Representative Policy Board for the disposition of 1.67 acres located east of Sperry Road in Woodbridge, that is part of Land Unit WO 5; and
- ii. Application to the Representative Policy Board for the disposition of 1.84 acres located west of Litchfield Turnpike in Woodbridge, that is part of Land Unit WO 5; and
- iii. Application to the Representative Policy Board for the disposition of 2.47 acres located east of Johnson Road in Woodbridge that is part of Land Unit WO 14.

The purchase price for: (i) 115 Sperry Road shall be \$8,000, (ii) 2040 Litchfield Turnpike shall be \$9,100, as established by an independent appraiser, and (iii) 1029 Johnson Road shall be \$7,100.

Litchfield Turnpike and Johnson Road are classified as Class I and II lands located within Woodbridge, Connecticut and Sperry Road is classified as Class II land within Woodbridge, Connecticut. The Authority's Land Use Plan designates all three properties as non-water system land. Each property is subject to restrictive covenants placed upon it as noted in the language of Special Act 03-12.

Public hearings have been scheduled for these applications on Thursday, April 20, 2017 at 7:00 p.m. at the Woodbridge Center Building, Senior Center Café, 4 Meetinghouse Lane, Woodbridge, Connecticut.

Comments in writing, in advance of the public hearings, and should be sent to: Chairperson, Representative Policy Board, South Central Connecticut Regional Water District, 90 Sargent Drive, New Haven, CT 06511. Comments submitted via facsimile should be sent to: (203) 562-0808; comments submitted electronically should be sent to jslubowski@rwater.com.

Very truly yours,



Thomas P. Clifford III
Chairperson
Enclosures

cc: Jasper J. Jaser, Vice Chair
Edward O. Norris III, Vice President – Asset Management, Regional Water Authority
Mark Levine, RPB Member

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Referral 2.2: City of Milford

Subject:

Proposed Zoning Regulation Amendment to Section 5.8.2 Zoning Applicability – FEMA Flood Panel Changes.

Staff Recommendation:

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

Background:

The City of Milford has submitted a proposed zoning regulation amendment to Section 5.8.2 Zoning Applicability, regarding FEMA Flood Panel Changes. The amendment references the updated Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM) dated May 16, 2017.

Communication:

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



City of Milford, Connecticut

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

Department of Permitting
and Land Use

P&Z BOARD

Amendment #8-17 (5.8.2)

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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: March 15, 2017

RE: Proposed Changes to the City of Milford Zoning Regulations: Section 5.8.2 Zoning Applicability – FEMA Flood Panel Changes eff. 5/16/2017

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 are being submitted for your agency's review and comment.

A public hearing will be scheduled for the approval (adoption) of the proposed regulation changes on April 18, 2017. Upon Planning and Zoning Board approval (adoption), the regulation changes will take effect on May 3, 2017. A certified copy of the approved regulation changes will be sent to FEMA Region 1.

EXISTING TEXT

Section 5.8.2 Zoning Applicability: Flood Hazard and Flood Damage Prevention Regulations shall apply to all lands, buildings, structures, structural alterations and uses in any Zoning District where lands, buildings, structures, structural alterations and uses are, or are proposed to be located, below the regulatory flood protection elevations as defined herein. The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated December 17, 2010, and accompanying Flood Insurance Rate Maps (FIRM), dated December 17, 2010, and other supporting data applicable to the City of Milford, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive 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, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas

Milford Department of Permitting and Land Use

Building: 203-783-3234
Planning and Zoning: 203-783-3245
Wetlands: 203-783-3256

Fax (Building): 203-783-3690
Fax (Planning and Zoning/Wetlands): 203-783-3303
Director: 203-783-3374

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 only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. **Approved: 3/5/2013; Effective: 3/29/2013**

PROPOSED TEXT (Changes indicated in bold italicized text)

5.8.2 Zoning Applicability: Flood Hazard and Flood Damage Prevention Regulations shall apply to all lands, buildings, structures, structural alterations and uses in any Zoning District where lands, buildings, structures, structural alterations and uses are, or are proposed to be located, below the regulatory flood protection elevations as defined herein. The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated **May 16, 2017**, and accompanying Flood Insurance Rate Maps (FIRM), dated **May 16, 2017 (panel-09009C0414J, 09009C0418J, 09009C0527J, 09009C0531K), July 8, 2013 (Panels-09009C0526J, 09009C0528J, 09009C0529J, 09009C0532J, 09009C0533J, 09009C0534J, 09009C0536J, 09009C0537J, 09009C0551J), and December 17, 2010 (Panel-09009C0419H)**, and other supporting data applicable to the City of Milford, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this Regulation. Since mapping is legally adopted by reference into this Regulation it must take precedence ~~when more restrictive~~ 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, AE, and VE, including areas designated as a floodway on **the** FIRM. Zone VE is also identified as a Coastal High Hazard Area. 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 **only** approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The FIS and FIRMs are on file with the Milford Zoning Office.

REASON FOR CHANGE:

Amend regulations to reference the adopted FIRM/FIS panels.

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

Yes X No if Yes, date of hearing: 03/05/2013

This regulation change is proposed by: Petitioner: _____ or ☒ Planning and Zoning Board Subcommittee

Cc: Scott Marlow, Chairman, P & Z
John L. Grant, P & Z
J. Griffith, Director, DPLU

Referral 2.3: City of Milford

Subject:

Proposed Zoning Regulation Amendment to Section 5.8.13.1 Residential Construction.

Staff Recommendation:

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

Background:

The City of Milford has submitted a proposed zoning regulation amendment to Section 5.8.13.1 Residential Construction. The amendment includes new text for documentation of satisfaction of the requirements in Section 5.8.13.1 to be submitted to the City for acceptance on the standard FEMA Elevation Certificate form. Where new construction is located within flood hazard areas, documentation must be submitted to the City Building Official. The City's goal is to remain in good standing in the Community Rating System (CRS) and align requirements with the updated 2016 State Building Code IRC 109.1.3 and 109.3 for construction in the flood hazard area.

Communication:

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



City of Milford, Connecticut

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

Department of Permitting
and Land Use

David B. Sulkis,
City Planner

Amendment #3-17

TO:

<input checked="" type="checkbox"/>	South Central Regional Council of Governments
<input checked="" type="checkbox"/>	Greater Bridgeport Regional Planning Council
<input checked="" type="checkbox"/>	City Attorney, City of Milford
<input checked="" type="checkbox"/>	State of CT DEEP
<input checked="" type="checkbox"/>	City of West Haven, City Clerk
<input checked="" type="checkbox"/>	Town of Stratford, City Clerk
<input checked="" type="checkbox"/>	Town of Orange, City Clerk

FROM: David B. Sulkis, City Planner /DBS

DATE: March 16, 2017

RE: **Proposed Changes to the City of Milford Zoning Regulations; Sec. 5.8.13.1 Residential Construction**

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

EXISTING TEXT:

Section 5.8.13.1 Residential Construction: New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation. Such plans shall be certified by a licensed professional engineer or land surveyor that the provisions of this subsection are satisfied.

PROPOSED TEXT: (*Changes indicated in bold italicized text*)

Section 5.8.13.1 Residential Construction: New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation. Such plans shall be certified by a licensed professional engineer or land surveyor that the provisions of this subsection are satisfied. ***Documentation of satisfaction of these requirements shall be submitted to the City for acceptance on the standard FEMA Elevation Certificate form (current edition of Form 086-0-330) or otherwise accepted by the City. For construction involving foundations in flood hazard areas, upon placement of the***

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**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

lowest floor including basement and prior to further vertical construction, such documentation shall be submitted for approval by the City Building Official. Updated documentation in the form prescribed above, and marked finished construction shall be submitted to the City Building Official prior to final inspection. (New)

REASON FOR CHANGE:

1. Require the submission of building code and zoning regulation elevation documentation currently required to be submitted by a licensed design professional to be on the FEMA Elevation Certificate Form in order for the City to maintain good standing in the Community Rating System (CRS), and
2. Align the sequence and schedule of the elevation certificate documentation with the newly enacted requirements of the 2016 State Building Code IRC 109.1.3 and 109.3 for construction in the flood hazard area.

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: Petitioner: _____ or ☒ Planning and Zoning Board Subcommittee

C: Scott Marlow, Chairman, Planning and Zoning Board
John L. Grant, Chairman, Regulation Subcommittee
Joseph Griffith, Director, DPLU

Referral 2.4: Town of Hamden

Subject:

Proposed Zoning Regulation Amendment to Section 430.1 – Flood Plain Zones & Special Flood Hazard Areas.

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 Hamden has submitted a proposed zoning regulation amendment to Section 430.1 regarding Flood Plain Zones & Special Flood Hazard Areas. The Amendment references the latest FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM) dated May 16, 2017. These changes allow the Town to continue participating in FEMA's National Flood Insurance Program.

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

March 16, 2017

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

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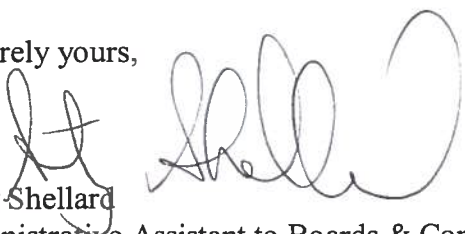
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Dear Mr. Amento,

Enclosed is the Proposed Zoning Regulation Amendment 17-964, Section 430.1-Flood Plain Zones & Special Flood Hazard Areas. The Public Hearing date for this application is April 25, 2017.

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

Sincerely yours,


Stacy Shellard
Administrative Assistant to Boards & Commissions

Enclosures



Date of Filing 3/16/17
Fee Exempt
Date Paid _____
Receipt # _____
Application # 17-964

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

Pursuant to Sections 702 – 702.12 of the Hamden Zoning Regulations

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

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

EMAIL ADDRESS OF CONTACT PERSON: DKOPS@HAMDEN.COM

REGULATION TO BE: ☒ AMENDED ☐ ADDED or ☐ DELETED:
Article Number IV Section 430.1 Group Use _____
Flood Plain Zones & Special Flood Hazard Areas: Applicability
CURRENT LANGUAGE SEE ATTACHMENT

PROPOSED LANGUAGE SEE ATTACHMENT

REASON FOR PETITION FOR CHANGE SEE ATTACHMENT

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

If YES, list name of applicant The Town of Hamden amended the regulations governing
Flood Plain Zones & Special Flood Hazard Areas, with an effective date of 7/8/13

SIGNATURE OF
APPLICANT

David W. Krup.
(Name)

TELEPHONE NO. 203-287-7070

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

(Street No. and Name)

(Town and State)

(Zip Code)

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

ATTACHMENT

PROPOSED AMENDMENT OF THE ZONING REGULATIONS CONCERNING FLOOD PLAIN ZONES AND SPECIAL FLOOD HAZARD AREAS

Current Language

430 Flood Plain Zones and Special Flood Hazard Areas:

430.1 Applicability

These regulations shall apply to all Special Flood Hazard Areas (SFHA) within the jurisdiction of the Town of Hamden. The Special Flood Hazard Areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated July 8, 2013, with accompanying Flood Insurance Rate Maps (FIRM), dated July 8, 2013 (Panels 09009C0294J, [09009C0429J], 09009C0432J, 09009C0433J, 09009C0434J, 09009C0451J) and December 17, 2010 (Panels 09009C0280H, 09009C0283H, 09009C0284H, 09009C0290H, 09009C0291H, 09009C0292H, 09009C0293H, 09009C303H, 09009C311H, 09009C426H, 09009C427H, 09009C431H), and other supporting data applicable to the Town of Hamden, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The SFHA includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. SFHAs 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 Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

Proposed Language: *(Changes shown in boldface)*

430 Flood Plain Zones and Special Flood Hazard Areas:

430.1 Applicability

These regulations shall apply to all Special Flood Hazard Areas (SFHA) within the jurisdiction of the Town of Hamden. The Special Flood Hazard Areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated **May 16, 2017, and** accompanying Flood Insurance Rate Maps (FIRM), dated **May 16, 2017** (Panels - **09009C0283J, 09009C0284J, 09009C0291J, 09009C0292J, 09009C0293J, 09009C0294K, 09009C0303J, 09009C0311J, 09009C0431J, 09009C0432K, 09009C0433K, 09009C0451K**), July 8, 2013 (Panels - 09009C0429J,

09009C0434J), and December 17, 2010 (Panels - 09009C0280H, 09009C0290H, 09009C0426H, 09009C0427H), and other supporting data applicable to the Town of Hamden, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The SFHA includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. SFHAs 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 Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

Explanation for Change

FEMA recently completed a revised Flood Insurance Study (FIS) and Flood Insurance Rate Map Panels involving areas within the Quinnipiac River Watershed. They will become effective on May 16, 2017. The Town must therefore adopt amended regulations that include the new dates for these panels. Doing so will maintain Hamden's eligibility to participate in FEMA's National Flood Insurance Program. No other changes are proposed.

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 Townwide Town Hamden

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

4 Project Description: No project proposed. Amendment to the Zoning Regulations #17-964 re
Flood Regulations submitted on behalf of the Hamden Planning and Zoning Commission

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

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

7. Heating Fuel: ☐ Oil ☐ Gas Other N/A

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

8. Total acreage of project site _____

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

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

11. Proposed increase in impervious surfaces _____

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

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

14. Brief description of **existing and proposed** stormwater management system, including roof drainage, paved areas etc., and discharge points e.g. municipal system, drywells, streams, vegetated areas, detention basins etc. Attach drainage plans and calculations if available_____

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

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

17. Describe any wastes generated and their means of disposal

18. Contact Information:

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

Company: Hamden Planning & Zoning Department

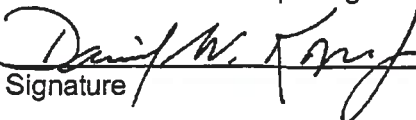
Address: Planning and Zoning Dept., Hamden Gov't. Center,

2750 Dixwell Ave, Hamden CT 06518

Phone: 203-287-7070

Email: dkops@hamden.com

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

 3/16/17
Signature Date

Watershed or Aquifer Area Project Notification Form

REQUIREMENT:

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

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

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

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

- ☒ No, Go to Step 2
- ☐ Yes, I have notified DPH under a different project name - Complete steps 4-6
- ☐ Yes, same name different year - Notification Year Complete steps 4-6

Step 2:

1. Name of public water supply aquifer your project lies within:
2. Name of the public water supply watershed your project lies within:
3. Public Water Supply Identification number (PWSID) for the water utility:

Step 3: For 1-5 Check all that apply

1. My project is proposing:

- ☐ Industrial use; ☐ Commercial use; ☐ Agricultural use; ☐ Residential use;
- ☐ Recreational use; ☐ Transportation improvements; ☐ Institutional (school, hospital, nursing home, etc.);
- ☐ Quarry/Mining; ☐ Zone Change, Please Describe:
- ☒ Other, Please describe:

2. The total acreage of my project is:

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

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

- ☐ Wetland; ☐ Stream; ☐ River; ☐ Pond or Lake

4. Existing use of my project site is:

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

☒ Other Please Describe: N/A

5. My project will utilize:

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

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

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

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

Step: 4 Applicants Contact Information:

Name: Daniel Kops - for Hamden Planning & Zor

E-mail address: dkops@hamden.com

Telephone: 203-287-7070

Fax number: 203-287-7075

Step 5: Please provide the following if available:

Project name: No project - Amendment of Zoning Regulations

Project site address:

Town: Hamden

Project site nearest intersection:

Project site latitude and longitude:

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

Referral 2.5: City of Shelton

Subject:

Proposed Zoning Regulation Amendments to Section 24 Area, Location and Bulk Standards; Section 44 Signs; Section 23 Permitted Uses; and Section 35 Replace Planned Residence Districts (PRD) with Design Residential Developments (DRD).

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 Shelton has submitted proposed zoning regulation amendments to various sections of their regulations. The City proposes to repeal Section 35 – Planned Residence Districts with a new Section 35 – Designed Residential Developments (DRD). A DRD would be granted as a Special Exception in R-1A, R-1, or R-3 Districts, and can apply to tracts of land having a minimum of 10 acres or more. This district proposes alternative design standards that encourage the preservation of open space, agricultural lands, and forests while preserving the suburban character of the City. The standards allow for higher density of housing to preserve larger continuous tracts of open space. The open space would be owned and maintained by the homeowners' association or other approved entity. A minimum of 30% of the buildable land in the parcel must be designated open space. The applicant can receive Allowable Number adjustments to the number of building sites if they plan to preserve a greater amount of open space; preserve agricultural land and/or forestland; provide public access to open space; and/or protect contiguous open space. The amendments to Section 23 – Permitted Uses add DRDs as a permitted use in R-1A, R-1, and R-3 Districts. Shelton's R-1 and R-3 Districts are within 500 feet of both Milford and Orange; however, the Housatonic River buffers the municipalities.

The Amendment submission also includes changes to Sections 24 and 44, which do not affect zones within 500 feet of SCRCOG municipalities.

Communication:

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

SHELTON PLANNING AND ZONING COMMISSION, CITY OF SHELTON
54 Hill Street, Shelton, CT 06484 (203)924-1555 EXT. 1361
Ruth Parkins – Chairman
Richard D. Schultz, AICP – Planning and Zoning Administrator
ZONING/PLANNING REFERRAL TRANSMITTAL

Date: 3/24/17

RECEIVED

TO: Carl Amento, Exec. Director

APR 3 2017

FROM: SHELTON PLANNING AND ZONING COMMISSION

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

BY: Richard D. Schultz, AICP

PROPOSAL/PROJECT: Shelton Zoning Regulations Amendments: Section 24 Area, Location and Bulk Standards, Paragraph 24.7.2 (insert outside storage of unregistered motor vehicles); Section 44: Signs; Subsection 44.6.2 (wall signs), Paragraph b (allowing wall signs on upper floors for major occupants only) and Section 23 Permitted Uses by adding a new use line 1D (single family dwellings in the DRD's) and Repeal and Replace Section 35: Planned Residence Districts (PRD) with Design Residential Developments (DRD)

The subject proposal/project is referred to you by the Shelton Planning and Zoning Commission in accordance with the indicated provisions of the Connecticut General Statutes. A general description of the proposal/project is enclosed, but should you require additional information, please contact this office at 924-1555, extension 1361.

- ☒ Section 8/3b Notice to Regional Planning Agency of Proposed Zone or Zone Use Change.
- ☐ Section 8-3h Applications for projects within 500 feet of the City Line or with significant impacts on adjacent Town (traffic, drainage, etc.).
- ☐ Section 8.23(G)(4) Notification of proposed update or amendment to POCD
- ☐ Section 8-26b Subdivisions abutting the City Line.
- ☐ Section 8-26f Projects within 500 feet of the City Line or with significant impacts on adjacent Town.
- ☐ Section 22a-104e Zoning Regulations, Plan of Development and other changes within the designated Coastal Area.
- ☐ Section 22a-105 Coastal Site Plan Reviews

A public hearing/meeting on the subject proposal/project has been scheduled for 4/26/17 at 7:00 P.M. at the Shelton City Hall.

Attachments: Text Amendments

**ZONING SUBCOMMITTEE
SHELTON PLANNING AND ZONING COMMISSION**

DRAFT AMENDMENTS

3/24/17

**Re: Amendment to Section 44: Signs, Subsection 44.6.2 Wall Signs, Paragraph (b)
with the following:**

44.6.2 Wall Signs: Wall signs shall include all permanent window signs, which window signs shall not occupy more than 25% of the glass area of any window. The total surface area of all signs attached to or mounted on a building and designed to be viewed from the same side of the building plus permanent window signs shall not have an aggregate area greater than ten percent (10%) of the area of such wall(s). All wall signs shall comply with the following requirements:

- a. Each sign must be attached to a wall or facade of a building
- b. No sign shall extend above the lower sill of a second story window and shall not exceed a height of twenty (20) feet as measured from the ground to the top of the sign, whichever is less. (New) Notwithstanding the above, a major tenant occupying no less than 40% of the total floor area of the building may be allowed to attach a sign to the upper wall area of the building
- c. Except for signage that is part of any permissible awning or canopy, a wall sign may project not more than fifteen (15) inches from the wall to which it is attached. Lettering may be painted or otherwise affixed to any permissible awning or canopy provided said lettering is limited to the name and address of the business conducted on the premises and/or the service rendered therein. Said lettering shall not project above, below or beyond the physical dimensions of the awning or canopy. No such awning, canopy or sign.....

ZONING SUBCOMMITTEE

SHELTON PLANNING AND ZONING COMMISSION

DRAFT AMENDMENTS

9/06/16

**OUTSIDE STORAGE/DISPLAY OF NEW AND USED MOTOR VEHICLES WITHIN
LIGHT INDUSTRIAL PARK DISTRICTS**

By Site Plan or Special Exception Approval in accordance with the provisions of Section
33.2.1(a)

A. Amend SECTION 24 – AREA, LOCATION AND BULK STANDARDS by inserting new
language to Subsection 27.7 Outside Storage, Paragraph 24.7.2 as follows:

24.7.2 In Industrial IA-1 Districts and Light Industrial Park Districts, outside storage areas, other than the storage of new and/or used passenger motor vehicles, shall not extend into the area required for setback from a property line, street line or Residence District boundary line, shall not exceed 15% of the lot area and shall be enclosed (except for necessary access drives) by buildings and/or by fences, walls, embankments or evergreen shrubs or trees so as to screen the storage area from view from any other lot or from any street. The enclosing buildings, fences, walls, embankments or evergreen shrubs or trees shall either be of a height sufficient to screen completely the storage area or shall have a height of eight (8) feet, whichever is less, and shall be of a density as to be not less than 75% effective in screening such view, except that when evergreen shrubs or trees are used such height and density shall be achieved within five (5) years after establishment of the outside storage area. Notwithstanding the above, parking and/or storage but not the display of unregistered passenger motor vehicles, excluding trucks and other commercial vehicles, is permitted provided said passenger vehicles are positioned so as to occupy what would otherwise be designated as parking spaces. Advertising information/signs of any kind on or within

said stored vehicles and/or the use of any eye-catching graphics, pennants garland and similar devices is not permitted. Further, there shall be no viewing, inspection or other customer activity associated with such stored vehicles permitted. Mass storage of such vehicles shall be limited to the applicable standards of typical outside storage areas.

DRAFT

12/1/16, Rev. 12/19/16: Rev. 3/15/17

SHELTON PLANNING AND ZONING COMMISSION

Proposed Amendments to Zoning Regulations

- I. Amend **Section 23 – PERMITTED USES** by inserting into **Schedule A – Permitted Uses** a new **Use Line 1D.** to read as follows:

1D. Designed Residential Developments consisting of single family detached dwellings for one (1) family subject to the additional requirements of **Par. 33** and of **SECTION 35.**

Said Use Line shall be marked with an “E” under District Codes **R-1A, R-1** and **R-3** and with an “X” under all other District Codes.

- II. Repeal and replace the existing **SECTION 35 – PLANNED RESIDENCE DISTRICTS** with a new **SECTION 35** entitled **DESIGNED RESIDENTIAL DEVELOPMENTS (DRD)** to read as follows:

35.1 Design Residential Development (DRD): A DRD is an alternative development that may be proposed by an Applicant and granted by the Commission as a **Special Exception** in accordance with the application procedure set forth in **Section 23.7** as well as the requirements set forth herein. If said proposal also involves the creation of fee-simple lots and/or public streets, said proposal shall also conform to the City of Shelton Subdivision Regulations. It is the policy and intent of this Section to provide a voluntary mechanism and alternative design standards that will encourage the preservation of open space and protect agricultural lands, forests, wildlife habitat, contiguous protected areas, and the suburban character of the City of Shelton, through a mechanism that removes the constraints of traditional lot area, shape and frontage requirements and establishes a density standard for the

applicable district, in an attempt to produce a flexible and economical alternative to conventional subdivisions.

35.2 **Objectives:** The goal of this alternative mechanism is to achieve one or more of the following objectives:

1. To encourage a less sprawling form of community development that makes more efficient use of land, reduces land consumption, and preserves suburban character.
2. To encourage designed residential developments by providing developers with an alternative that preserves open space and reduces infrastructure construction and maintenance costs due to a more compact subdivision design and road design flexibility, as well as opportunities for receiving a minor density increase.
3. To mandate the use of private roads and streets maintained by a home-owner's association, thereby reducing future costs to the City for on-going maintenance of development infrastructure. At the specific request of the Commission, however, one or more proposed streets shall be constructed and dedicated as public streets to assure overall continuity in City-wide street circulation.
4. To preserve plant and animal habitat, wildlife corridors, and recreational opportunities by protecting large contiguous open spaces and connected corridors.
5. To preserve views and reduce development spread along travel corridors by maintaining visual buffers and minimizing intrusions along existing public streets.
6. To establish an efficient procedure which ensures high-quality design and planning that protects open space without increasing the processing time or the development cost to the Applicant or the City.

- 35.3 **Applicability:** The parcel of land on which the DRD is proposed shall be located in the R-1A, R-1 or R-3 Districts as officially delineated on the Building Zone Map of the City of Shelton.
- 35.4 **Development Tract Size:** The Designed Residential Development option is available for any tract of residential land having a minimum area of 10 acres or more. Such tract shall have a minimum of 50 feet frontage on a City-accepted street and must be of such shape that a square with a minimum side of 400 feet will fit within the limits of such tract.
- 35.5 **Application Procedures and Standards:** Applications for a DRD shall follow the procedures of and conform to the Standards set forth herein and in the City of Shelton Subdivision Regulations.
- 35.6 **Minimum Open Space Requirements and Criteria.** For purposes of this SECTION, "buildable land" is defined as the net remaining land after deducting delineated wetlands, steep slopes in excess of 25%, rock outcroppings, flood plains, above-ground utilities and vehicular rights-of-way. Said open space shall conform to the following:
- a) Open space shall be defined as land not developed for residential uses, accessory structures related to those residential uses, or shared recreational facilities, owned, maintained, and monitored by the entities identified below. Walking, hiking, and biking trails which are not paved and which have a pervious surface are not considered shared recreational facilities and can be included within the required minimum percentage of open space. Septic fields may not be used as part of the calculation of open space required. A minimum of 30% of the buildable land of the original parcel as determined above must be preserved as open space.
 - b) The minimum required open space shall not include footprints of shared recreational facilities. Shared recreational facilities shall be defined as accessory structures and improvements necessary and appropriate for educational,

recreational, cultural social, or other nonresidential uses permitted in the underlying zone. Shared recreational facilities shall be allowed on common land and other open space not designated as part of the minimum required open space, as long as the requirements of the Shelton Zoning and Subdivision Regulations are satisfied.

- c) The applicant must demonstrate that not less than 75% of the minimum open space requirement is met by either a single contiguous parcel or by no more than two separate parcels of land, each with a minimum width of not less than 100 feet.
- d) The applicant must demonstrate that the proposed open space is directly, safely and conveniently accessible to the largest practicable number of lots within the development and that there is safe and convenient pedestrian access to said open space from those lots in the residential development that do not adjoin the open space.

35.7 **Ownership, Maintenance and Protection of Open Space:** Open space land shall be held, managed, and maintained by the developer until owned and controlled by the homeowners' association or other approved entity.

- a. **Ownership.** Open space shall be permanently protected and maintained by one or a combination of one or more of the following:

- 1) Conveyance to a Homeowners' Association. A homeowners' association is a private non-profit corporation, association, or other non-profit legal entity established by the developer. Membership in said homeowners' association shall be mandatory for property owners and made a required covenant in any deed issued or passed, or
- 2) Private ownership protected by deed covenants and restrictions in perpetuity, and use limited to conservation, agriculture, forest and other uses consistent with the purposes of this regulation, or

- 3) An acceptable alternative that meets the spirit and intent of this regulation and is approved by the Commission.

All common areas and improvements shall be described and identified as to location, site, use, and control in the covenant. Such covenant shall set forth the method of assessment for the maintenance of such land per best management practices. It shall provide voting and use rights for the open space when applicable and may charge dues to cover expenses, which must be acceptable to the Commission and/or City Corporation Counsel prior to issuance of a building permit. The cost of such mandated legal review shall be borne by the applicant. Any changes in such Articles of Association or Incorporation shall require the prior written approval of the Commission and City Corporation Counsel. The covenant shall be written so as to run with the land and become part of the deed to each lot or dwelling unit within the development.

- b. **Protection.** Conveyances of open space land to a homeowners' association will be subject to a permanent conservation easement granted to the City of Shelton and monitored by the Conservation Commission and shall include provisions for:

- 1) No further subdivision.
- 2) No residential or industrial development.
- 3) No roads or commercial uses except for agriculture and forestry-related uses conducted according in accordance with Best Management Practices.
- 4) Whether or not public access will be restricted or permitted.
- 5) Monitoring and easement oversight by the City of Shelton or such other agent as may be assigned by the City (such as a land trust or other conservation organization).

35.8 **Allowable Building Sites and Adjustments:** The allowable number of building sites in an approved DRD shall be determined in accordance with the following criteria:

- a. **Density:** The Allowable Number of building sites permitted in a DRD shall be determined by dividing the Buildable Area of the tract by the minimum lot area requirement for the zoning district in which the development tract is situated. If the proposed DRD is located in more than one zoning district, then the total number of building sites allowed within the DRD shall be the sum of those allowed for the portion of land lying within each zoning district. The Allowable Number of building sites shall be rounded to the nearest whole number.
- b. **Building Sites:** Individual building sites in a DRD can be smaller in size than lots required in a conventional subdivision, thereby leaving the remaining land as open space.
- c. **Allowable Number Adjustments:** For selecting the option of a DRD rather than a conventional subdivision, the applicant is entitled to an Allowable Number adjustment of an additional five percent (5%) in the Allowable Number of building sites as determined under (a) above. In addition, the Commission may approve a further adjustment that increases the number of allowable building sites by an additional five percent (5%) per criteria as set forth below, not to exceed an additional ten percent (15%) adjustment. The total Allowable Number of building sites adjustment, including the initial adjustment and the additional adjustments, cannot exceed 15%. The applicant must provide evidence of meeting these criteria in the manner prescribed in Shelton Subdivision Regulations. The Commission shall have the final decision in the determination of total allowable building sites.
1. **Protection of additional open space:** If the proposed DRD protects 60% or more of the tract acreage as open space in perpetuity, the development a buildable sites increase of 5%.
2. **Protection of agricultural land:** If the development protects agriculturally valuable lands and provides permission for their use as such in perpetuity, the development may earn a buildable sites increase of 5%. The open space portion preserved for agricultural use must amount to a minimum of 50% of the minimum required open space, but not less than 5 contiguous acres. In

order to be considered agriculturally valuable, the land must contain soils designated "prime" or of "statewide significance" by the US Natural Resource Conservation Service soil survey and the land must be reasonably accessible, or the land has been historically farmed within the last 10 years. The instrument granting use, acceptable to the Commission, may reasonably restrict the type or intensity of farming to occur to prevent nuisances. This provision is intended to protect agriculturally valuable lands for present and/or future agricultural use, and the fact that agricultural uses are not pursued at any particular time does not affect the validity of the bonus.

3. **Protection of forestland:** If the development protects more than 10 acres of sustainably managed forestland and provides permission for the protection as such in perpetuity, the development may be entitled to a buildable sites increase of 5%. These restrictions shall be incorporated into the conservation easement granted to the City of Shelton. In order to be considered sustainably managed forestland, a management plan must be developed by a licensed Forester and approved by the State Forester.
4. **Public access:** If the public is granted access to the open space and use thereof, the development may be entitled to a buildable sites increase of five percent (5%). Public access must be restricted to pedestrian traffic only to be entitled to this building sites increase. The instrument granting such public access, as acceptable to the Commission, may reasonably restrict the use of motorized vehicles.
5. **Protection of contiguous open space:** If the development protects open space that is contiguous with other protected open spaces on adjacent parcels, such that the total contiguous protected open space is more than 50 acres, the development may be entitled to a buildable sites increase of five percent (5%).

The process for determining the potential entitlement to increases in the Allowable Number of buildable sites are application requirements for receiving such Adjustment and are spelled out in these regulations. As noted above, the total

permitted increase in the Allowable Number of building sites shall not exceed 15%. The Commission shall have the final decision regarding eligibility for such adjustments. In instances where the final Adjusted Number number of buildable sites results in a decimal number, the number should be rounded to the nearest whole number.

35.9 Frontage and Setback Requirements. When "fee-simple" lots are proposed in a DRD, minimum lot frontage and setback requirements are reduced as compared to the lot standards for conventional subdivisions in order to allow increased flexibility and consolidated development so that additional open space is preserved in the development. Interior lots are permitted whenever appropriate. See Table 1 for minimum lot frontage and setback requirements for fee-simple lots. When building sites in a proposed DRD are proposed on land owned in common, setbacks from roads and drives and other standards shall also conform to the requirements set forth in Table 1 and building spacing shall be not less than the sum of the two required minimum sideline setbacks..

35.10 Setback from Exterior Non-Development Road: In order to minimize visual intrusion and the spread of development along existing travelways, a 100 ft. minimum setback shall be provided from exterior non-development roads to ensure a visual buffer to the development.

35.11 Setback from Tract Perimeter: A 100 ft. minimum setback shall be provided from the perimeter of the original tract of land. The intent of this setback is to provide visual vegetative and/or landscaped screening from adjacent parcels, except when the adjacent property is committed to open space. This setback area shall provide natural vegetative buffering or appropriately landscaped with planting materials as approved by the Commission.

35.12 Off-Street Parking Requirements: A minimum of 2 off-street parking spaces shall be provided for each dwelling unit.

35.13 Road Design and Construction: Unless mandated otherwise, all internal development roads shall be private roads, owned and maintained by the Homeowner's Association.

1. **Private Roads:** Private roads have opportunities for increased flexibility in design and construction and subject to approval by the Commission, City Engineer, Fire Department, and Police Department. Maintenance of private roads and associated storm water drainage facilities must be spelled out in the covenant of the Homeowners' Association, subject to the Commission's approval.
2. **Public Streets:** When so mandated as such by the Commission, such public street design and construction shall conform to the road design standards set forth in the Subdivision Regulations as well as the specifications of the City of Shelton, as amended. In order to increase design flexibility, the Commission may consider alternative road design standards for DRDs, subject to the approval of the City Engineer, Fire Department, Police Department, and City Streets Committee of the Board of Alderman. The Commission may permit reduced road widths and the use of permeable pavement materials to reduce the amount of impervious surfaces in a DRD, subject to the approval of the City Engineer.

35.14 Utility Services: All utilities serving a proposed DRD shall be located underground.

- a) **Sanitary Sewage Disposal:** All proposed DRDs in the R-3 District shall be serviced by the municipal sanitary sewer system. In the R-1 and R-1A Districts, individual on-site septic systems meeting the requirements of and subject to the approval of the Naugatuck Valley Health District are permitted. In the case of individual septic systems, each lot shall meet or exceed the minimum lot size requirements set forth in Table 1 for such lots.

- b) Water Supply: Individual on-site house wells in a DRD may only be permitted in the R-1A District. All other DRDs shall be served by public water supply. Where allowed, on-site wells and water systems shall be installed and maintained in accordance with the standards of the Naugatuck Valley Health District.

**Table 1: Designed Residential Development
(Lot Size, Frontage, and Setback Requirements for Fee Simple Lots)**

	<u>R1A & R-1 Districts</u>	<u>R-3 Districts</u>
Minimum Lot Size	20,000 sq. ft. Individual Septic Systems/Municipal Sanitary Sewers and Public Water required.	10,000 sq. ft. Municipal Sanitary Sewers and Public Water required.
Lot Frontage	20 ft.	20 ft.
Side Setback*	15 ft.	8 ft. ???
Rear Setback	30 ft.	20 ft.
Front Setback	30 ft.	20 ft.
Setback from tract perimeter property line	75 ft.	75 ft.

* Dwellings on land owned in common shall require a minimum spacing of 30 feet.

Referral 2.6: Town of Woodbridge

Subject:

Proposed Zoning Regulation Amendment to Section 12 Flood Hazard Area Regulations, Subsection 14.2.

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 Woodbridge submitted a proposed zoning regulation amendment to Section 12 Flood Hazard Area Regulations, Subsection 14.2. The amendment references the latest FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM) dated May 16, 2017. These changes allow the Town to continue participating in FEMA's National Flood Insurance Program.

Communication:

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

RECEIVED

APR 6 2017

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

April 6, 2017

South Central Regional Council of Governments
Attn: Carl Amento
127 Washington Avenue
North Haven, CT 06473-1715

Re: Zoning Regulation Revisions

Dear Mr. Amento,

Pursuant to Section 8.3b of the Connecticut General Statutes, this letter is to serve as notification that the Woodbridge Town Plan and Zoning Commission will hold a public hearing in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, on Tuesday, May 2, 2017 at 7:30 p.m. with respect to an amendment of the Zoning Regulations for the Town of Woodbridge, Section 12 Flood Hazard Area Regulations, subsection 14.2 proposed by the Woodbridge Town Plan and Zoning Commission. The proposed revisions are required in order for the Town of Woodbridge to remain eligible to participate in the National Flood Insurance Program (NFIP).

For your reference, a copy of the proposed regulation revisions is enclosed with this letter.

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

Very truly yours,

Kristine Sullivan, Staff

Certified Mail Return Receipt Requested # 7008 0150 0000 3300 2090

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14.2 Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard within the Town of Woodbridge are identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated **May 16, 2017**, accompanying Flood Insurance Rate Maps (FIRM), dated **May 16, 2017 (Panels – 09009C0407J, 09009C0408J, 09009C0409J, 09009C0417J) and December 17, 2010 (Panels - 09009C0268H, 09009C0290H, 09009C0406H, 09009C0426H, 09009C0428H)**, and other supporting data applicable to the Town of Woodbridge, 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 ordinance it must take precedence when more restrictive 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 a 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 Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.