CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

Serving Berlin, Bristol, Burlington, New Britain, Plainville, Plymouth, and Southington

225 North Main Street, Suite 304 Internet: http://ccrpa.org Tel: (860) 589-7820
Bristol, CT 06010-4993 Fax/TDD: (860) 589-6950 or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	May 28th, 2013
RECEIVED BY CCRPA ON:	April 17th, 2013
REFERRAL NAME:	Berlin POCD revision
INITIATOR:	Town of Berlin
MUNICIPAL HEARING:	end of June, 2013
REFERRED TO:	CCRPA
DESCRIPTION:	The Town of Berlin is revising their Plan of Conservation and Development. The revision places a high priority on conserving open space and directing development toward appropriate locations. Most of the goals, objectives, and strategies are carried over from the 2003 POCD.
COMMENTS:	No comments were received.
STAFF RECOMMENDATION:	CCRPA recommends that the referral in this proposal be found ***Not in Conflict*** with the Regional Plan of Conservation and Development or any other Agency plan.

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

Serving Berlin, Bristol, Burlington, New Britain, Plainville, Plymouth, and Southington

225 North Main Street, Suite 304 Internet: http://ccrpa.org Tel: (860) 589-7820
Bristol, CT 06010-4993 Fax/TDD: (860) 589-6950 or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	May 28th, 2013
RECEIVED BY CCRPA ON:	May 1st, 2013
REFERRAL NAME:	Bristol Zone Change
INITIATOR:	L.I.C. Warehouse Realty Co., Inc.
MUNICIPAL HEARING:	June 11th, 2013
REFERRED TO:	CCRPA
DESCRIPTION:	L.I.C. Warehouse Realty Co. is petitioning to have 29 ESPN Drive changed from the R-10 (single-family residential) zone to the IP-1 (industrial park) zone. The parcel is an island of R-10 zoned land in a sea of IP-1.
COMMENTS:	No comments were received.
STAFF RECOMMENDATION:	CCRPA recommends that the referral in this proposal be found ***Not in Conflict*** with the Regional Plan of Conservation and Development or any other Agency plan.

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY
225 North Main St. • Suite 304 • Bristol, CT 06010-4993 (860) 589-7820 (860) 224-9888
FAX or TDD (860) 589-6950 E-Mail:ccrpa@ccrpa.org Web Site: www.ccrpa.org

RPO Referral Transmittal: Zoning, Subdivision and Plan of Conservation & Development

FROM: ○ Planning Commission ☑ Zoning Commission ○ Planning & Zoning Commission ○ City Council as Zoning Commission

City of Bristol — Municipality

5/1/13 — Date

☑ **Zoning:** Pursuant to the provisions of Section 8-3b of the General Statutes of Connecticut, as amended, the following proposed changes in zoning regulations and/or change in zoning map that potentially affects an area within 500 feet of a municipal boundary is referred to the Central Connecticut Regional Planning Agency at the above address for review and an advisory report.

Written notice **not later than thirty (30) days** before the public hearing.

☐ **Plan of Conservation & Development:** Pursuant to the provisions of Section 8-23(f) of the General Statutes of Connecticut, as amended, a plan of conservation & development, any part or amendment thereof, prepared for the municipality, is referred to the Central Connecticut Regional Planning Agency at the above address for review and an advisory report.

Copy of such plan **not later than sixty-five (65) days** before the public hearing on adoption.

☐ **Subdivisions:** Pursuant to the provisions of Section 8-26b of the General Statutes of Connecticut, as amended, the following proposed subdivision abuts or crosses a municipal boundary line and is referred to the Central Connecticut Regional Planning Agency at the above address for review and an advisory report.

Written notice **not later than thirty (30) days** before the public hearing.

NOTE: Three additional circumstances involve referral to the local regional planning agency. Connecticut General Statues: Section 7-136e (a) requires submission by a municipality any application to establish a foreign trade zone; and Section 8-191(a)(2) requires the submission of a municipal development plan to the local regional planning agency to conformity determination with the region's plan of development. The Connecticut Department of Environmental Protection seeks a letter of support from the local agency for applications to the Open Space & Watershed Land Acquisition Grant Program, Connecticut General Statues Section 7-131d to 7-131k.

Public hearing on Zone Change (App. #2140) is scheduled for: 6/11/13.

Gen L. W[illegible] — Signature

City Planner — Title (please print)

Revised 10/25/07

City of Bristol

BRISTOL, CONNECTICUT 06010

DATE: May 1, 2013

TO: Central Connecticut Regional Planning Agency

FROM: Bristol Zoning Commission

RE: Change of Zone Referral

Pursuant to the provisions of Section 8-3b of the Connecticut General Statutes, as amended, the following zone change application is hereby referred to your agency:

Application #: 2140

Location of Property: 29 ESPN Drive (f/k/a Southington Town Line Rd.)

Assessor's Map No.: 1

Assessor's Lot No.: 4 (pt.) (formerly Lot 13)

Present Zone: R-10 (Single-Family Residential)

Proposed Zone: IP-1 (Industrial Park)

Applicant: L.I.C. Warehouse Realty Co., Inc.

Tentative Hearing Date: June 11, 2013

For additional information, please contact Alan L. Weiner, City Planner, or Chris Beauchemin, Assistant City Planner, at 860/584-6225.

Enclosure

"An Equal Opportunity Employer"

For Office Use Only
APPLICATION NO. 2140
DATE FILED: 4/30/13
DECISION DATE:
DECISION:

BRISTOL ZONING COMMISSION
CITY OF BRISTOL, CONNECTICUT
APPLICATION FOR CHANGE OF ZONE

The undersigned Applicant hereby petitions the Bristol Zoning Commission to hold a public hearing to hear and consider the proposed zone change requested herein for the Property described below.

Present zone of the Property: R-10 Proposed zone of the Property: IP-1

Address or Location of the Property: 29 ESPN Drive, Bristol, CT

Assessor's Map No.: 1 Assessor's Lot No.(s): Lot 4 (pt.) (formerly Lot 13)

Size of the Property (in acres or square feet): 0.366 acres Extension of a like zone? [X] yes [ ] no

Minimum lot area requirement of the proposed zone: 50,000 square feet

Reason for the proposed zone change:
Please see attached

Other comments:
Please see attached

APPLICANT (If more than one, list on Page 2)

Name: L.I.C. Warehouse Realty Company, Inc. Signature: E. S. DeVane

Address: ESPN Plaza City: Bristol State: CT Zip 06010

Telephone No.: 860-766-4667 E-Mail: Eleanor.DeVane@espn.com

CHECK ONE: [X] owner [ ] other: _____

OWNER(S) OF RECORD (If other than Applicant; if more than one, list on Page 2)

Name: _____ Signature*: _____

Address: _____ City: _____ State: ____ Zip _____

Telephone No.: _____ E-Mail: _____

*not applicable for zone changes initiated by the Zoning Commission itself

THIS APPLICATION MUST BE FILED IN PERSON NO LATER THAN 12 NOON ON THE DEADLINE DAY FOR APPLICATION SUBMISSION – NO EXCEPTIONS!

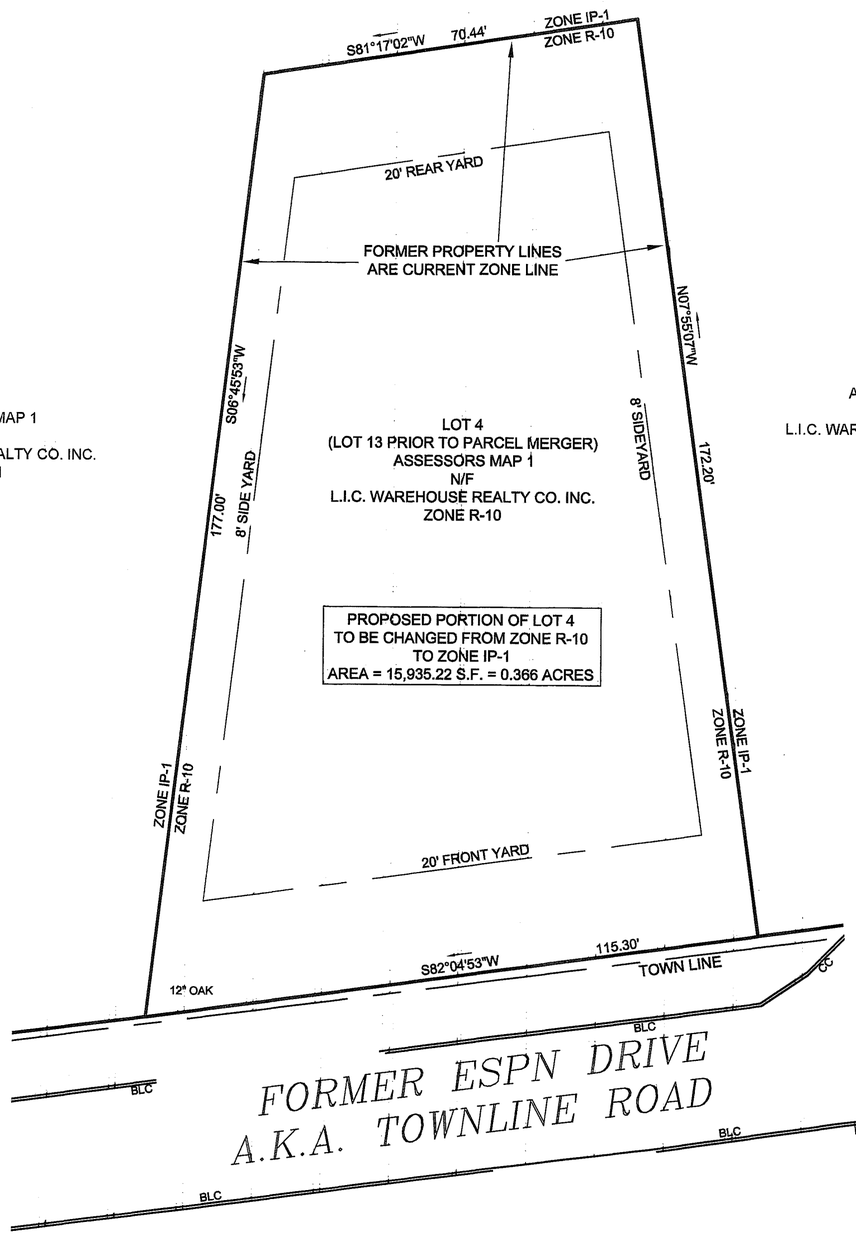
BZC – 1/11

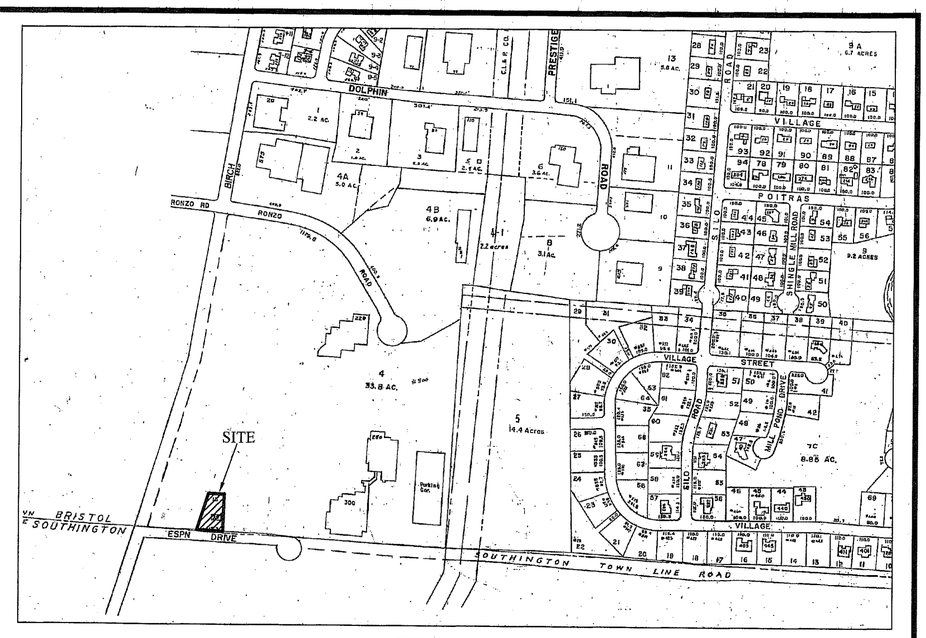
Reason for Proposed Zone Change:

The former 29 ESPN Drive/Lot 13 entirely abuts other land already owned by ESPN, and has been merged into a larger lot that is currently zoned IP-1. Under the Bristol Zoning Regulations, the Industrial Park zones "are intended to provide a favorable and stable environment for the growth of new industry to strengthen Bristol's employment opportunities and economy. The Industrial Park zones, and the controls so designed in each zone, are intended to foster coherent development of manufacturing, warehousing, distribution plants, research and development offices, and supporting private and public facilities at modern site development standards, while minimizing disturbances to residential areas." The requested change will permit ESPN to continue to develop its property pursuant to a unified, coherent master plan, which will further the stated purposes in the Zoning Regulations: enabling the growth of this new industry and thereby strengthening Bristol's economy, while enabling ESPN to undertake development in a coherent fashion. To prohibit ESPN from using available and acquired real estate for the purposed permitted in zone IP-1 might curb its ability to adequately accommodate its future personnel and equipment in appropriate facilities.

Other Comments:

Former Lot 13 was merged with Lot 4, Ronzo Road on September 25, 2012, which Certificate of Merger is on file with the Clerk of the City of Bristol and recorded in volume 1258, page 532-533 of the land records. The fact that a zone change was not requested at that time was an unfortunate oversight, and L.I.C. began the process to rectify that omission as soon as it was brought to our attention. All other portions of Lot 4 are zoned as IP-1, and this zone change will be consistent with them.





SITE LOCATION PLAN
Scale: 1"=500'±

SURVEY NOTES:

1. This map has been prepared pursuant to the Regulations of Connecticut State Agencies Sections 20-300b-1 through 20-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut " as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26,1996.
2. The type of survey performed is a Property/Boundary Survey and is intended to depict the location of the boundaries with respect to: monumentation found or set, structural improvements, record easements and visible evidence of use thereof, record and visible means of ingress and egress, lines of occupation, unresolved conflicts with existing deeds and maps, and apparent boundary encroachments.
3. The survey is a Dependent Resurvey.
4. The map conforms to the Horizontal Accuracy of a Class A-2 Survey.
5. Basis for North is Connecticut Grid Coordinates.

GENERAL NOTES:

1. Current Zone = R-10.
   Proposed Zone = IP-1.
2. Property Deed: V:770 - P:904 (April 24, 1984) (Warranty)
3. Deeds Referenced in Title Search: V:1288 - P:64 (May 3, 1999) (Quit Claim)
   V:1891 - P:1213 (February 29, 2012) (Quit Claim)
4. Lot Area: 15,935.22 S.F. = 0.366 Acres

MAP REFERENCE:

1. LOT MERGER MAP
   LOTS 4, 4B & 5
   ESPN DRIVE, RONZO ROAD, & FORMER BIRCH STREET
   BRISTOL, CONNECTICUT
   SCALE: 1"=100' DATE: NOVEMBER 3, 2011
   PREPARED BY: R.R. HILTBRAND ENGINEERS AND SURVEYORS, LLC.
   REVISED: DECEMBER 8, 2011
2. LOT MERGER MAP
   PREPARED FOR L.I.C. WAREHOUSE REALTY CO., INC.
   EAST CAMPUS
   BRISTOL, CONNECTICUT
   SCALE: 1"=80' DATE: MARCH 30, 2004
   PREPARED BY: FUSS & O'NEILL
3. RIGHT OF WAY SURVEY
   SHOWING THE EXTENSION OF RONZO ROAD
   PREPARED FOR THE CITY OF BRISTOL
   BRISTOL, CONNECTICUT
   SCALE: 1"=40' DATE: OCTOBER 20, 1997
   PREPARED BY: DECARLO & DOLL, INC.
4. BOUNDARY SURVEY PREPARED FOR
   L.I.C. WAREHOUSE REALTY
   BRISTOL, CONNECTICUT
   SCALE: 1"=80' DATE: MAY 20, 2008
   PREPARED BY: FUSS & O'NEILL
   REVISED: AUGUST 26, 2008
5. PORTIONS OF LAND OF
   EDMUND G. & ALMA W. KLEPPS
   BRISTOL, CONN. JULY 1957
   SCALE: 1"=100'
   PREPARED BY: W.C. LEFEVRE, C.E.

Revised: 04-03-13 Added Site Location Plan at City Planner's Request

GRAPHIC SCALE
20 10 0 20 40
1 Inch = 20 Feet

UTILITY NOTE:
LOCATION OF UNDERGROUND UTILITIES DEPICTED HEREON ARE BASED UPON FIELD SURVEY OF VISIBLE SURFACE STRUCTURES SUCH AS CATCH BASINS AND MANHOLES, TOGETHER WITH RECORD MAPPING OBTAINED FROM UTILITY COMPANIES AND GOVERNMENTAL AGENCIES AS NOTED UNDER MAP REFERENCES. THESE LOCATIONS MUST BE CONSIDERED APPROXIMATE IN NATURE. IN ADDITION, OTHER UTILITIES MAY ALSO EXIST, UNKNOWN TO THE SURVEYOR. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.
RONALD H. DUFOUR – L.S. # 12319

PREPARED FOR:
L.I.C. Warehouse Realty Co. Inc.
545 Middle Street
Bristol, CT 06010

R.R. HILTBRAND
Engineers and Surveyors

ZONE CHANGE MAP
Portion of Lot 4
(Lot 13 Prior to Parcel Merger)
Discontinued ESPN Drive
Bristol, Connecticut
March 20, 2013

R. R. HILTBRAND ENGINEERS and SURVEYORS
575 NORTH MAIN STREET BRISTOL, CONNECTICUT 06010 (860) 582 4548

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

Serving Berlin, Bristol, Burlington, New Britain, Plainville, Plymouth, and Southington

225 North Main Street, Suite 304 Internet: http://ccrpa.org Tel: (860) 589-7820
Bristol, CT 06010-4993 Fax/TDD: (860) 589-6950 or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	May 28th, 2013
RECEIVED BY CCRPA ON:	May 2nd, 2013
REFERRAL NAME:	Cheshire zoning regulation amendment
INITIATOR:	Core Development Inc.
MUNICIPAL HEARING:	June 10th, 2013
REFERRED TO:	CCRPA
DESCRIPTION:	Core Development, Inc. is petitioning the Town of Cheshire to add a "Planned Residential Infill Development" section to the zoning regulations. The petition would also make it a use allowable subject to special permit in the R-20A district. This petition is based on the existing "Planned Residential Development" district, but allows for smaller, infill lots.
COMMENTS:	No comments were received.
STAFF RECOMMENDATION:	CCRPA recommends that the referral in this proposal be found ***Not in Conflict*** with the Regional Plan of Conservation and Development or any other Agency plan.

RECEIVED
MAY 02 2013

MEMORANDUM
TOWN OF CHESHIRE

84 SOUTH MAIN STREET, CHESHIRE, CONNECTICUT 06410
(203) 271-6670 Telephone (203) 271-6688 FAX

Date: April 25, 2013

FROM: William S. Voelker, Town Planner

SUBJECT: For your review

The Cheshire Planning Office has received the following application (s) and we are forwarding such application(s) for regional referral:

TYPE OF APPLICATION	SCHEDULED DATE OF PUBLIC HEARING IF APPLICABLE
Zone Text Petition **Core Development, LLC** **To add new: Section 43.8 Planned Residential Infill Dev. and add Para. 6G to Sec. 30, Sch. A Permitted Uses**	Public Hearing TBA - Anticipated meeting date: June 10, 2013 - 7:30 p.m. – Cheshire Town Hall Council Chambers – 3rd Floor

Proposed Text Attached

If further information is required, please contact me at the Planning Office at (203) 271-6670. We look forward to receiving your comments.

Distribution List:
COG Central Naugatuck Valley
Central CT Regional Planning Agency
South Central CT RPA

Rev. 2/92, 1/95, 11/95
5/01, 7/01, 10/02, 11/03, 07/04, 3/06, 5/14/10

RECEIVED
APR 15 2013

PETITION FOR A ZONE MAP OR ZONE TEXT CHANGE

In accordance with the General Statutes of the State of Connecticut, the undersigned hereby petitions the Cheshire Planning & Zoning Commission for a text change (x) and/or map change ( ) to the Cheshire Zoning Regulations to permit, amend, or delete the following:

APR 15 2013
RECEIVED

For Zone Text Changes:

Indicate pertinent section/paragraph of Zoning Regulation to be changed.

To add a new section: Section 43.8 PLANNED RESIDENTIAL INFILL DEVELOPMENT and add Paragraph 6G to Section 30, Schedule A Permitted Uses

For Zone Map Changes:

Location of Property: N/A

Assessor's Map No.(s)_____

Lot No.(s)_____ Zone _____

Change from present_____zone to _____ zone.

Reason for Proposed Text ~~and/or Map Change~~: To provide a diversity in housing types within the Town Central Corridor area utilizing existing Town services and infrastructure

The following is attached and hereby made part of this petition:

1. For a text change, five (5) copies of the existing and proposed text.

2. For a map change, six (6) copies of a written legal description of the proposed zone boundary and six (6) copies of a map drawn to a scale of not less than 200 feet to the inch, covering the area of the proposed change, and all areas in the Town within 500 feet of the proposed change, and showing for such area the existing and proposed zoning district boundary lines, the existing property lines, and the names and addresses of the current property owners as indicated by the Cheshire Assessor's records.

3. For a map change, the applicant must submit an **affidavit at least ten (10) days** before the hearing stating that notification has been sent to all abutting property owners (including those across the street). The affidavit shall confirm that the notice was mailed at least **fifteen (15) days prior to the hearing and shall list the names, property addresses and mailing addresses,** if different from property addresses. Notification to property owners shall be in the form of letter or postcard and shall specify the date, time, and place of the public hearing.

4. A base fee of $560.00* and a Public Hearing Fee of $175.00 is payable by check to "Collector, Town of Cheshire" in the amount of $735.00.

*This includes a $60.00 State of Connecticut Fee.

****

Petitioner's Name Core Development, LLC
(Print or Type)

Petitioner's Address 1400 Half Moon Road, Cheshire, CT 06410

Petitioner's Signature _____
Sheila Fiordelisi

Telephone Number 203-271-3256 FAX # _____

Owner's Name N/A
(Print or Type)

Owner's Signature _____

Agent, if other than applicant, to be contacted with regard to this application.

Name Anthony J. Fazzone, Esq. of Fazzone Ryan & Ricciuti, LLC

Address One Town Center, Cheshire, CT 06410

Telephone Number 203-250-2222 FAX # 203-250-7388

****

This application must be filed in the Planning Office at least seven (7) days prior to the regular Planning & Zoning Commission meeting date.

Disclaimer: Additional information may be required, please contact the Planning Office for complete application packets.

SECTION 43.8 PLANNED RESIDENTIAL INFILL DEVELOPMENT.

It is the intent of this Section to provide standards and procedures for the design and development of Planned Residential Infill Developments in an effort to expand the scope of land planning and development from the concept of individual lots and structures to the planning and development of small areas with groups of structures erected thereon as a coordinated entity and to provide for more efficient use of existing parcels and Town resources, but it is not intended to facilitate the conversion of non-residential uses.

43.8.1 Qualifying Standards. No tract of land shall be considered for a Planned Residential Infill Development unless it meets the following minimum qualifying standards.

43.8.1.a The tract shall consist of a single lot or a number of contiguous lots under one ownership or control having a total area of not less than one-half (.05) acre nor more than two (2) acres, and shall be served by public water and public sanitary sewer.

43.8.1.b The tract shall be located within the R-20A zone.

43.8.1.c The tract shall have frontage on State Highway 10 between North Brooksvale Road and Maple Avenue. In addition to frontage on State Highway 10 as described above, the tract may have access on other roads if the Planning and Zoning Commission finds traffic conditions warrant it or that is desirable to facilitate public safety.

Nothing herein shall be construed to require that access be required from State Highway 10.

43.8.1.d Procedure. An application for a Planned Residential Infill Development use for a tract of land that meets the standards set forth in Subsection 43.8 must be approved as a Special Permit pursuant to Section 40 of these Regulations.

In addition to the requirements of Section 40, the applicant shall submit a written report prepared by a professional engineer addressing the general characteristics of the surface water anticipated from the proposed development, and proposing the means and manner of disposition thereof. The applicant shall also submit a written report by a traffic expert, setting forth his findings and conclusions on the impact of traffic to be generated by the proposed development on the neighborhood, and as to the adequacy of the streets serving the proposed development to accommodate the prospective traffic.

The location, orientation, design scale, texture, materials, landscaping, general bulk, height and other features shall be consistent with the characteristics of the Town and neighborhood in which the proposed development is located and shall take into account, where appropriate, the nature of the surrounding area and the

extent to which the proposed use and its features and appearances will be in harmony with the surrounding area, including the effect upon property values in the neighborhood.

The application shall include the following: (i) six (6) copies of an overall site plan prepared by a licensed professional engineer of the entire tract of a scale of not less than forty (40) feet to the inch containing all the information required by Section 40.2.1 Site Plan, and (ii) six (6) copies of architectural drawings containing all of the information required by Section 40.2.2 Architectural Plans together with proposed textures, materials and colors of all buildings.

The hearing described in Subsection 40.3 shall be for the purpose of determining whether the tract described in the application meets the standards contained in these Regulations for a Special Permit. If the Commission finds the proposed use to be in accord with the public convenience and welfare and to meet the standards of these Regulations, it shall approve the Special Permit for the entire tract subject only to conditions imposed pursuant to Section 40.5.

43.8.2 Design Standards. The following standards shall apply to the design and development of Planned Residential Infill Developments:

43.8.2.a The maximum number of dwelling units shall be determined as follows:

R-20A Zone Total gross area ÷ 4,000 sq. ft. = maximum number of dwelling units allowed

Any fraction that results shall be rounded down to the neared whole lot.

43.8.2.b No dwelling shall contain more than six (6) dwelling units.

43.8.2.c No dwelling unit shall extend within less than forty (40) feet of any Street Line or fifteen (15) feet of any other property line; provided however, at the request of the applicant made in writing at the time of the filing of the application, the Planning and Zoning Commission may waive the setback requirements where there is an existing structure on the tract of land which the Commission determines merits saving. Provided adequate site lines are established a corner lot or a lot fronting on more than one (1) street the lot shall only be required to have one (1) Street Line which shall be State Highway 10.

43.8.3.d At least 50 percent of the dwelling units shall be provided with a separate entrance directly from the outside and with private usable outdoor space, such space to be directly accessible by the occupants of the dwelling unit.

43.8.3.e Parking shall be provided at a rate of two (2) spaces per dwelling unit, including garage and driveway spaces.

43.8.3.f All utilities shall be underground.

Maximum Lot Coverage shall be twenty-five percent (25%).

43.8.3.g All land not utilized for dwellings and private usable outdoor space shall be considered common land. Such land shall be in such condition, size and shape as to be readily usable for circulation, parking, and other uses of the occupants of the dwelling units.:

43.8.3.i Additional Requirements

a) Where dwelling units are to be individually owned, a community association must be established and maintained prior to the issuance of the first Certificate of Occupancy. Membership shall be mandatory for all owners of dwelling units within the development and shall be so stipulated in the declaration establishing the common ownership interest community and the deeds to the dwelling units.

b) The applicant shall provide the community association with a bond for all uncompleted common area improvements similar in all material respect to the bond required pursuant to Section 10 of the Subdivision Regulations.

   The amount of the bond, for all uncompleted common area improvements, shall be determined by a Licensed Professional Engineer. No portion of the bond shall be released until a Licensed Professional Engineer certifies to the community association that common area improvements covered by the bond and for which a release is sought have been completed. A copy of the certified documents shall be provided to the Planning staff who shall verify the completion of the improvements prior to the release of any portion of the bond.

43.8.3.j Certificate of Occupancy.

No certificate of occupancy shall be issued until the following items have been submitted to the Planning Department:

1. Verification that the Community Association has been established.

2. Copies of all bonding documents for all uncompleted common area improvements.

SECTION 30, SCHEDULE A, PERMITTED USES

PERMITTED USES		ZONING DISTRICTS								
		R-80	R-40	R-20	R-20A	C-1	C-2	C-3	I-1	I-2
6A.	Planned Residential Developments provided such development is served by a public sanitary sewerage system and a public water supply system or a state-approved community water supply system, and subject to the provisions of Section 43.	P[1]	P	P	P	N	N	N	N	N
6B.[4]	Planned Residential Developments provided such development is served by a public water supply system or a state-approved community water supply system and subject to the provisions of Section 43. (was #7.)	P[2]	P	N	N	N	N	N	N	N
6C[4].	Age Restricted Planned Residential Development provided such development is served by a public sanitary sewerage system and a public water supply system and, except as modified by Section 43.4.1, subject to the provisions of Section 43.[3]	P	P	P	P	N	N	N	N	N
6D.[4]	Planned Residential Developments designed exclusively for occupancy by elderly persons provided such development is served by a public sanitary sewerage system and a public water supply system and subject to the provisions of Section 43. (6B.)	N	N	N	P	N	N	N	N	N
6E.[4]	Sheltered Care Facility Designed Exclusively for Occupancy by Elderly Persons - - in accordance with the provisions of Section 43.6. (67A.)	N	P	P	P	N	N	N	N	N
6F.[4]	Planned Community Designed Exclusively for Occupancy by Elderly Persons Providing Interrelated Residential Units and Varying Levels of Nutritional and Health Care Units and Related Services – in accordance with the provisions of Section 43.7. (67B.)	N	P	P	P	N	N	N	N	N
6G.	Planned Residential Infill Development in accordance with the provisions of Section 43.8	N	N	N	P*	N	N	N	N	N

* Not permitted in the Special Development District (SDD)

1,2 Amendment effective July 1, 1983.
3 Amendment Adopted 3/25/02, effective 3/29/02.
4 Amendment effective July 30, 2004.

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY
Serving Berlin, Bristol, Burlington, New Britain, Plainville, Plymouth, and Southington
225 North Main Street, Suite 304 Internet: http://ccrpa.org Tel: (860) 589-7820
Bristol, CT 06010-4993 Fax/TDD: (860) 589-6950 or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	May 28th, 2013
RECEIVED BY CCRPA ON:	May 21st, 2013
REFERRAL NAME:	Farmington zoning regulation amendment
INITIATOR:	ND Acquisitions, LLC.
MUNICIPAL HEARING:	June 24th, 2013
REFERRED TO:	CCRPA

DESCRIPTION: ND Acquisitions, LLC is proposing an amendment to Farmington's development standards for elderly and assisted elderly housing. The amendment would change the way units and beds per acre are computed. As it stands, 75% of the site area that consists of wetlands and watercourses is excluded from the site area when making such calculations. This change would add the following text: "except for alluvial soils". With this change in place, alluvial soils on a site would fully count toward acreage when computing units per acre and beds per acre.

COMMENTS: No comments were received.

STAFF RECOMMENDATION: CCRPA recommends that the referral in this proposal be found ***in Conflict*** with the Regional Plan of Conservation and Development (RPOCD), as well as the Pequabuck River Watershed Management Plan. CCRPA's RPOCD explicitly excludes wetlands, which State statute defines as including alluvial soils, from its build-out analysis and does not consider them buildable land. The change proposed in this referral, therefore, seeks to alter the definition of wetlands used throughout the state of Connecticut. The RPOCD also notes that such lands are important for controlling floods. The RPOCD defers to the Pequabuck Watershed Management Plan on matters of watershed protection and

225 North Main Street, Suite 304 Internet: http://ccrpa.org Tel: (860) 589-7820
Bristol, CT 06010-4993 Fax/TDD: (860) 589-6950 or (860) 224-9888

flood mitigation. That document includes the following action which this referral conflicts with: "Work with towns to ensure that proper enforcement of wetlands, aquifer protection, and other environmental regulations is occurring." Furthermore, CCRPA is in the process of updating its RPOCD and the current draft explicitly states that wetlands should not be developed.

FARMINGTON, CONNECTICUT

TOWN PLAN AND ZONING COMMISSION

1 Monteith Drive, Farmington, CT 06032-1053 Tel: 675-2325

FOR TPZ USE

NUMBER Z-_____

Rec. Nbr. 1502

Rec. Amt. $310 ..

TYPE OF APPLICATION

_____Change of Zone

X Amendment to Regulations

_____Special Permit

_____Site Plan Approval

_____Removal or Deposit of Earth Products

_____Waiver

1. Name of Applicant ND Acquisitions, LLC Phone: 617-527-9800

   Mailing Address c/o National Development, 2310 Washington St., Newton, MA 02462

2. Name of Contact Robin Messier Pearson * Phone: 860-652-4020

   Mailing Address 701 Hebron Ave., P.O. Box 1530, Glastonberry, CT 06033

3. Name of Owner N/A

   Mailing Address N/A

4. Property Address N/A Acreage_____

5. Assessor's lot number N/A

6. Zoning: Present N/A Proposed N/A

7. Is parcel within 500 feet of municipal boundary? Yes N/A No N/A

8. Description of request Amendment to Senior-Active Adult Housing Zone (S-A), Article II, Section 9.E.1., 9.E.2. and F.6

9. Please indicate adjoining property owners and location as follows: (Attach separate sheet, if necessary).

   Bounded: Northerly by: N/A

   Westerly by: N/A

   Southerly by: N/A

   Easterly by: N/A

RECEIVED MAY 17 2013 PLANNING & ZONING

10. All information submitted with this application is true and accurate to the best of my knowledge. The applicant understands that this application is to be considered complete only when all information and documents required by the Commission have been submitted.

Date May 17, 2013

Signature of Applicant Edward Marsteiner

(Must be owner or agent or party with a legal interest in the property)

ND Acquisitions, LLC

PLEASE READ THE FOLLOWING:

A. Applications for change of zone and special permit require notification of the public hearing by Certified Mail by the applicant to all property owners within 200 feet of any boundary of the subject property no later than 10 days prior to such hearing. Receipts for such Certified Mail shall be provided to the Planning Department prior to the public hearing. N/A

B. Applications for change of zone and special permit require the posting of a sign on the subject property for 7 days prior to the Scheduled public hearing. A $35.00 deposit is required for such sign, refundable upon the return of the sign. N/A

C. Applications within the Level A or B aquifer protection area requires notification of the application be made by certified mail, return receipt requested no later than seven days after the date of the application to the affected water company and the State Department of Public Health. N/A

D. Maps and Plans: This application must be accompanied by at least 8 copies of plans, 24" x 36" in size. A checklist of data to be included on plans is available. N/A

E. Filing Fee: The filing fee must be paid to the Farmington Tax Collector before acceptance of application by the Town Planner (Fee Schedule available from Planning Office). N/A

* please see attached card for mailing information

PROPOSED AMENDMENTS TO REGULATION ARICLE II, SECTION 9. SENIOR – ACTIVE ADULT HOUSING ZONE (S-A).

Proposed Text Amendments to Zoning Regulation: Article II. Use Regulations, Residential Zones, Section 9. Senior – Active Adult Housing.

Only those sections proposed to be amended, are presented.

Proposed additions are underlined and in bold type.*

E. Development Standards For Housing For The Elderly And Assisted Elderly Housing.

1. The maximum number of units per acre for municipal, nonprofit and for profit housing for the elderly is 10. In computing the number of acres for the purposes of this paragraph, 75% of the area of the site consisting of soils regulated as inland wetlands and watercourses **except for alluvial soils,** as well as 75% of slopes over 33% (as determined by two foot contour intervals) shall be excluded.

2. The maximum number of beds per acre for assisted elderly housing and Memory Care Housing is 15. In computing the number of acres for the purposes of this paragraph, 75% of the area of the site consisting of soils regulated as inland wetlands and watercourses **except for alluvial soils,** as well as 75% of slopes over 33% (as determined by two foot contour intervals) shall be excluded.

F. Development Standards For Elderly Housing.

6. The maximum number of units per acre is four. In computing the number of acres for the purposes of this paragraph, 75% of the area of the site consisting of soils regulated as inland wetlands and watercourses **except for alluvial soils,** as well as 75% of slopes over 33% (as determined by two foot contour intervals) shall be excluded.

***[Neither the bold type nor underlining of the proposed additions are intended to be carried through and included in the final, approved version of the amended text.]**

RECEIVED
MAY 17 2013
PLANNING & ZONING

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

Serving Berlin, Bristol, Burlington, New Britain, Plainville, Plymouth, and Southington

225 North Main Street, Suite 304 Internet: http://ccrpa.org Tel: (860) 589-7820
Bristol, CT 06010-4993 Fax/TDD: (860) 589-6950 or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	May 28th, 2013
RECEIVED BY CCRPA ON:	May 6th, 2013
REFERRAL NAME:	Newington zoning regulation amendment
INITIATOR:	Hayes-Kaufman Newington Associates, LLC
MUNICIPAL HEARING:	June 12th, 2013
REFERRED TO:	CCRPA
DESCRIPTION:	Hayes-Kaufman Newington Associates, LLC is proposing a zoning text amendment that would exempt shopping centers containing more than 75,000 square feet from site plan approval when the change affects less than 5% of the gross floor area of the shopping center; the current threshold is 10%. The amendment would also change parking requirements so that shopping centers with an anchor tenant occupying more than 60,000 square feet would need 5 spaces for each 1,000 square feet of floor area. Under existing regulations, the number of spaces required would depend on the mix of businesses in the center.
COMMENTS:	No comments were received.
STAFF RECOMMENDATION:	CCRPA recommends that the referral in this proposal be found ***not in Conflict*** with the Regional Plan of Conservation and Development or any other agency plans.

TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION

RECEIVED
APR - 3 2013
PLANNING DEPT.

APPLICATION FORM
CR# 12410

APPLICATION #:	19-13
SUBMITTED DATE:	4/3/13
RECEIVED DATE:	4/10/2013
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	

LOCATION OF PROPERTY: Town-wide **ZONE:** N/A

APPLICANT: HAYES-KAUFMAN NEWINGTON ASSOCIATES, LLC ____ TELEPHONE: (860)-606-1700

ADDRESS: c/o MARK S. SHIPMAN EMAIL: mark@shipso.com

C: CONTACT: MARK S. SHIPMAN TELEPHONE: 860)606-1700

ADDRESS: 20 BATTERSON PARK ROAD FARMINGTON, CT 06032 EMAIL: mark@shipso.com

OWNER OF RECORD: HAYES-KAUFMAN NEWINGTON ASSOCIATES, LLC

THIS APPLICATION IS FOR: (CHECK ONE OF THE FOLLOWING)

- o Zone Change to the _____ Zone (Public Hearing required)
- X Zoning Amendment to Sections 5.3.9A and 6.1.1.C (Public Hearing required) Draft Text changes attached.
- o Subdivision
- o Resubdivision (Public Hearing required)
- o Special Exception per Section _____ of the Zoning Regulations (Public Hearing required)
- o Site Development Plan Approval
- o Other (describe in detail) _____

SIGNATURE:

THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE OWNER OF THE PROPERTY AND SUBMITTED ALONG WITH SEVEN SETS OF PLANS AND THE REQUIRED FEE.

4/2/13

APPLICANT DATE OWNER DATE

*PROPERTIES LOCATED IN THE **NEWINGTON INDUSTRIAL PARKS (BUDNEY ROAD, PROGRESS CIRCLE, ROCKWELL ROAD, HOLLAND DRIVE AND PANE ROAD) ARE SUBJECT TO THE REGULATIONS, COVENANTS AND RESTRICTIONS OF THE NEWINGTON ECONOMIC DEVELOPMENT COMMISSION. APPLICANTS PROPOSING TO BUILD, MODIFY EXISTING SITE PLANS, CHANGE** OR **ADD TO BUILDING ELEVATIONS** OR **PLACE SIGNAGE ON** THE PROPERTY ARE RESPONSIBLE FOR SECURING THE NECESSARY APPROVALS FROM THE DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.*

SECTION 5.3.9A Change in Use and Site Design, is hereby amended to add the following provision:

> "1. A change in use in a shopping center, containing more than 75,000 square feet shall not require site plan approval if the change affects less than five (5%) five per cent of the gross floor area of the Shopping Center";

The chart contained in SECTION 6.1.1.C PARKING STANDARDS BUSINESS USES MINIMUM REQUIRED PARKING SPACES, hereby amended to add the following provision:

"Shopping Centers with a principal building containing a principal tenant occupying not less than sixty thousand (60,000) square feet, 5 spaces for each 1 000 square feet of gross floor area, irrespective of the particular uses contained in the Shopping Center."

SECTION 6.1.1.C PARKING STANDARDS

BUSINESS USES	MINIMUM REQUIRED PARKING SPACES
Retail stores, personal service shops	7 spaces for each 1,000 square feet of gross floor area up to 10,000 square feet
	6 spaces for each 1,000 square feet of gross floor area up to 50,000 square feet
	4 ½ spaces for each 1,000 square feet of gross floor area over 50,000 square feet
Shopping centers with a principal tenant occupying not less than 60,000 square feet gross floor area	**5 spaces for each 1,000 square feet of gross floor area, irrespective of particular uses**

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

Serving Berlin, Bristol, Burlington, New Britain, Plainville, Plymouth, and Southington

225 North Main Street, Suite 304 Internet: http://ccrpa.org Tel: (860) 589-7820
Bristol, CT 06010-4993 Fax/TDD: (860) 589-6950 or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	May 28th, 2013
RECEIVED BY CCRPA ON:	May 14th, 2013
REFERRAL NAME:	Plainville subdivision regulation amendments
INITIATOR:	Town of Plainville
MUNICIPAL HEARING:	June 25th, 2013
REFERRED TO:	CCRPA

DESCRIPTION: Plainville is proposing a number of revisions to subdivision procedures and design standards, they are:

1. Require applicants to consult the State Natural Diversity Database concurrently with application submittal;
2. Require the same type of notification for subdivision hearings as is currently required for all other public hearings;
3. Allow the Commission to seek additional expertise when reviewing applications when town staff cannot complete the review within statutory timeframes;
4. Changes to the bond requirements necessitated by Public Acts 11-79 and 12-182;
5. Clarify that approval of rear lots is subject to zoning regulations;
6. Allow the Commission to omit land not suitable for development from required open space;
7. Clarify the difference between natural and recreational open space as well as permitting the Commission to require certain improvements to the land;
8. Clarify that if a payment is not made at the time the approved map is filed, additional notification to potential buyers is required;
9. Clarify that when a street stub is proposed, a warrantee deed with slope rights must be delivered to the town;
10. Allow the Commission to accept alternate placement of sidewalks when the alternate placement would provide greater benefits to the town;

225 North Main Street, Suite 304 Internet: http://ccrpa.org Tel: (860) 589-7820
Bristol, CT 06010-4993 Fax/TDD: (860) 589-6950 or (860) 224-9888

11. Provide standards and guarantee provisions for driveway aprons;
12. Permit the Commission to use third party inspection of public improvements when the scale of the project is beyond staff capacity.

COMMENTS: No comments were received.

STAFF RECOMMENDATION: CCRPA recommends that the referrals in this proposal be found ***not in Conflict*** with the Regional Plan of Conservation and Development or any other agency plans.

Proposed Subdivision Regulations Amendments
Department of Planning and Economic Development
May 14, 2013

The subdivision regulations require certain revisions to keep pace with recent zoning regulation changes as well as to keep pace with new laws enacted by the State legislature (PA 12-182). Staff has also recommended certain revisions to clarify the Commission's intent regarding open space and engineering and construction inspection standards.

The proposed revisions are discussed by section and can be adopted independently of one another. Once the Commission acts on the proposed amendments, staff will reformat the regulations to accept the revised sections, and to improve the overall organization of the document.

Deletions are ~~**stricken**~~ and additions are **underlined.**

Article III. Procedures

Proposed revision #1

The purpose of this proposed revision is to require that applicants consult the State Natural Diversity Database concurrent with the application submittal. While private applicants cannot be held to the same standards as State Agencies (the Statute regulates State projects), they can ask for a no cost review and receive recommendations that can be implemented to insure the success of a "listed species". This process has been used in the past and can be instrumental in selecting where open space should be located.

Add to the end of subsection 2.02 under Application Requirements

2.00 Application Requirements
- 01. Application Submission and Official Receipt Time Frames: no change
- 02. Content: An application for subdivision shall include the following items:
  1. Application form: …**no change**
  2. Application fee: …**no change**
  3. Site Development Plan: **… no change …**
     - a. through w. **no change…**
     - **x. Area of proposed development shown on the "State of Connecticut Natural Diversity Database Map", listing threatened and special concern species and significant natural communities. If impact is found, the applicant shall request a review by the Department of Energy and Environmental Protection in accordance with DEEP standards. Where indicated, DEEP recommendations to conserve, preserve and/or protect identified resources shall be considered in the design of the subdivision.**

Proposed revision #2

The purpose of this proposed revision is to require the same type of public notification in the form of a sign that is currently required for all other public hearings.

Add to subsection 3.02 under Consideration and Action.

3.00 Consideration and Action

02. Public hearings: Public hearings shall be held on all resubdivision applications. The Commission may hold a public hearing on a subdivision application if the Commission deems the application to be one of compelling public interest. **In either case**, ~~N~~ **n**otice shall be provided in accordance with the Connecticut General Statutes. **In addition, where a public hearing is required in accordance with Connecticut General Statutes or these regulations, the applicant shall post a sign giving notice of such hearing to be held at least fifteen (15) days in advance of such hearing in conformity with approved specifications (available in the Planning Office). The following requirements shall apply:**

1. **A signed, notarized affidavit must be submitted by the applicant on the day of the hearing affirming compliance with these regulations.**
2. **Failure to post the required sign in accordance with the approved specifications and within the prescribed timeframe will result in the application being incomplete; the Commission may deny without prejudice, allow the applicant to withdraw without prejudice, or agree by majority vote of sitting Commissioners to postpone the hearing until appropriate notification is given; adequate statutory timeframes must be considered.**
3. **Fees for an application that fails to meet these requirements shall not be refunded or credited to any subsequent same or similar application.**

Proposed revision #3

The purpose of this proposed revision is to permit the Commission to obtain comments from Town Fire and Safety officials, retain additional expertise in the form technical professionals as deemed necessary to review applications requiring review beyond the size and scope of what town staff can accomplish within limited statutory timeframes, and define the process for payment of such services when necessary.

Add to subsection 3.03 under Consideration and Action.

03. Consideration: The Commission shall consider all comments on the proposed subdivision or resubdivision offered by Town Staff and by other Town Departments, including the Plainville Police and Fire Departments. The Commission shall determine regulatory compliance based on testimony received.

1. **On any application, the Planning and Zoning Commission may seek the advice and opinion of other officials, boards, or commissions to assist it in evaluating applications.**
2. **On any application, the Planning and Zoning Commission may retain an engineer, architect, landscape architect, professional land use planner, or such other technical expertise as it feels is necessary to review, comment, and guide its deliberations on any application if it finds that the nature and intensity of the proposed development may have a significant impact on the site and its surrounding areas and that Town staff will not be able to complete a technical review of an application in the time period prescribed by State Statute.**
3. **When the Commission determines such additional technical expertise is required:**
   a. **An estimate for the cost of those services shall be made by a qualified party.**
   b. **The applicant shall deposit one hundred and fifty percent (150%) of that estimated cost with the Commission.**
   c. **Such payment shall be made prior to the review of the application and/or submission.**
   d. **Upon completion of the technical review and final action of the Commission, the balance of remaining funds, if any, shall be reimbursed to the applicant.**
   e. **Applicants shall not be responsible for costs incurred for technical assistance which exceed one hundred-fifty percent (150%) of the estimate received by the Commission.**

Proposed revision #4

Public Acts 11-79 and 12-182 collectively changed the way a Commission in the State of Connecticut can require bonds for subdivision projects. The changes below are reflective of the Public Acts. Staff proposes repealing current section "**4.00 Bonds**", and consolidating the subsequent section "**5.00 Recording of Plans**" into a single section "**4.00 Post-Approval Procedures**". These revisions have been reviewed and approved by the Town Attorney.

Repeal Section 4.00 – Bonds, and replace with 4.00 – Post-Approval Procedures.
Repeal Section 5.00 – Recording of Plans, and replace with 5.00 – Financial Guarantee.
Renumber subsequent section numbers as needed.

4.00 Post-Approval Procedures

01. Finalizing Approved Plans: Final plans shall be revised to conform to any modifications required by the Commission prior to any final endorsement by the Commission.

02. Alternate Approval Formats: When submitting the subdivision plans for final Commission endorsement, the applicant shall declare the type of approval formats as authorized by Section 8-25 of the Connecticut General Statutes as may be amended by using one of the following approval blocks:

1. **Final Approval – No Financial Guarantee Required (§4.05).**
2. **Final Approval – Financial Guarantee Provided (§4.06).**
3. **Conditional Approval – No Financial Guarantee Provided (§4.07).**

03. Plans to be Filed as "Final Approval – No Financial Guarantee Required"

1. **A subdivision plan may be filed in this manner when:**
   a. **no street improvements, public utilities, or other required improvements need to be provided prior to the sale of any building lot in the subdivision, or;**
   b. **street improvements, public utilities, or other required improvements have been completed to the to the satisfaction of the Commission and the Town Engineer, or;**
   c. **street improvements, public utilities, or other required improvements have already been accepted by the Town of Plainville.**

2. **Such subdivision plans shall contain the following approval block:**

Final Approval - No Financial Guarantee Required
No street improvements, public utilities, or other improvements are required to be provided prior to the sale of any lot in the subdivision or street improvements, public utilities, and other requirements have been completed and, if necessary, accepted by the Town of Plainville.
Lots in this subdivision may be sold at any time
At a meeting on _____, the Plainville Planning and Zoning Commission approved this subdivision plan in accordance with the Plainville Subdivision Regulations. _____ _____ Commission Endorsement Date Expiration Date:

04. Plans to be Filed as "Final Approval – Financial Guarantee Provided"

1. **A subdivision plan may be filed as "Final Approval – Financial Guarantee Provided" when a financial guarantee in a form and amount acceptable to the Commission and the Town Engineer has been provided for street improvements, public utilities, and other requirements remaining to be constructed.**
2. **Such subdivision plans shall contain the following approval block:**

Final Approval - Financial Guarantee Provided
A financial guarantee has been provided to the Town of Plainville to ensure that street improvements, public utilities, and other required improvements will be constructed.
Lots in this subdivision may be sold at any time
At a meeting on _____, the Plainville Planning and Zoning Commission approved this subdivision plan in accordance with the Plainville Subdivision Regulations. _____ _____ Commission Endorsement Date Expiration Date:

05. Plans to be Filed as "Conditional Approval – No Financial Guarantee Provided".

1. **A subdivision plan and supporting plans shall be filed as "Conditional Approval" when the street improvements, public utilities, and other requirements have not been completed prior to filing of subdivision plans and no financial guarantee has been provided to the Commission to ensure that such improvements will be constructed.**

2. **A conditional approval shall lapse five (5) years from the date it is granted. The applicant may apply for and the Commission may, at its discretion, grant a renewal of such conditional approval for an additional period of up to five years.**

3. **Such subdivision plan shall contain the following signature block:**

Conditional Approval No Financial Guarantee Provided
Street improvements, public utilities, and/or other requirements in this subdivision have NOT been completed to the satisfaction of the Commission and the Town Engineer and a financial guarantee has NOT been provided to the Town of Plainville to ensure that such improvements will be completed.
No lots shall be sold and no certificate of occupancy shall be issued until all improvements, utilities, and/or other requirements are completed, or an approved financial guarantee has been provided to the Town of Plainville.
At a meeting on _____, the Plainville Planning and Zoning Commission approved this subdivision plan in accordance with the Plainville Subdivision Regulations. _____ _____ Commission Endorsement Date Expiration Date:

4. **Once all requirements are met and the public improvements are accepted by the Town, the Conditional Approval filed in the Town Clerk's Office may be superseded with a new set of Mylar plans to be endorsed and filed with the appropriate Final Approval – No Financial Guarantee Required" block in accordance with Section 4.03.**

5. **Once a financial guarantee has been filed with the Commission, the Conditional Approval may be superseded with a new set of Mylar plans to be endorsed and filed with the appropriate Final Approval – Financial Guarantee Provided" block in accordance with Section 4.04.**

5.00 Financial Guarantee

01. An estimate of the cost of all public improvements shall be prepared by the applicant's engineer for review and comment by the Town Engineer. Such estimate shall have added to it a contingency factor of no less than ten percent (10%).

02. Acceptable financial guarantees shall include:

1. **a savings account, money market account, or certificate of deposit from financial institutions approved by the Town of Plainville, provided each such account shall be federally insured for the full amount of the deposit, and the Town of Plainville shall have the sole authority to withdraw funds from the account, or;**
2. **a certified or official check from a financial institution approved by the Town of Plainville, made payable only to the Town of Plainville, or;**
3. **an unconditional irrevocable letter of credit in accordance with the sample letter in the Appendix, approved by the Town of Plainville and issued by a financial institution authorized to do business in Connecticut, naming the Town as sole beneficiary.**

03. Any financial guarantee which has an expiration date shall include the following provisions:

1. **the financial guarantee shall not expire unless the Commission or its designated agent has received written notice of such expiration at least thirty (30) days but not more than forty-five (45) days before such expiration is to occur, and;**
2. **in the event such notice is received, the Town may withdraw without further condition the balance of the financial guarantee, and;**
3. **unless such notice is received, the financial guarantee shall automatically be extended for a period of not less than one year until all improvements or other requirements of these regulations are completed.**

04. Accrual of Interest or Dividends. Any interest or dividend on any account or instrument shall accrue in the name of the applicant, and such funds shall be deemed to increase the principal amount of the financial guarantee and may be used by the Town in the same manner as the principal.

05. Release of Financial Guarantee

1. **If the person posting a financial guarantee under this section requests a release of all or a portion of such financial guarantee, the Commission shall, no later than sixty-five days after receiving such request:**
   a. **release or authorize the release of any such financial guarantee or portion thereof, provided the Commission is reasonably satisfied that the improvements for which such financial guarantee or portion thereof was posted have been completed, or;**

b. **provide the person posting such financial guarantee with a written explanation as to the improvements that must be completed before such financial guarantee or portion thereof may be released.**

2. **No required financial guarantee, or portion of such required financial guarantee, shall be released by the Commission until:**
   a. **The release has been requested in writing by the applicant, providing sufficient documentation of costs remaining on the project, as prepared by a professional engineer, and;**
   b. **The Town Engineer has submitted a letter indicating all required improvements have been satisfactorily completed and whether all conditions and requirements of the Commission's approval have been satisfied, and;**
   c. **The applicant's engineer or surveyor has certified to the Commission or its designated agent that all improvements and other work are in accordance with submitted site plans, through submission of a set of detailed "As-Built" plans or other sufficient documentation. All As-Built plans shall be filed in the Plainville Land Records.**

06. Retention of Financial Guarantee for Maintenance. A minimum of ten percent (10%) of the total cost of construction and installation of all public improvements shall be retained by the Town for twelve (12) months, including at least one (1) full winter season, after Town acceptance of such completion.

07. Use of Financial Guarantee by Town. To the extent allowed by law, the Town or the Commission may use funds derived from a financial guarantee to satisfy an applicant's obligations under these Regulations. If the financial guarantee is inadequate to satisfy all such obligations, the applicant shall remain liable for the remainder.

08. Erosion and Sedimentation Control Financial Guarantee. An erosion and sedimentation control financial guarantee shall be established and provided in accordance with the standards outlined under this Section prior to any activity being conducted on the site. Release of such erosion and sedimentation control financial guarantee shall be subject to the standards outlined under this Section as they apply to erosion and sedimentation control.

09. Plan and Final Submittals

1. **Following the Commission's approval of subdivision plans, the applicant shall submit to the Commission:**
   a. **One (1) Mylar set of the approved plans, with the appropriate signature blocks and any required modifications, and;**
   b. **Three (3) paper sets of the approved plans, with any required modifications, and;**
   c. **One (1) electronic copy of drawings and data of the approved subdivision in an approved electronic format (GIS) acceptable to the Planning Department.**

2. **Additional Submittals shall also be required, in a form satisfactory to the Town:**
   a. **Any required grant(s) to the Town in a form ready for execution, and;**
   b. **Any required easements for drainage, access, utility, or other purposes in a form ready for execution, and;**
   c. **A certificate of title indicating that any proposed conveyance to the Town is free of encumbrances, and;**
   d. **Evidence of the signatory's authority to sign on behalf of the grantor.**

3. **Such grants or easements shall not be recorded on the land records until the Subdivision Plan has been filed on the land records and until any necessary action has been taken by any other appropriate Town agency or agencies.**

10. **Procedure for Recording. The Chairman or Secretary of the Commission shall sign the approved plans and notify the applicant that they are ready to be recorded by the applicant. Delivery of such plans to the applicant will be at the applicant's expense.**

11. **Filing of Approved Plans. Once signed and authorized by the Commission, the applicant shall file the signed set of the approved plans with the Town Clerk at the applicant's expense.**

    1. **Unless otherwise provided by Connecticut General Statutes Section 8-25, as amended, such plans shall be filed in the Town Clerk's office within ninety (90) days of the expiration of the appeal period under Connecticut General Statutes Section 8-8, or in the case of an appeal, within ninety (90) days of the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant.**

    2. **The Commission may extend the time for such filing for up to two (2) additional periods of ninety (90) days, and the approval shall remain valid until the expiration of such extended time. When an applicant files a written request with the Commission for an extension of the time for filing approved plans, the period for filing shall be deemed to be automatically extended to the date upon which the Commission decides on the request. The Commission shall not grant any request for an extension which was submitted after the time for filing plans already expired.**

    3. **Any plan not so filed or recorded within the prescribed time shall become null and void.**

    4. **In the event that any Subdivision Plan, when recorded, contains any changes not approved or required by the Commission, the Plan shall be considered null and void and the Commission may then file a notice with the Town Clerk voiding the subdivision.**

12. **Modification of Approval. Any applicant requesting to modify an approved plan, or any condition of approval, shall file a written request with the Commission, together with the required fee.**

    1. **The applicant shall state the reason why a modification is requested, and shall describe any change in facts, circumstances or any unforeseen natural or technical difficulties forming the basis for the request.**
    2. **The Commission, in its sole discretion, may require a public hearing on any request, or may require the applicant to submit a complete application under these Regulations.**
    3. **The Commission shall require a complete application under these Regulations for any change meeting the definition of "resubdivision" under Connecticut General Statutes Section 8-18, as amended.**

Article IV. Design Standards

Proposed revision #5

The purpose of this proposed revision is to require clarification that approval of rear lots shall conform to the requirements of the zoning regulations.

Add new subsection 3.05 regarding real lot standards and renumber remaining section.

3.00 Residential Subdivision Design

01. Access: **no change**
02. Curb cuts: **no change**
03. Emergency access: **no change**
04. Unit placement: **no change**
05. Rear lots: The Commission shall not approve rear lots unless it finds that such lots provide the best development of the land because of the topography and shape of the land.
0~~5~~**6**. Concept meeting: **no change - renumber**
0~~6~~**7**. Layout: **no change - renumber**

Proposed revision #6

The purpose of this proposed revision is to permit the Commission to omit land not suitable for development from required open space with some exceptions. Requires more detail on open space lands through mapping and data tables.

Add new subsection 5.02 regarding open space standards.
Revise subsection 5.02 regarding open space standards.
Renumber remaining section.

5.00 Open Space and Recreation

01. Purposes: **no change**
02. Open Space Plan: The subdivision map shall clearly delineate the extent of open space land. The plan shall include the following information:
    1. Areas of wetlands by soil type, flood plain zones by type, and areas with slopes in excess of twenty-five percent (25%) that extend fifty (50) linear feet or more, and;
    2. The amount of these land types, if any, within the proposed open space shall be calculated and shown in tabular form on the required plan, and;
    3. Proposed improvements if any, including public access trails, parking, access easements, landscaping and fencing or buffers, and;
    4. Proposed property markers.
03. Minimum Requirements: **no change - renumber**
    1. Conventional Subdivision: Twenty percent (20%) of the tract proposed for subdivision shall be preserved as open space. Detention basins, watercourses, wetlands**, floodways and special flood hazard areas and slopes in excess of twenty-five percent (25%) that extend fifty (50) linear feet or more** shall not be considered as meeting the requirements of open space, except when in the judgment of the Commission such land is **reasonably subject to future development and** deemed to be of benefit to **the Town's existing or proposed open space inventory,** recreation areas**,** ~~**in town**~~ and/or upstream or downstream watersheds. In no case shall more than one-half of said land be considered ~~for~~ **as** satisfying open space requirements.
    2. **no change….(renumber remaining sections)**

Proposed revision #7

The purpose of this proposed revision is to provide additional clarification between recreational and natural open space and lists additional requirements for recreational open space.

Revise subsection 7.01 regarding open space standards.
Renumber remaining section.

7.00 Improvement of Open Space Parcels

01. Land to be used as public or private open space shall be left in a condition for the purpose intended. **The Commission may require certain improvements be made to developed and undeveloped open space parcels.** Where directed by the Commission, undesirable growth and debris shall be removed by the applicant; open space to be used for recreation shall be graded to dispose of surface water **in accordance with these regulations** and shall be seeded **as indicated by the proposed end use**. In general, **wetlands, watercourses and** wooded ~~and brook~~ areas shall be left natural.

Proposed revision #8

The purpose of this proposed revision is to provide clarification that if payment is not made at the time the approved map is filed, additional notification to potential buyers is required. Provides process for payments when made at the time of the sale of subdivided lots.

Revise subsection 8.03 regarding payment of fees in lieu of open space.
Add subsection 8.04 regarding notice of pending open space fees.

8.00 Fee in Lieu of Open Space

01. When required: **no change**
02. Amount: **no change**
03. Payment: **Payment in full may be accepted prior to the recording of the approved map, or a**~~A~~ fraction of such payment, the numerator of which is one**,** and the denominator of which is the number of approved parcels in the subdivision, shall be made **payable to the Town of Plainville** at the time of the sale of each approved parcel of land in the subdivision**,** and placed in a fund which shall be used for the purpose of preserving open space or acquiring additional land for open space or for recreational or agricultural purposes.
04. Notice: If payments are to be made upon the sale of individual lots, notice shall be provided by the applicant alerting future buyers of the pendency of such payments by notating the approved subdivision plan and recording a notice for each approved lot in the Town Land Records. The Town shall file a release in the Land Records for each payment received.

Proposed revision #9

The purpose of this proposed revision is to provide clarification that in the event of a proposed street stub, a Warrantee Deed with slope rights must be delivered to the Town. Also requires that within temporary cul-de-sacs, areas that are partially removed to extend a road get loamed and seeded and deeded to adjacent property owners to the extent of the standard required right of way width.

Revise subsection 9.01.04 regarding conveyance of streets in new subdivisions.
Revise subsection 9.10.01 and .03 regarding slope rights.
Add subsection 9.10.05 regarding future disposition of slope rights.

9.00 Streets

01. General
    1. The arrangement …**No Change .**
    2. For streets not shown on the Town Plan…**No Change.**
    3. Any street that is to be constructed …**No Change.**
    4. The required right-of-way shall be **accepted by** ~~**deeded to**~~ the Town in accordance with ~~**the**~~ **generally accepted** procedures for acceptance of **such** land/improvements ~~**contained elsewhere in these regulations**~~.

10. Future Street Stubs
    1. Street stubs shall be provided where, in the opinion of the Commission, they are necessary for a coordinated street system connecting a subdivision with adjoining land that may be developed in the future. These street stubs shall not require pavement **unless proposed as a temporary turnaround in the form of a hammerhead or cul-de-sac**.
    2. **no change**
    3. Ownership of ~~**the**~~ street stubs **and/or temporary cul-de-sacs** shall be **deemed accepted by** ~~**transferred to**~~ the Town **of Plainville** at the time of **acceptance** ~~**transfer**~~ of all other streets in the subdivision. **Slope and grading rights, fifteen (15) feet outside of the street right-of-way for grading of such future streets, shall be reserved for future construction. Reservation of slope and grading rights shall also be shown on the final subdivision map.**
    4. Final Construction…**no change**
    5. **Any future developer extending a temporary street stub, cul-de-sac, or other approved turnaround shall be required to remove the existing pavement outside of the standard right of way, loam and seed said area from which pavement has been removed, and install curbs and sidewalks in the disturbed area in accordance with Town requirements. The subdivision plan shall provide notification that such reclaimed paved area will be deeded to adjacent property owners, upon extension of the road, to the boundary of the standard street right of way required by the Town. Documents transferring such ownership shall be prepared and recorded by the developer proposing such reconstruction or extension after review and approval by the Town.**

Proposed revision #10

The purpose of this proposed revision is to encourage sidewalk linkages and interconnectivity between proposed and existing neighborhoods.

Revise subsection 12 to provide a purpose section stating the town's policy regarding sidewalks.
Add subsection 12.4 to clarify modification requirements where the Commission refuses a modification request to waive altogether.

12. Sidewalks: **In order to support and encourage alternate transportation modes, these regulations seek to provide safe and convenient bicycle and pedestrian access within new subdivisions and between existing subdivisions, including movement to and from public walkways, bikeways and streets. Pedestrians and cyclists who are offered clearly defined routes that are well lit, safe, comfortable and convenient will be encouraged to use such alternative modes of transportation. These regulations strive to improve the viability and interconnectivity of all existing and future transportation systems.**
    1. Sidewalks…**no change**
    2. Sidewalks…**no change**
    3. The Commission…**no change**
    4. **A modification to provisions requiring sidewalks may be permitted by the Commission in accordance with Section I.5.02 of these regulations.**
    5. **If the Commission does not grant a waiver for sidewalks, the following requirements may be used in place of the standard requirements by permission of the Commission:**
        a. **Alternate sidewalks shall be constructed within a right-of-way, accepted by the Town of Plainville, and;**
        b. **Such alternate sidewalks shall be considered equal to standard sidewalks in terms of public and private maintenance responsibilities, and;**
        c. **The alternate sidewalk location is preferable due to added benefits that cannot be realized by standard placement such as connection to an existing sidewalk system, connection to an adjacent sidewalk system, connection to a multi-use trail and /or mitigation of negative environmental impacts.**

Proposed revision #11

The purpose of this proposed revision is to provide standards and a guarantee provision for driveway aprons.

Revise subsection 14.1 to provide clarification that driveway aprons SHALL be required.
Add subsection 14.4 to condition Certificate of Occupancy on completion of apron or submission of sufficient financial guarantee.

14. Driveway Apron Installation
    1. All driveway aprons **shall** ~~to~~ **be** installed on public rights-of-way in Commercial and Industrial zones**. Such aprons** shall be of eight (8) inch concrete of the same strength and installed in the manner prescribed for concrete sidewalks where applicable. The curb edge of the apron shall be trenched at least six (6) inches wide, the total concrete pour height shall be twenty (20) inches and the curb line grade shall be one and one-half (1 ½) inches above the gutter line of the road surface. The apron shall be the full width of the driveway with edges at a ninety (90) degree angle from the sidewalk edge for a distance of eighteen (18) inches and curving at a quarter circle turn to the road curb.
    2. Driveway aprons in residential zones shall be constructed of concrete or bituminous concrete. Any concrete apron shall be six (6) inches thick and reinforced with wire mesh. Bituminous concrete aprons shall consist of a three (3) inch surface over a compacted six (6) inch process aggregate base.
    3. The developer shall be required to receive permission from the Department of Technical Services in order to install driveway aprons during the period which extends from November 15th to April 15th.
    4. **No Certificate of Occupancy shall be granted unless the required driveway apron is installed or an appropriate financial guarantee is provided in a form and amount approved by the Director of Technical Services.**

Proposed revision #12

We are recommending that this subsection be moved from its current location (9.16) and given its own primary section: 15.00.

In addition, we are including language which would permit the Commission to invoke third party inspection of public improvements where the scale of the project exceeds staff capabilities to review in a timely manner. Some reformatting is incorporated. Process for payment of services, when needed, is specified.

Move subsection 9.16 to Section 15.00.
Add subsection 15.02 to permit the Commission to invoke third party inspection.
Add subsection 15.03 to detail the payment process for third party inspection.

15.00 Engineering and Inspection

01. Basic Requirements. – **No Changes**

02. Inspections

1. All construction and materials used in connection with these public improvement specifications shall be subject to the inspection and approval of the Department of Technical Services or its authorized representatives. No materials or work shall be approved or accepted without such inspection and it shall be the responsibility of the developer to notify the Department of Technical Services or his agents at various stages during construction so that the necessary inspections may be made.
2. **On any application, the Planning and Zoning Commission may authorize the Town Engineer to retain engineering, material and construction inspection and/or other technical expertise as it feels is necessary to perform construction review and inspection on any application where it finds that the nature and intensity of the proposed development rises to the level that Town staff is unable to provide adequate inspection and review services.**
3. **When the Commission determines such additional technical expertise is required:**
   - **a. An estimate for those services shall be made by a qualified party, and;**
   - **b. The applicant shall deposit one hundred and fifty percent (150%) of that estimated cost with the Commission, and;**
   - **c. Such payment shall be made prior to the review of the application and/or submission, and;**
   - **d. Upon completion of inspections and upon final acceptance of the improvements by the Town of Plainville, the balance of remaining funds, if any, shall be reimbursed to the applicant, and;**
   - **e. Applicants shall not be responsible for costs incurred for technical assistance which exceed one hundred-fifty percent (150%) of the estimate received by the Commission.**

Finally, once these amendments are reviewed and accepted, modified and accepted, or denied by the Commission, staff will reformat the regulations to provide better definition. Subsections will be labeled as to their content and appear within the table of contents to provide easier reference.

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

Serving Berlin, Bristol, Burlington, New Britain, Plainville, Plymouth, and Southington

225 North Main Street, Suite 304 Internet: http://ccrpa.org Tel: (860) 589-7820
Bristol, CT 06010-4993 Fax/TDD: (860) 589-6950 or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	May 28th, 2013
RECEIVED BY CCRPA ON:	May 13th, 2013
REFERRAL NAME:	Southington zoning regulation amendment
INITIATOR:	Lancaster Land, LLP
MUNICIPAL HEARING:	June 18th, 2013
REFERRED TO:	CCRPA
DESCRIPTION:	Lancaster Land, LLP is proposing a change to regulations regarding the Housing Opportunity District (HOD). This is a floating zone that may be delineated upon petition by a property's owner. A new section would be added that would permit HODs to be located on parcels of 10 or more acres (as opposed to the currently required 30 acre minimum), when the parcel is within 1,500 feet of I-84. It would also increase the allowable number of dwelling units per building to more than six and increase allowable density to 10 units per acre. Parking minimums would be lowered to 1.25 spaces per unit from 2.5 spaces per unit.
COMMENTS:	No comments were received.
STAFF RECOMMENDATION:	CCRPA recommends that the referral in this proposal be found ***not in Conflict*** with the Regional Plan of Conservation and Development or any other agency plans.

PLANNING AND ZONING DEPARTMENT

MUNICIPAL CENTER – 196 NORTH MAIN STREET
SOUTHINGTON, CONNECTICUT 06489

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

via email

May 13, 2013

Carl J. Stephani
Exec. Director, CCRPA
225 No Main St, Ste 304
Bristol, CT 06010

RE: Proposed Zoning Regulation Amendment – New Section 3-08.22 of HOD reg. (ZA #573)

Dear Sir or Madam:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of a proposed zoning text revision submitted by Lancaster Land, LLP proposing to add a new section (3-08.22) to the HOD regulations of the Zoning Regulations.

The Planning and Zoning Commission anticipates opening the public hearing on this item on June 18, 2013. The complete file is available for review in the Planning Department, the Town Clerk's office and on the web page. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6248.

Respectfully,

David Lavallee
Acting Town Planner

enclosures

I:\Planning and Zoning\regs folder\revisions\ZA #573\referral letter.doc

pd
$2600
5/13/13 KS
CK 22413

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: 5/10/13

Z.A. # 573

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.

ADD A NEW SECTION TO THE HOD REGULATIONS (3.008-22), SEE ATTACHMENT.

Is any zoning district potentially impacted by this proposed amendment within 500 feet of a Town boundary?
____ yes ✓ no

Reason for desired amendment: TO PROVIDE MORE HOUSING OPPORTUNITY

Applicant:
LANCASTER LAND, L.P.
Name
348 HARRIS HILL ROAD
mailing address
WILLIAMSVILLE, NY 14221
315-542-5371 315-833-9305
phone # fax #
ctrev@attseniorhousing.com
email
applicant signature: CMT

Agent: SEVERINO V. BOVINO
c/o KRATZERT JONES & ASSOC.
Name
P.O. BOX 337
mailing address
MILLDALE, CT 06467
860-621-3638 860-621-9609
phone # fax #
BOVINO@KratzertJones.com
email

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

PROPOSED AMENDMENT TO HOUSING OPPORTUNITY DISTRICT ("HOD") REGULATION: ADDITION OF STANDARDS FOR HOD DEVELOPMENT RESTRICTED TO OCCUPANTS 62 AND OLDER; **NEW SECTION 3.08-22**

DRAFT: MAY 2013

3-08 HOUSING OPPORTUNITY DISTRICT ("HOD")[1]

3-08.1 General

The Housing Opportunity District (HOD) is a class of district that may be established by the Commission and delineated on the Zoning Map upon petition by the owner of property or by any person duly authorized by said owner and after due notice and public hearing as required by law for amendment of these Regulations.

3-08.2 Purpose – The HOD is made part of the Comprehensive Plan of Zoning for the following purposes:

A. To encourage the construction of housing that is both affordable as defined by State Statutes and is consistent with design and construction standards present in the community.

B. To assist the Town of Southington in complying with the State Zoning Enabling Act, Connecticut General Statutes § 8-2, as amended by Public Act 91-392, by adopting zoning regulations that promote housing choice and economic diversity, including housing for low and moderate income households.

[1] New, ZA #538, effective 9/22/07

A. In lieu of § 3-08.4, the HOD may be located on a parcel of 10 or more acres, provided such parcel is within 1,500 feet of Interstate 84 and serves as a transition between residential and non-residential zones.

B. In lieu of § 3-08.5.A.2, buildings may contain more than six (6) dwelling units if the buildings are designed to include a handicapped-accessible recreational meeting room that residents can access using internal halls or walkways.

C. In lieu of § 3-08.6, density shall not exceed ten (10) units per acre.

D. In lieu of § 3-08.9, at least 1.25 parking spaces shall be provided per HOD dwelling unit.

E. In lieu of § 3-08.12, a community center shall not require additional parking if located within the residential buildings that it serves.

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

Serving Berlin, Bristol, Burlington, New Britain, Plainville, Plymouth, and Southington

225 North Main Street, Suite 304 Internet: http://ccrpa.org Tel: (860) 589-7820
Bristol, CT 06010-4993 Fax/TDD: (860) 589-6950 or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	May 28th, 2013
RECEIVED BY CCRPA ON:	May 6th, 2013
REFERRAL NAME:	Waterbury zoning regulation amendments
INITIATOR:	City of Waterbury
MUNICIPAL HEARING:	June 26th, 2013
REFERRED TO:	CCRPA

DESCRIPTION: The City of Waterbury is proposing three zoning regulation amendments. The first would add specific definitions of "boat", "specialized conveyance", and "recreational trailer" and modify the definition of "vehicle". The second would specify standards for the storage and parking of recreational vehicles and prohibit the use of trailers for storage. It would also prohibit mobile homes in all residential districts, the CBD, and the CN District. Standards would also be specified for storing construction equipment. The third amendment would specify standards for storing and parking commercial vehicles and trailers in residential districts.

COMMENTS: No comments were received.

STAFF RECOMMENDATION: CCRPA recommends that the referral in this proposal be found ***not in Conflict*** with the Regional Plan of Conservation and Development or any other agency plans.

c/o CITY PLAN DEPARTMENT
One Jefferson Square • 5th Floor
Waterbury, CT 06706
Office: (203) 574-6817
Fax: (203) 346-3949
Email: jsequin@waterburyct.org

ZONING COMMISSION
THE CITY OF WATERBURY
CONNECTICUT

RECEIVED MAY 06 2013

April 30, 2013

Central Conn. Regional Planning Agency
225 North Main Street, Suite 304
Bristol, Connecticut 06010-4993

Dear Sir or Madam:

In accordance with the Connecticut General Statutes, please be advised that at a meeting of the City of Waterbury Zoning Commission held on April 24, 2013, the Zoning Commission initiated three proposed zoning text amendments described as follows:

(1) **Referral From Zoning Commission: PL2013-0096** Zoning Text Amendment concerning the modification of Section 2.02.02 Specific Definitions to add definitions for a "Boat", a "Specialized Conveyance" and a "Recreational Trailer" and to modify the definition of "Vehicle" to differentiate a recreational vehicle from a vehicle. Applicant: Zoning Commission.

(2) **Referral From Zoning Commission: PL2013-0097** Zoning Text Amendment concerning the modification of Section 9.01.06 Recreational Vehicles, Mobile Homes, and Storage Trailers to specify standards for the storage and parking of specialized conveyances and recreational vehicles, to prohibit the use of trailers for storage, to prohibit mobile homes in all residential districts, the CBD District and the CN District, and to specify standards for the storage of construction equipment, materials and supplies on sites with active construction projects. Applicant: Zoning Commission

(3) **Referral From Zoning Commission: PL2013-0098** Zoning Text Amendment concerning the modification of Section 9.01.07 Commercial Vehicles

to specify standards for the storage and parking of commercial vehicles and trailers in residential districts; Applicant: Zoning Commission

A copy of the proposed amendments are enclosed for your review.

The public hearings will be held on June 26, 2013 in Aldermanic Chambers, City Hall, 2nd Floor, 235 Grand Street, Waterbury, Connecticut at commencing at 7:00 PM.

Thank You.

Sincerely,

James A. Sequin, AICP
City Planner

POTENTIAL TEXT REVISIONS PERTAINING TO RECREATIONAL VEHICLES AND OTHER VEHICLES ON RESIDENTIAL LOTS

April 24, 2013

AMENDMENT # 1 - Definitions

RESOLVED The Zoning Commission approves the modification of Section 2.02.02 Specific Definitions to add definitions for a "Boat", a "Specialized Conveyance" and a "Recreational Trailer" in alphabetical order and to modify the definition of "Vehicle" as follows with additions in bold underlined type and deletions in bold italic strike through type:

Boat: Any object designed or intended for traveling in or on water.

Specialized conveyance: Any recreational vehicle, boat, all-terrain vehicle (ATV), quad, quad bike, three-wheeler, side by side, utility task vehicle (UTV), jetski, snowmobile, recreational off highway vehicle (ROV), trailer designed for or used to transport another special conveyance or any trailer and/or vehicle on or in which such specialized conveyance is mounted or stored.

Vehicle: Automobiles, cars, trucks, trailers, ~~***recreational vehicles,***~~ motorcycles, or any other motorized wheeled vehicle designed or used for highway use**, not including recreational vehicles,** and required to be registered by the Connecticut Department of Motor Vehicles.

Recreational Vehicle: A ~~***vehicle***~~ **device** primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power**.** ~~***or is mounted on or is drawn by another vehicle.***~~

Trailer, Recreational A device primarily designed as temporary living quarters for recreational, camping, or travel use, which is mounted on or is drawn by another vehicle.

AMENDMENT # 2 – Recreation Vehicle, etc. Standards

RESOLVED The Zoning Commission approves the modification of Section 9.01.06 Recreational Vehicles, Mobile Homes, and Storage Trailers as follows with additions in bold underlined type and deletions in bold italic strike through type:

9.01.06 **Specialized Conveyances, Construction Equipment and Supplies** ~~***Recreational Vehicles,***~~ **Mobile Homes and Storage Trailers**

Storage, parking, and use of ~~***recreational vehicles***~~ **Specialized Conveyances, Construction Equipment,** mobile homes, and storage trailers shall be subject to the following standards.

~~***(i) A property owner may permit the occupancy of its property by a non-paying guest using a recreational vehicle, house trailer or mobile home for a period not exceeding thirty (30) days in any single calendar year, subject to issuance of a CZC if a Building Permit is required.***~~

~~***(ii) In any Residence District no recreational vehicle, house trailer or mobile home shall be parked for more than thirty (30) days in any single calendar year except when the house trailer or mobile home is stored within an approved building or other structure.***~~

(i) A specialized conveyance may be stored in a residential district subject to the following:

1) The specialized conveyance shall be accessory to the principal use of the principal structure on the lot;

2) The total length of all specialized conveyances stored outside of a fully enclosed building shall not exceed 30 feet, excluding trailer hitches, not exceeding 6 feet in height, on recreational trailers;

3) The specialized conveyance shall not be parked or stored in any required front or side yard;

4) Any stored specialized conveyance shall be screened from public rights-of-ways and from adjacent properties by structures, walls, fences and/or plantings to the extent allowable under these regulations.

5) Any stored specialized conveyance in a required rear yard shall not be closer than five (5) feet from any side or rear property line.

6) **Residential occupancy of any special conveyance shall be subject to a Special Permit and limited to one period of not more than 14 consecutive days in any calendar year,**

7) **Notwithstanding Subsections 9.01.06 2) through 5), inclusive one recreational vehicle may be parked for loading purposes in compliance with Section 9.03 of these regulations on any lot for a period of up to 24 consecutive hours during any six day period. For the purposes of this section any recreational vehicle shall be considered parked for loading in excess of 24 consecutive hours if the ZEO document)s two instances of such parking, such instances separated by more than more than 24 hours apart, during any consecutive 6 day period.**

(ii) The use of trailers for storage purposes is prohibited except as provided in Section **9.01.06 (v).**~~:~~

1) ~~*in any Residential District; and*~~

2) ~~*in any Commercial or Industrial District for a period of more than thirty (30) days in any calendar year , other than for temporary storage of returnable bottles and cans*~~.

~~*(iii) Trailers for use as construction offices shall be permitted as an accessory use to an approved Zoning Permit, Special Permit, or Special Exception.*~~

(iii) Shipping containers and portable storage units in Residential Districts shall comply with the requirements for Temporary Structures ~~*(Short Term)*~~.

(iv) Mobile homes are prohibited in all Residential Districts (RS-12, RS, RL, RM, RH and RO), the Central Business District (CBD) and the Neighborhood Commercial District (CN). In the CA, CG, CO, IG, IP, and IG districts a mobile home which is accessory to a use permitted in such district may be permitted subject to approval of a Special Permit.

(v) Construction equipment, construction supplies, trailers for use as construction offices, trailers used for storage of construction equipment and supplies and dumpsters used for construction waste may be placed on any lot subject to:

1) **Such construction equipment, supplies and/or dumpsters are accessory to and required for an active construction project for which an approved Zoning Permit, Certificte of Zoning Compliance, Special Permit, Special Exception, subdivision or resubdivision has been obtained;**

2) **The specific location of such equipment supplies and/or dumpsters shall be approved by the ZEO; and**

3) **For the purposes of this section any construction project shall be considered inactive and all such equipment supplies and/or dumpsters shall be removed if the ZEO documents five instances of construction inactivity during normal business hours on five separate days during any consecutive 30 day period. Such equipment supplies and/or dumpsters shall not be returned to the lot without approval from the Commission.**

AMENDMENT # 3 – COMMERCIAL VEHICLES AND TRAILERS

RESOLVED The Zoning Commission approves the modification of Section 9.01.07 Commercial Vehicles as follows with additions in bold underlined type and deletions in bold italic strike through type:

9.01.07 Commercial Vehicles and Commercial Trailers

No Commercial motor vehicle, **trailer,** truck tractor, semitrailer or tandem trailer truck shall be parked or stored on any property in a Residential District except:

(i) during the course of regular business involving construction, service delivery related to a permitted or legal nonconforming use **and has a duration of less than 12 hours**;

(ii) the parking or storage is itself considered a legal nonconforming use;

(iii) the parking or storage is permitted under Section 9.01.06 (v); or

~~*(iii)*~~ **(iv)** the parking or storage is otherwise expressly permitted by this section.

In any Residential District, no more than one (1) vehicle used for commercial or industrial purposes, as evidenced by business identification, visible tools or equipment, or accessory attachments or customization, may be parked or stored on a parcel in a Residential District **provided such vehicle is used by a resident of the property for his/her journey to work on a workdaily basis.** ~~*for a continuous period exceeding 24 hours unless as part of an approved construction or site development project.*~~ No such vehicle shall exceed 12,000 pounds maximum gross vehicle weight. ~~*Any such vehicle shall be for the principal use of an occupant of the Residential property.*~~ ~~*T*~~**t**railers and construction equipment may not be parked or stored on a parcel in a Residential District for ~~*a continuous period exceeding 24 hours unless as part of an approved construction or site development project.*~~**except as permitted by Section 09.01.06 (v)**

~~*No commercial vehicle may be parked or stored on a parcel for more than 30 consecutive days unless such storage is a legal nonconforming use.*~~