

3000 RESIDENTIAL DISTRICTS

3200 PERMITTED PRINCIPAL STRUCTURES AND USES

3250 Other Principal Uses

<p>7. Managed Residential Home (MRH) – A <i>for-profit</i> or <i>not-for-profit</i> managed residential home consisting of private residential units that provides a managed group living environment consisting of housing and services for persons who are primarily 55 years of age or older.</p> <ul style="list-style-type: none">a. An MRH does not include any state-funded congregate housing facilities.b. Private residential unit means a private living environment designed for use and occupancy by a resident that includes a full bathroom and access to facilities and equipment for the preparation and storage of food.c. Operation of an MRH shall be in accordance with the provisions of Section 5340.	Special Permit (Commission)
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TEXT AMENDMENT –
Effective 9/1/2021

3300 PERMITTED ACCESSORY USES

3310 Parking

<p>2. Commercial Vehicle Storage — Storage of one (1) commercial vehicle provided that any such vehicle shall not be stored in a required yard setback unless parked in the driveway. Non-residents shall not operate the vehicle on the premises.</p>	<p>No Zoning Permit Required</p>
<p>3. Commercial Vehicle Storage — Storage of more than one (1) commercial vehicle or any construction equipment provided that any such vehicle or equipment:</p> <ul style="list-style-type: none"> a. Shall only be stored in a side or rear yard, b. Shall not be stored in a required yard setback unless parked in the driveway. c. Shall be visually screened from the street and abutting properties by location, topography, berms, landscaping, plantings, walls, and/or fencing. d. Shall only be operated on site as required to be removed from or returned to storage for a period of time not to exceed 30 minutes. Any such vehicle is operated by residents and/or 1 non-resident employee only. e. Shall not create a nuisance as defined in Section 8440.9 – Nuisance Avoidance. f. Shall only operate on such a surface that it will not create erosion or sedimentation of soil. g. All above requirements shall be to the satisfaction of the Zoning Enforcement Official. 	<p>Zoning Permit (Staff)</p>
<p>4. Commercial Vehicle Storage — Storage of more than one (1) commercial vehicle or any construction equipment if not in accordance with Section 3310.3.</p>	<p>Special Permit (Commission)</p>

TEXT AMENDMENT –
Effective 9/1/2021

3400 PERMITTED ACCESSORY STRUCTURES

3410 Accessory Structures

1.	Minor Accessory Structure - Garden house, tool house, playhouse or other accessory structure customarily incident to a permitted principal use of the premises provided such structure(s) shall not exceed 200 square feet in total floor area, shall not be placed on a permanent foundation, and shall not be operated for profit or used as a residence. (also see Section 3620.5)	No Zoning Permit Required
2.	Major Accessory Structure - Garden house, tool house, playhouse, hoop house, or other accessory structure customarily incident to a permitted principal use of the premises when totaling more than 200 square feet in floor area or if on a permanent foundation provided such structure shall not be used as a residence.	Zoning Permit (Staff)
3.	Solar Panels - Solar panels when mounted flush to a roof surface. Solar panels are considered mounted flush when they are parallel to the roof surface, no part of the system rises more than 18" perpendicular to the roof surface, AND no part of the system rises above the roof ridge elevation.	No Zoning Permit Required
4.	Solar Panels - Solar panels when not mounted flush to a roof surface OR any part of the system rises above the roof ridge elevation.	Zoning Permit Required
5.	Solar Panels – Solar panels when not mounted to a roof surface	Special Permit (Commission)
5.	Emergency Generator – Emergency generator which, notwithstanding any other provisions of these Regulations, may be located not less than 40 feet from the property line provided it is not located within the front yard unless fully screened or enclosed.	Zoning Permit (Staff)
6.	Propane Tank – All above ground propane tanks which, notwithstanding any other provisions of these Regulations, may be located not less than 40 feet from the property line provided it is not located within the front yard unless fully screened or enclosed.	Zoning Permit (Staff)

TEXT AMENDMENT – Effective 9/1/2021

3400 PERMITTED ACCESSORY STRUCTURES

3430 Recreational Structures

<p>1. Swimming Pool - Swimming pool provided that:</p> <ul style="list-style-type: none">a. All in-ground swimming pools shall be fenced in accordance with the Building Code.b. Swimming pools and associated equipment (pump, equipment pad, etc.) shall be set at least 50 feet from the front property line and at least 40 feet from any other property line.c. Access to all above ground swimming pools shall be protected by a gate normally kept closed.d. No pool shall be artificially illuminated unless such illumination is below the water surface or has been approved by the Commission with a Site Plan Approval.	<p>Zoning Permit (Staff)</p>
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TEXT AMENDMENT -
Effective 9/1/2021

5200 ACCESSORY APARTMENTS

5210 PURPOSE AND INTENT

5220 STANDARDS

One (1) accessory dwelling unit within or attached to the main dwelling unit on a parcel provided that it conforms to all of the following requirements:

1. The owner of the property shall occupy either the principal dwelling unit or the accessory dwelling unit and an annual affidavit shall be filed by January 31 of each year attesting to such occupancy.
2. The area devoted to the accessory dwelling unit shall not exceed:
 - a. Forty percent (40%) of the area of the principal dwelling (exclusive of garage, attic, and basement) in the Residence A District.
 - b. **Forty percent (40%)** of the area of the principal dwelling (exclusive of garage, attic, and basement) in the Residence B District.
 - c. 1,500 square feet in any zoning district.
3. The accessory dwelling unit shall not contain more than two bedrooms.
4. Utility services for the accessory dwelling unit shall not be configured separately from those for the principal dwelling unit.
5. The accessory dwelling unit shall be accessible from the principal dwelling by an operable door along a common wall so that the apartment can be integrated back into the principal dwelling in the future.
6. The accessory dwelling unit shall not be located in a story below the first floor (a cellar or a basement) unless substantial portions of the walls (**>50% of the perimeter walls**) of the accessory apartment are above grade and it is determined that the accessory apartment, as configured, has sufficient light, ventilation and a direct entrance to the outside planned or in place, so as to permit use as a separate living unit.
7. The lot shall conform to the minimum lot area requirement for the district.
8. The principal dwelling unit and the accessory dwelling unit shall comply with the building code and health and safety regulations.
9. Upon establishment of the accessory dwelling unit, the building shall:
 - a. Maintain the exterior appearance and style (roof line, roof pitch, building materials, window style and spacing, etc.) of a single-family residence and no exterior evidence of the accessory apartment use (e.g. outside stairs, doors, fire escapes, etc.) shall be visible from the street;
 - b. Have any secondary entrance incorporated into the principal residence to reflect the architectural style of a single-family unit; and
 - c. Share access from the public right-of-way and parking facilities shall serve both the principal and accessory units.

5000 STANDARDS

5300 LODGING FACILITIES

5340 MANAGED RESIDENTIAL HOME

Operation of an MRH shall only be permitted subject to the following:

1. The MRH shall comply with the most current requirements of CGS Sec. 19a-693 to 19a-709 – Managed Residential Communities and with the most current requirements of the Regulations of Connecticut State Agencies Sec. 19-13-D105 (c), as may be amended from time to time. The owner shall register the home as a Managed Residential Community with the Connecticut Department of Public Health (CT DPH.)
2. Provide a written residency agreement to each resident in accordance with section 19a-700; the agreement shall state that the managed residential community is not licensed by the CT DPH; a copy of this agreement shall be furnished to the Easton Zoning Department.
3. The MRH, through its service coordinator or any other representative, **SHALL NOT** provide health services (rehabilitative therapy, administration or supervision of the self-administration of medications, nursing care, medical treatment, etc.) Only a licensed Assisted Living Services Agency (ALSA) may provide health services. The MRH may contract with one or more ALSA. The MRH **SHALL NOT** enter into a residency agreement with anyone requiring twenty-four-hour skilled nursing care unless the individual has arranged for such care to the satisfaction of the MRH and ALSA as a condition of residency.
4. Afford residents the ability to access services provided by an ALSA. The MRH must notify the Department of Public Health on the appropriate forms.
5. Arrange for, upon the request of a resident and in conjunction with the ALSA, the provision of ancillary medical services on behalf of a resident, including physician and dental services, pharmacy services, restorative physical therapies, podiatry services, hospice care and home health agency services, provided the ancillary medical services are not administered by employees of the managed residential community.
6. Provide a formally established security program for the protection and safety of residents, twenty-four (24) hours a day, that is designed to protect residents from intruders; provide an emergency call system in each living unit. Such security program shall be approved by the Easton Police Department.
7. Provide for *core services* on a regular and continual basis to those residents who choose to use such services; *core services* shall include the following:
 - a. regularly scheduled meal service for three (3) meals per day;
 - b. regularly scheduled laundry service for personal laundry and linens;
 - c. regularly scheduled transportation for personal shopping, social and recreational events, health care appointments and similar needs and for which public bus transportation shall not qualify as the only form of transportation;
 - d. regularly scheduled housekeeping services;
 - e. maintenance service for tenants' living units, including chore services for routine domestic tasks that the tenant is unable to perform; and
 - f. programs of social and recreational opportunities.
8. Provide for the use of on-site washers and dryers sufficient to meet the needs of the tenants.
9. Provide a minimum number of parking spaces equal to the maximum number of tenants plus 3. There shall be NO on street parking permitted.
10. Provide for an interior and an exterior common space that are both sufficient in size to accommodate at least 50% of the tenant population.
11. Provide for landscaping, the scale and nature of which, shall be appropriate for the size of the site and related structures. Plant material shall be selected for its form, texture, color, pattern of growth, and the suitability to local conditions. Invasive plant species are strictly forbidden and shall be inspected for and removed from the property. All landscape plans shall incorporate at least thirty percent of native trees

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- and shrubs. All landscaped areas and garden beds shall be maintained in an acceptable manner throughout the year. Yards shall be maintained with a good stand of grass free of excessive weed growth and debris.
12. Maintain all common spaces, work spaces, outdoor spaces, and any other spaces within the property in a clean and orderly fashion so as to maintain the health and safety of the tenants and employees at all times.
 13. Employ an *on-site service coordinator*, in accordance with Sec. 19-13-D105(c)(5)(A), who shall, at a minimum, be responsible for the following:
 - a. ensuring that the services required by this subsection are provided or made available to all tenants;
 - b. assisting tenants in making arrangements to meet their personal needs;
 - c. establishing collaborative relations with provider agencies, support services and community resources.
 - d. establishing a tenant council, ensuring that a private space is provided to the group for meetings and providing assistance and responding to written requests that result from group meetings;
 - e. serving as an ongoing liaison with the assisted living services agencies to include liaison with the assisted living services agencies' quality assurance committee;
 - f. ensuring that a tenant information system is in place; and
 - g. developing a written plan for the delegation of responsibilities and functions in the absence of the service coordinator.
 14. No tenant shall be required to share a unit with another tenant. Sharing of a unit shall be permitted solely upon the request and mutual consent of tenants. Each tenant shall have a minimum 100 square feet of usable space in their bedroom with a minimum dimension of 10 feet, exclusive of bathrooms, closets, lockers, wardrobes, etc. If two tenants request and are permitted to share a room, then the room shall be a minimum 220 square feet with a minimum dimension of 10 feet.
 15. The MRH shall be American with Disabilities Act (ADA) compliant. All ingress and egress routes throughout the facility shall be brought into compliance for the safety of the tenants, those currently residing at the MRH and those that may potentially reside there in the future.
 16. Assist a tenant who has a long-term care insurance policy with preparing and submitting claims for benefits in accordance with CGS Sec. 19a-694(a)(7).
 17. No MRH shall control or manage the financial affairs or personal property of any tenant except as provided above.
 18. A written "Resident's Bill of Rights" shall be provided and explained to each tenant at the time such tenant enters into a residency agreement in accordance with CGS Sec. 19a-697. This document shall be provided to the Easton Zoning Department and posted in a prominent place in the MRH along with contact information for the CT DPH and the Office of the State Long-Term Care Ombudsman, including the names, addresses, and telephone numbers of persons within such agencies who handle questions, comments, or complaints concerning managed residential communities.
 19. The owner or operating entity of the MRH shall:
 - a. notify the CT DPH, Easton Zoning Department, and any ASLA servicing any tenants, in writing, of any proposed change in ownership or operating entity, elimination of any core services at least 30 days prior to such change;
 - b. notify the ALSA immediately of any change or proposed change in the service coordinators;
 - c. provide unrestricted access to the home, tenants, and tenant related documents.
 - d. provide all other notifications as required by the CT DPH to the tenants, their next of kin or other legal representative, and the Easton Zoning Department to include, but not limited to, any change of its status as a Managed Residential Community, change of core services or assisted living services, and any other resources made available to tenants.
 20. The MRH shall meet the requirements of all applicable federal and state laws and regulations, including, but not limited to, the Public Health Code, State Building Code and Fire Safety Code, and federal and state laws and regulations governing accessibility for persons with disabilities.