

Easton Planning and Zoning Commission Agenda, Monday, October 27, 2014, 7:00PM
Easton Town Hall, Conference Room A, 225 Center Road, Easton, CT

7:00PM ADMINISTRATIVE MATTERS:

1. Minutes of Meetings 9/16/14, 9/22/14 and 10/20/14
2. ZEO Report – Update on current enforcement issues (owner of 639 Stepney Road and husband requested to attend).
 - Discuss procedures for enforcement action in cases where a long-standing notice of violation exists.
3. Correspondence
4. Pending matters carried over from previous Commission meetings:
 - Subdivision Application 05-01, “Adirondack Estates”, Adirondack Trail – Request by Attorney Harold Rosnick to modify roadway. Report anticipated from Police Commission.
 - Aspetuck Land Trust: A timeline and progress report is due from the Aspetuck Land Trust for possible development of on-site parking facilities at three locations.
 - Draft Proposed Amendment to Zoning Regulations (July 28, 2014: Site Development Plans). Review (Copy attached), request legal counsel review.

PENDING APPLICATIONS:

Saddle Ridge Developers, LLC, Developer, proposing to amend Town Plan of Conservation and Development, Town Zoning Regulations, Town Subdivision Regulations and to create a residential subdivision of 48 lots with 20 accessory affordable apartments pursuant to Conn. General Statutes Sec. 8-30g. The public hearing convened on September 16, 2014, was continued to October 20, 2014 and then was continued to November 3, 2014 at Helen Keller Middle School at 7:00PM.

_____ *Margaret Davis*

(Renumber ARTICLES 8-11 as ARTICLES 9-12 RESPECTIVELY, AND RENUMBER THE RESPECTIVE Sections within those Articles to correspond within revised Article numbers. Insert the following new Article 8. The purpose of new Article 8 is to establish a uniform set of standards governing all instances in which the Regulations require a site plan to be submitted to and approved by the Commission.)

SITE DEVELOPMENT PLANS

8.1 Site Plan Required

The following uses, activities and developments shall require a SITE DEVELOPMENT PLAN approved by the Planning and Zoning Commission in accordance with the standards of this section. Such approved PLAN shall bear the endorsement of the Commission and be recorded in the Land Records of the Town of Easton prior to issuance of any zoning permit, building permit or commencement of new construction.

A proposed Site Development Plan shall accompany each of the following types of application:

- a) Special Use Permit (Zon. Regs. 4.3* and 7.2*)
- b) Special Exception Permit (Zon. Regs. 7.2*)
- c) Intensification of Pre-existing Nonconforming Use (Zon. Regs. 8.2.3*)
- d) Village Center Development Plan (Zon. Regs 5.5*)
- e) Land Filling and Regrading (Zon. Regs. 7.5*)
- f) Flood Plan Management (Zong. Regs. 10.5*)

(*Note – Section numbers subject to change with new Regs. Format)

8.2 Specifications for Site Plan

- (a) The site plan shall be prepared from a detailed survey of the property, certified Class A-2, and shall bear the Connecticut registration seals of a surveyor and an engineer, architect or landscape architect. The plan shall be drawn to a convenient decimal scale no smaller than one (1) inch equals 40 feet, and shall show scale, north arrow, date, location with respect to nearby roads, filed surveys by map number in Town land records names and intersecting boundaries of abutting property owners, in the names and addresses of site owners, prospective developers and operators and those responsible for preparing the plan. Data to be shown on the site plan shall include:

8.2 Specifications for Site Plan

(a) (continued)

- Lot lines, lease lines, easements and rights-of-ways.
- Existing topography at five (5) feet intervals, or less, for the site and for adjacent land within 100 feet, and proposed contours at two (2) feet intervals for all areas of disturbed terrain.
- Significant existing natural features including streams, ponds, swamps, regulated wetlands, rock outcrops, wooded areas and major trees (30 inches or greater in diameter), clearly identifying all areas and features to be preserved.
- Existing and proposed buildings and structures, indicating exterior wall and eave lines, height and number of stories, floor elevations, and all entrances and exits.
- Proposed use of each building, structure and site area, described in sufficient detail to establish compliance with use limitations of these Regulations.
- Existing and proposed roads, driveways, and parking areas, including all adjacent roadways, showing right-of-way lines, curb lines, pavement lines, sidewalk and pedestrian ways, traffic entrances and exits, parking spaces and access aisles, loading spaces, parking and traffic islands, fences and guardrails, retaining walls, traffic control markings and devices; showing relevant dimensions or details and the types of materials composing each feature.
- Existing and proposed storm drainage, based on 50-year storm runoff calculations, showing necessary elevations, sizes and details of pipes, catch basins, channels, dikes, dams and related features, and the lines of current and projected annual floods, and projected 50 and 100-year floods.
- Proposed erosion and sediment control measures.
- Existing well and septic system locations, for the site and adjacent land within 100 feet, and proposed facilities on the site for protection and sewage disposal, including location and design capacity of septic and reserve areas certified by professional engineer and approved by the Town Health Department.
- Existing and proposed utilities, including easements where needed, for electric, telephone, water, gas, and sewer lines, solar collectors and heat pump systems, pad-mounted transformers, water standpipes, sewage holding tanks, fuel tanks, waste bins mechanical equipment installations such as compressors and cooling towers, broadcasting antennas, equipment storage areas and similar facilities.
- Existing and proposed site lighting and signs, with details of all light fixtures and signs, showing size, height, location and illumination intensity.
- Existing and proposed landscaping, buffer screening, and site planning.
- Elevations drawings of proposed buildings and major structures, showing exterior architectural features such as doors, windows, utility equipment and character of façade materials.
- Approximate areas of the site reserved for future expansion (if any), including future parking and septic areas.

8.2 Specifications for Site Plan

- (b) Supplementary plan sheets, detail drawings or schedules may be attached to the site plan, where necessary, indicating "Approved by Planning and Zoning Commission" and "Date" shall be provided on each plan, together with a space for necessary notes and written conditions of approval.

8.3 Review of Plans

The Commission shall review properly submitted site plans at any regular meeting, and approve, modify and approve, or disapprove same in accordance with the standards of these regulations and the procedural requirements of Connecticut General Statutes, Sections 8-3 and 8-7d.

- (a) A Public Hearing shall be held by the Commission whenever the site plan application:
 - is part of Special Permit application; or
 - proposes a completely new building or substantial change in use; or
 - will result in a 50 percent or greater increase in developed site area or floor area of a building.
- (b) The Commission may elect to hold a public hearing in any other instance in which it deems circumstances warrant such action.

8.4 Standard for Approval

Site plans shall comprise a layout and facilities designed to protect public health and safety, surrounding property values, and essential natural resources, specifically with respect to:

- (a) site size, building and structure placement;
- (b) water supply and sewage disposal;
- (c) environmental protection, including controls on hazardous discharges, noise, light, atmospheric emissions, and damage to sensitive natural areas;
- (d) stormwater and erosion control;
- (e) accessibility, traffic safety and circulation.
- (f) parking, loading and pedestrian safety;
- (g) development features and landscaping;
- (h) signs and historic structures; and
- (i) all requirements of these regulations, and other Town, State and Federal regulations where they apply. (Refer in particular to town Road Regulations, Subdivision Regulations, Inland Wetlands and Watercourses Regulations, State of Connecticut Health Code, Building Code, and Flood Encroachment Lines, and Federal Insurance Administration Flood Hazard mapping (all sources generally available at Town Offices).

8.5 Final Plan

The Commission shall approve, modify and approve, or disapprove the proposed site plan, as provided by the Connecticut General Statutes (Section 8-3).

Where the Commission's action requires modification or amendment of the site plan, it shall promptly advise the applicant of the required changes.

The final plan, on mylar or similar permanent translucent material, shall be submitted to the Commission within 60 days of its notice to the applicant concerning approval or modification and approval, and shall become a part of the Commission's permanent file.

No permit shall be issued, and no construction activity or new use shall be commenced on any site requiring site plan approval until the final site plan, **approved or amended as may be** required by the Commission's decision, has been endorsed with a Commission's approval and copies have been released to the applicant and the Zoning Enforcement Officer.

8.6 Expiration

- (a) A site plan approval granted by the Commission shall be deemed to take effect on the date the final plan receives the Commission signature and date of approval, and to expire one (1) year from said date if the project has not received a Certificate of Zoning Compliance from the Zoning Enforcement Officer.
- (b) Where circumstances justify and substantial work has been completed on the project, the Commission may grant one (1) or more extensions of the construction period, up to 12 months per extensions, totaling not more than 48 additional months.

8.7 Enforcement

A determination by the Commission that conditions or requirements of an approved site plan have been violated shall be grounds for immediate enforcement action pursuant to the Connecticut General Statutes and Section 6.8 of these regulations, unless such violations are promptly corrected.

8.8 Performance Bond

Where the Commission **approves or** modifies and approves a proposed site plan, it may require that the applicants post with the Town a performance bond adequate in amount and particulars to assure the proper installation and seasoning of site work required by the modified approval, including such necessary facilities as

8.8 Performance Bond (continued)

roads, parking and loading, storm drainage and detention systems, water supply and sewage disposal, dams and retaining walls, site lighting and utilities, earth contouring and regrading, fences and walls, waste disposal areas and monitor wells, topsoiling and site planting, and erosion and sediment controls.

The bond shall be acceptable in form and surety to the Town, shall grant adequate inspection and installation rights to the Town, and shall additionally provide that in the event of default occurring after a specified completion deadline the Town shall be entitled to call the bond and use the proceeds thereof for completion of the project.

The bond **shall** be secured in cash by an instrument assigning collectible funds to the Town, or by an obligation of the surety company acceptable to the Town. The amount of surety provided shall be based on estimated construction cost, plus estimated collection costs to Town in event of default, plus a 15 percent contingency allowance.

The progress and condition of the required work will be reviewed by the Town at mutually pre-determined, specified stages of completion. When each stage is reached, if the Commission finds that the required work has been properly completed it may release a portion of the original surety equal to the percent of estimated construction cost through the stage, excluding however, all collection and contingency allowances. All surety, which remains unreleased at the end of the project shall be held by the Town for one (1) year, and may be called by the Town for use in restoring any work which deteriorates during that period, should the developer fail to properly restore same. Any unused balance of surety shall be released within 30 days following the one (1) year contingency period.

8.9 Special Design Standards

Where the Commission determines that public health, safety or **the protection of the community may be at risk**, the following additional information shall be included as part of the application for a Special Permit or site plan in sufficient detail to enable the Commission to make the required findings:

- (a) A traffic impact analysis and circulation plan, both vehicular and pedestrian, of the proposed development demonstrating:
 - the present level of service at major intersections will not be diminished;
 - impact on residential neighborhoods will be minimal; and
 - air quality attributable to vehicular emissions will be within the acceptable limits established by the Connecticut Department of Environmental Protection.

8.9 Special Design Standards (continued)

- (b) Architectural floor plans, elevations and perspective sketches prepared by a licensed architect demonstrating:
 - existing Historic Buildings and/or Historic Structures are being preserved;
or
 - the exterior design, scale, materials and building height reflect and complement the architectural quality and style of existing buildings in the neighborhood.
- (c) Landscape plans prepared by a licensed landscape architect.
- (d) Plans that demonstrate the availability of, and an agreement to provide to the site a water supply system, for both domestic use and fire protection, and a sanitary sewer system, to be completed in accordance with State and Town specifications and regulations, both utilities sufficient to serve the proposed development. If such systems are to be privately owned and operated, the applicant shall also provide for their proper maintenance in accordance with their engineering design, to the satisfaction of the Planning and Zoning Commission or such other board of Commission having jurisdiction thereof.
- (e) Plans for stormwater management as required by the Town.
- (f) Plans for the protection of persons and property from fire. At a minimum such plans shall be based on advisory reports of the local Fire Marshal and/or the Town Building Official and shall, where necessary:
 - Provide automatic fire suppression capabilities (sprinkler systems) in all units of multiple use buildings, in all two family dwellings and in all other nonresidential buildings in excess of 1,000 square feet floor area, in conformity with National Fire Protection Association (NFPA) Standards 13, 13D and 13R.
 - Conform to NFPA Standard "Fire Protection in Planned Building Groups, 1985 edition".
- (g) Plans for protection of persons and property from flood and other hazardous events.
- (h) Other such plans and information that the Commission may **require** with respect to environmental protection including, without limitation plans to remedy hazardous waste sites, aquifer recharge, flood control, and solid waste management.
- (i) **Any other**

8.10 Environmental Protection Standards

Every use and activity shall be conducted in such manner that it is clearly compatible with the health, safety, welfare and property values of the community, and is demonstrated to protect the quality of recharge water draining to public water supply reservoirs.

8.11 Deleterious Uses Prohibited

- (a) Any use which results in contamination of air, ground, water or the natural environment is prohibited.
- (b) Any use which is noxious by reason of emission odor, dust, gases, smoke noise, vibration, light, radiation, or danger of explosive or other physical hazard is prohibited.