

SEP 19 2023

TOWN OF WATERTOWN  
PLANNING AND ZONING COMMISSION  
SUBDIVISION/RESUBDIVISION APPLICATION

Received Planning and Zoning Office

Application for: ☒ Subdivision ☐ Resubdivision Date: \_\_\_\_\_

Location of Property: 192 Park Rd, Watertown, CT 06795

Is this parcel within 500 feet of another municipality? ☐ YES ☒ NO

Name of municipality: \_\_\_\_\_

Assessor's Map: 90 Block 20 Lot

Subdivision Name: 192 Park Rd (TEMPORARY)

Total Number of Proposed Lots: 4 Total Acreage: 66.41 AC

Number of Proposed Lots having Frontage on Existing Street: 4


Are there wetlands on the property or will you be draining water into a wetland? ☒ YES ☐ NO

If YES, has an application been submitted to the Inland Wetland Commission? ☒ YES ☐ NO

Applicant: JRD PROPERTIES-WATERTOWN LLC

Address: 146 HUNTINGDON AVENUE, WATERBURY CT 06708

Phone #: (203) 906-6355 Fax: N/A

Applicant's Signature: 

Owner: JRD PROPERTIES-WATERTOWN LLC

Address: 146 HUNTINGDON AVENUE, WATERBURY CT 06708

Phone #: (203) 906-6355 Fax: N/A

Owner's Signature: 

Information for Applicants and Owners

1. Twelve copies of the subdivision plan, twelve copies of the site development plan, two copies of the construction plans and four copies of the sediment and erosion control plans must be submitted with the application.
2. Public hearings will be held on all resubdivision applications and on subdivision applications at the discretion of the commission



PROPERTY LINE

PROPOSED LOT LINE

BUILDING SETBACK LINE

EXISTING CONTOUR

EXISTING SPOT GRADE

EXISTING FENCE

STONE WALL

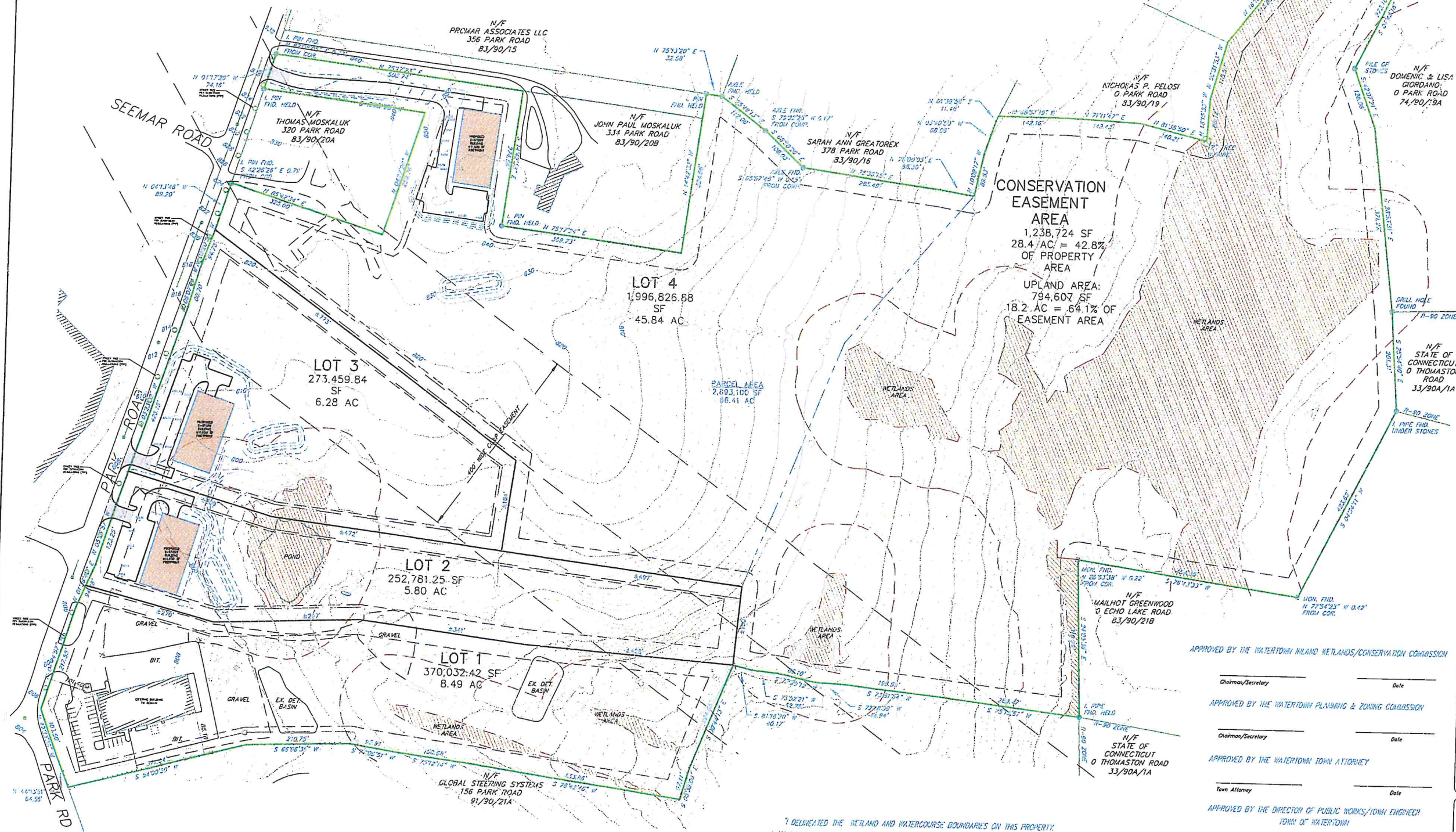
WETLAND LINE

100' WETLAND REGULATED AREA

WETLANDS AREA

1. BOUNDARY INFORMATION TAKEN FROM MAP ENTITLED "ZONING LOCATION SURVEY PREPARED FOR AND DATED MAY 1, 2023."
2. TOTAL AREA OF PROPERTY IS 86.00 AC.
3. ZONING OF THE PROPERTY IS R-20.
4. WETLANDS ON THE PROPERTY WERE DELINEATED BY DAVID LORD, CERTIFIED SOIL SCIENTIST, AND LOCATIONS LAND SURVEYED.
5. DRIVEWAY APRONS, AND DIMENSIONS SHALL CONFORM TO THE TOWN OF WATERTOWN STANDARDS AND TO ADA REGULATIONS.
6. FOR LOCATION OF UNDERGROUND ELECTRIC, TELEPHONE OR OTHER FACILITIES OF PUBLIC UTILITIES, INQUIRE OF THE APPROPRIATE UTILITY COMPANY.
7. STORM DRAINAGE IS SCHEMATIC IN NATURE AND SHALL BE DESIGNED IN DETAIL AS PART OF THE SITE PLAN APPROVAL PROCESS FOR EACH LOT (LOTS 2-4).
8. ALL EXISTING STRUCTURE AND UTILITY LOCATIONS AND ELEVATIONS TO BE VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.
9. DESIGN ENGINEER SHALL INSPECT STORMWATER TREATMENT AND DETENTION AREAS AND CERTIFY THAT THEY ARE INCLUDING AS-BUILT OF DETENTION AREAS. AS-BUILT SHALL BE SUBMITTED TO THE TOWN OF WATERTOWN.
10. ALL STORM DRAINAGE IS SUBJECT TO REVIEW AND PERMIT BY THE WATERWORN BUILDING DEPARTMENT.
11. LOCATION AND ELEVATION OF PUBLIC UTILITIES ARE TAKEN FROM FIELD SURVEY AND BEST AVAILABLE INFORMATION. SOME MAY BE APPROXIMATE AND ALL MUST BE CONFIRMED PRIOR TO CONSTRUCTION.
12. PERMIT REQUIRED FOR OPENING STREET TO MAKE THE SEWER AND WATER LINE CONNECTIONS TO BE OBTAINED BY THE CONTRACTOR.
13. ALL RETAINING WALLS IN EXCESS OF 4' IN HEIGHT ARE TO BE DESIGNED BY A PROFESSIONAL ENGINEER AND SUBJECT TO REVIEW AND APPROVAL BY WATERWORN BUILDING DEPARTMENT.
14. THE DESIGN AND PROFESSIONAL ENGINEER SHALL BE RETAINED TO INSPECT ALL SITE WORK DURING CONSTRUCTION, PROVIDE THE TOWN WITH A PROGRESS REPORT AT LEAST ONCE A MONTH, AND AT COMPLETION CERTIFY THAT ALL SITE WORK CONFORMS TO THE APPROVED PLANS.
15. UPON COMPLETION OF CONSTRUCTION, AN AS-BUILT OF ALL THE PROPOSED
16. CONSTRUCTION SHALL BE SUBMITTED TO THE TOWN.
17. STREET TREES SHALL BE INSTALLED ACCORDING TO TOWN OF WATERWORN STANDARDS. SPECIES SHALL BE DETERMINED PRIOR TO INSTALLATION. ALL TREES SHALL HAVE A MINIMUM TRUNK DIAMETER OF 2.5" CALIPER OR LARGER, MEASURES 6" ABOVE THE GROUND (TOP OF ROOT BALL), HAVE A MINIMUM HEIGHT OF 10 FEET AND A HEALTHY ROOT BALL.

STANDARDS	REQUIRED	EXISTING	LOT 1	LOT 2	LOT 3	LOT 4
MINIMUM LOT AREA	200,000 SF	2,693,100 SF 66,416.4 AC	370,032 SF 8.49 AC	252,781 SF 5.8 AC	273,460 SF 6.28 AC	1,986,827 45.84 AC
MIN. FRONTAGE	50'	1,368.25'	368.25'	245.54'	516.64'	173.21'
MAX. FLOOR AREA RATIO	0.4	0.005	0.04	0.09	0.085	0.01
MAXIMUM HEIGHT	60'	33' ±	33' ±	< 50'	< 50'	< 50'
MAXIMUM STORIES	4	1	1	2	2	2
BLDG. SETBACKS:						
FRONT YARD:	50'	101.48'	101.48'	94.44'	77'	71.94'
SIDE YARD:	35'	86.18'	86.18'	30.86'	44.33'	53'
REAR YARD:	35'	> 35'	> 35'	1114.23'	584.98'	35'
FRONT YARD PARKING:	25'	> 25'	> 35'	25'	25'	41'
SIDE & REAR YARD PARKING	25'	> 25'	> 25'	31.59'	63.69'	176.76'
MAXIMUM LOT COVERAGE	50 %	2.3 %	33.5%	11.37%	11.52%	2.03%
MAXIMUM BUILDING COV.	30 %	0.5 %	3.2 %	4.7%	4.4%	0.6%

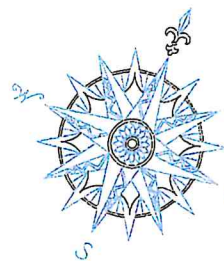
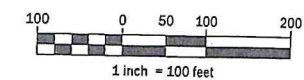


AS SPECIFIED IN SECTION 8-26c OF THE GENERAL STATUTES, EXPIRATION DATE IS

I AM OF THE OPINION THAT THE WETLANDS AND WATERCOURSE BOUNDARIES WHICH I MARKED ON THE PROPERTY IS TRUTHFULLY SHOWN ON THIS MAP.

David Lord (Soil Scientist)

08

[illegible]

JRD PROPERTIES -  
WATERTOWN LLC  
146 HUNTINGDON AVE.  
WATERTOWN, CT. 06708

OVERALL SUBDIVISION MAP

192 PARK ROAD

WATERTOWN CONNECTICUT

# CIVIL C1

CORNERSTONE PROFESSIONAL PARK, SUITE D-101  
43 SHERMAN HILL ROAD  
WOODBURY (203) 266-0778 CONNECTICUT

DATE: EJ	APPROVED: C
SCALE:	1" = 100'
DATE:	16 AUG 23
PROJ. NO.:	4045
CADD FILE NAME:	4045
DESIGNED BY:	

## C 2.1



Section 55A            15 – 30 Acre Age Restricted Housing Developments (ARHb)

55A.1 Establishment of an ARHb

The establishment of an ARHb overlay zone within an existing R-12.5 of R-30, R-70, R-90, or R-G District shall be considered a zone change subject to the requirements and procedures of CGS Section 8-3 and the provisions of Section 60 of these Regulations. In approving any such zone change application, the Commission shall determine that a need for an ARHb zone has been established.

55A.2 Basic Standard for ARHb Developments

55A.2.1            No individual who has not attained the age of 21 years may be domiciled within a dwelling unit in an ARHb development for more than 30 days within a calendar year. Any person who is permitted to and did occupy a unit with an age qualified person may continue to occupy the unit, after the death of such age qualified person, or if such age qualified person becomes a permanent resident of a health care facility. An ARHb is designated to meet the needs and requirements of an active adult community. The community shall qualify as “housing for older persons” described in the “Fair Housing Act” except that each unit shall have at least one resident age 55 or older unless otherwise provided. The above age restrictions shall be verified on an annual basis in writing by the Association required by Subsection 55.6. (Amendment adopted                      effective)(Effective date                      )

- 55A.2.2            Permitted uses in an ARHb development are the following.
- a.            Single-family detached buildings.
  - b.            **Multifamily buildings of up to 4 units per building, provided that each unit shall have exterior ground level access.**
  - c.            **Open space conservation land both public and private.**
  - d.            **Recreational facilities appurtenant to the community.**
  - e.            **Maintenance facilities appurtenant to the community.**

55A.2.3            The maximum permitted density shall be three (3) units per gross acre, **including any lands dedicated in any way as open space. The owner shall have discretion as to the building mix within the community based upon market conditions, but the overall maximum density shall not be exceeded.**

55A.2.4            An ARHb development requires a minimum parcel size of fifteen (15) acres.

55A.2.5            An ARHb development parcel size shall not exceed thirty (30) acres.

55A.2.6            An ARHb development shall be developed pursuant to CGS Chapter 828, the Connecticut Common Interest Ownership Act.

- 55A.2.7 All dwelling units constructed along existing Town roads shall be single family detached with a minimum setback of 50ft (from a Town road).
- 55A.2.8 An ARHb development may be phased.

55A.3 Dimensional Requirements

Building separation	no less than 20 ft.
Setback from <b>public</b> roads	No less than 15 ft. excluding driveway
Setback from residential boundary	50 ft. (The Commission may permit a lesser setback by a majority vote)
Setback from Industrial Boundary	75 ft.
Maximum building height	35 ft.
Maximum Building coverage	15%
Maximum Impervious Surface Coverage	25%

55A.4 Site Plan and Special Permit

An ARHb development application shall be subject to Special Permit and Site Plan approvals in accordance with Sections 8 and 9 of these Regulations, and the following additional standards and requirements.

- 55A.4.1 Each residential unit shall have a private outside space of at least 50 square feet, such as a terrace, deck, patio, or courtyard adjoining and directly accessible to the residential unit.
- 55A.4.2 The Commission shall confirm that the architecture is themed, that the exterior building materials are of good quality, and that the elevations are residential in character. There shall be no mechanical equipment, except solar collectors, on the roofs visible from the ground. Mechanical equipment and refuse containers shall be screened from view on at least three sides. The Site Plan application shall include conceptual images of each of the proposed housing types, demonstrating a consistent architectural theme and a consistent application of good quality exterior siding and roofing materials, which shall be subject to approval by the Commission at the time of Sit Plan approval.
- 55A.4.3 All driveways and access roads shall be set back no less than 20 feet from all property lines, excepting as required for access roads to connect with town roads. The Commission shall have the authority to permit a lesser setback by a majority vote. At no time shall on street parking be permitted within the development and shall be so signed.



55A.4.4 The ARHb site shall be served by public water and public sewer. Fire hydrants to meet fire marshal specifications. Electric, telephone, and cable connections shall be installed underground. All water and sewer mains within the road system shall be owned and maintained by the Watertown Water and Sewer Authority. All water and sewer laterals from the roadways to the buildings will be owned and maintained by the community.

55A.4.5 A minimum of two (2) off-street resident parking spaces shall be provided for each dwelling unit and located in proximity to each unit, at least one (1) of which shall be located within an enclosed garage. A minimum of two (2) off-street visitor parking spaces shall be provided for every four (4) dwelling units. Driveway parking spaces may be counted as either resident or visitor parking spaces.

55A.4.6 The roadway system shall be private. The Community Association shall be responsible for the maintenance, repair and replacement of the road system and shared driveways. Primary collector roads shall be twenty-four (24) feet in width, secondary arterial roads shall be eighteen (18) feet in width and shared driveways shall be fourteen (14) feet in width. The roadway and driveway plan shall meet the approval of the Commission. The profile of the primary collector road shall be constructed to Town standards to require a 12-inch gravel base and 4 inches of asphalt. Suitable pedestrian walkways and trails shall be provided.

55A.4.7 All road and storm drainage facilities within the Development shall be constructed in accordance with Best Management Practices (BMP's) for storm water quality and management, as specified in Section 30. Sheet flow techniques and roadside swaling shall be encouraged over curbing, catch basins, and manholes. The storm water management plan shall provide for a zero increase in peak runoff from the site. All road and storm drainage facilities within the development shall be maintained, repaired, and replaced by the Homeowners' Association. An annual report of said maintenance and repairs shall be provided The Homeowners' Association to the Town Engineer. (Effective date 5/15/15)

55A.4.8 Twenty-five (25%) percent of the site shall be set aside as contiguous public open space. A conservation restriction area may be included in determining the percentage. At least 25% of the minimum required public open space shall not be designated as wetlands or have greater than a 25% slope. In addition, at least another 10% of the site shall be designated as private open space. Water quality basin areas and conservation restriction areas may be included in determining the percentage of private open space. At least 25% of the minimum requested private open space shall not be designated as wetlands or have greater than a 25% slope.

55A.4.9 **The ARHb development may include a clubhouse, gazebo or public area.**

## 55A.5 Affordable Housing

**The Commission may authorize a density bonus of up to a total of 4 units per acre if the applicant proposes 10% affordable housing.**

55A.6 Homeowners' Association and Deed Restrictions

A homeowner's association (common interest ownership association per CGS Chapter 828) for the ARHb development must be established to the satisfaction of the Commission and in accordance with Connecticut Law. The association documentation must be recorded on the land records of the Town of Watertown and must, at a minimum, contain the age, occupancy, and other restrictions and limitations contained in this ARHb regulation. The association shall be responsible for ensuring compliance with said restrictions. The restrictions as to age and number of occupants shall be specifically included as an encumbrance on the deed of each unit to be recorded on the land records.



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*Received 10/24/23*

## **BUNKER HILL ROAD PLANNED DEVELOPMENT DISTRICT**

**PURPOSE:** The Bunker Hill Road Planned Development District (BHRPDD) is intended to accommodate a mixture of residential multi-family dwellings and industrial uses, in order to promote sound development on previously undeveloped parcels along Bunker Hill Road and New Wood Road. The goal is to create a cohesive development to bring economic growth, jobs and housing to the town and promote responsible development of underutilized properties while maintaining or preserving the existing character of the area. THE BHRPDD will serve as a transition zone between the residential R-70 Zone and the industrial zone IR-80.

**PERMITTED USES:** The following uses may be permitted subject to the Site Plan approval and compliance with the qualifying standards and other provisions of the PDD Regulation.

- a. Multi-family residential uses.
- b. Manufacturing, processing or assembly of goods.
- c. Research or development facilities.
- d. Warehousing, wholesale or distribution businesses.
- e. Building contractors' businesses and storage yards.
- f. Lumber and building materials businesses.
- g. Freight and materials trucking terminals and businesses.
- h. Plants for processing, packaging and distribution of edible dairy products and the packaging and distribution of beverages.
- i. Painting, plumbing, electrical, sheet metal, carpentry, wood working, blacksmith, welding, and machine shops.
- j. Motor vehicle repair facilities accessory to another permitted use on the same lot.
- k. Establishments for the rental of automobiles, trucks, trailers, or farm equipment.
- l. Nurseries or garden supply facilities.
- m. Indoor or outdoor self-storage facilities
- n. Open space.
- o. Signs.
- p. Off-street parking facilities accessory to a permitted use.
- q. Outdoor storage of materials associated with a permitted use.
- r. Accessory uses and structures customary with and incidental to any permitted uses.

**SITE PLAN REVIEW:** At the time of Site Plan approval the overall site should include a complete vehicular circulation system.

1. Vehicular circulation that adequately serves all areas and components of the development
2. Separate development driveways for multi-family residential and industrial uses are encouraged to separate residential passenger car and industrial truck traffic.

**ADDITIONAL STANDARDS:** In addition to the standards contained in the Plan Development District Regulation, these additional standards are applicable:

- a. The BHRPDD shall consist of an assemblage of lots totaling not less than 15 acres.
- b. Re-subdivision of the existing lot assemblage shall be allowed as per the Watertown Subdivision Regulations, provided that the overall limits of the BHRPDD shall remain unchanged.
- c. Mixed-use site development shall be permitted but is not required.
- d. Multifamily residential shall be permitted at a maximum density of 12 units per acre, with a minimum requirement of 10% of the dwelling units as affordable housing as defined in CGS Section 8-30g, a minimum of ten (10%) percent of the residential units shall be restricted to a rent at an affordable rate to persons with an income not exceeding eighty (80%) percent median income for the Town of Watertown or statewide median income, whichever is least, based on data published by the U.S. Department of Housing and Urban Development as in effect on the first day of a signed lease.

- e. The maximum height of any building shall be 60 Ft. as defined in Section 2.2 and Section 6.3.9 of the Zoning Regulations.
- f. Open space shall be integrated into the project, but no internal screening or buffering shall be required between multiple pad sites.
- g. Phased development of a Site Plan shall be allowed.
- h. Front yard, side yard and rear yard setbacks shall be a minimum of 35 feet from any boundary.
- i. Screening, buffers and landscaping shall be provided for adjacent residential properties, so as to maximize areas of natural vegetation, visually screen undesirable sites features such as loading areas, and provide buffers to minimize the impact of potentially incompatible land uses.
- j. The requirements for multi-family residential lots shall be as follows:
  - i. There shall be a maximum of two bedrooms per dwelling unit.
  - ii. No more than sixty-five percent (65%) of the total number of multi-family units shall be limited to two bedrooms.
  - iii. At least thirty-five percent (35%) of the total number of multi-family units shall be one bedroom or studio.
  - iv. Residential buildings shall be limited to three stories.
  - v. Parking for multifamily uses shall be provided at a minimum of 1.88 parking spaces per dwelling unit.
  - vi. The maximum building coverage shall be 15%
  - vii. The maximum impervious surface coverage shall be 25%.
  - viii. The maximum floor area ratio shall be 40%.
- k. The requirements for industrial lots shall be as follows:
  - i. The maximum building coverage shall be 40%
  - ii. The maximum impervious surface coverage shall be 65%.
  - iii. The maximum floor area ratio shall be 50%.
  - iv. A 500-foot buffer shall be provided between any impervious surface in an industrial development and any residential structures along Middlebury Road in place at the time of the proposed development application.
  - v. Off-site signage shall be permitted for industrial parks in accordance with Section 32.11 of the Zoning Regulations.
- l. Parking for all non-residential uses shall be provided in accordance with Section 34.5 of the Zoning Regulations.
- m. All proposed light fixtures shall be DarkSky Approved.
- n. Public Right of Ways are permitted and shall not exceed a length of 3000 feet.

## PROCEDURAL REQUIREMENTS

**APPLICATION/SITE PLAN:** An application and Site Plan to develop within the BHRPDD shall be submitted to the Commission in writing and shall be signed by the Owner of any such parcel within the proposed district, and shall be accompanied by the following:

1. A written statement specifying the proposed uses of the area, special design considerations and features, and how the proposal is consistent with the purpose of the BHRPDD.
2. The Commission by a two-thirds vote of the entire Commission may waive the submission of any or all of the requirements of Section 8 or Section 60 of the Zoning Regulations, if it finds that the information is not necessary in order to decide the application for a PDD.
3. A noise study shall be required that demonstrates compliance with the Connecticut Department of Energy and Environmental Protection (DEEP) and the Watertown Noise Ordinance, for any industrial development in this zone.
4. In addition to the traffic information required by Section 8, the application shall include a traffic study in accordance with Subsection 9.4.
5. Floor plans and elevations for all proposed buildings.
6. In addition to the lighting information required by Section 8 and Section 33, the application shall



include a photometric plan.

7. Snow storages areas shall be shown on the Site Plan in accordance with Section 58.10 of the Zoning Regulations.
8. Typical cross sections shall be provided to demonstrate the general relationship between proposed industrial development and existing residential structures.

# Re: Bunker Hill Road Planned Development District (BHRPDD) Application

*Submitted P. H.  
9/6/23 -*

Bunker Hill Rd. & New Wood Rd  
Watertown , CT 06795  
Project # 22102801  
Map 158 Block 45 Lot 118A, Map 151 Block 45 Lot 12, and Map 165 Block 45 Lot  
116

October 3, 2023

Town of Watertown Connecticut  
Land use Administration  
Cc: Mark Raimo, Town Manager  
Watertown Municipal Center  
61 Echo Lake Rd  
Watertown, Connecticut

Dear Planning and Zoning Commission of the Town of Watertown, CT:

Solli Engineering for WPH Holdings, LLC, has proposed a text amendment to establish the Bunker Hill Rd Planned Development District (BHRPDD) on the parcels mentioned above. The Application looks to establish an Overlay Zoning District that will allow for mixed use residential and industrial. The Industrial plan calls for 194 Tractor trailer parking spots and 767,000 sq. ft of industrial buildings and 7 apartment buildings with 294 parking spots.

**Residents of Watertown and surrounding areas oppose this proposal for many reasons including the following:**

1. **Plan of Conservation & Development:** Is this plan consistent with the Plan of Conservation & Development?  
Per the Current plan, Straits Turnpike North is located on Route 63 and Bunker Hill Road and serves as a transitional area between the Straits Turnpike commercial area and residential neighborhoods to the north. Current uses include single-family homes, residential care facilities, and office space. Public surveys conducted during the POCD process indicate

that the community is split over whether to permit or prohibit commercial development in this area. The Future Land Use Plan recommends that future development proposals in this area should be designed in a manner that is consistent with the transitional nature of this area and should be considered on a case-by-case basis. Special consideration should be given to potential visual and traffic impacts to surrounding residential areas, and community outreach should be conducted for future development proposals (*Plan of conservation & development*. n.d.).

Approval of this application is prohibited because it is contrary to the plan of conservation and development. It does not seek a case-by-case development pattern. Rather, it seeks a blanket, wholesale zone change to industrial adjacent to an existing residential zone. Moreover, if consideration is given to the visual and traffic impacts as required by the plan of conservation and development, then this application cannot be granted as it would cause unprecedented increases in traffic which would forever change the character of the area.

2. **Zoning Transitions:** The proposed property is currently R70 and directly abuts IR80 and R70 and R30 residential properties. The proposed plan does not mention how they will transition to the R70 & R30 residential properties on Bunker Hill and Middlebury Rd. Based on the proposed site map, industrial buildings would be in direct contact with R70 & R30 residential properties stating only a 35 ft setback. Where is the buffer? That is not transitional.
3. **Overlay Zoning:** The key characteristic of overlay zoning is that it layers another set of regulations on top of the existing zoning regulations, but it does not replace them. The proposal presents an overwhelming focus on the industrial side behind a screen of "mixed use." The parking spots for the industrial side include over 1200, with 194 of them marked for tractor trailers, while the Residential side has only 294 spots! That is over 423 % more industrial spaces than residential. Is that really "mixed use"? Is that transitional?

4. Traffic: The preliminary traffic study was conducted on Straits Turnpike, Davis St. Extension, Bunker Hill Rd, and New Wood Rd. It did not address the traffic that would be deterred to Middlebury Rd, a residential road that constantly sees increased traffic flow when Straits Turnpike is backed up and from those trying to avoid the lights. Middlebury Rd is 25 mph Rd. and has recently been reported by the town as a road that has seen speeds as high as 95 mph. This traffic study is not complete and should require a CT DOT study that includes the added business and developments including the new medical center on Straits Turnpike, the new Cumberland Farms, the Ivy @ Watertown and Subaru dealership.
- a. "Peak Hour" the study reports the development will generate 193 new trips during the morning "peak hour" and 218 new trips during the PM "peak hour". What about the other hours in the day when school busses are traveling and parents are trying to get their kids to school and work? Traffic from distribution facilities do not run one hour a day. With parking spots available for 194 tractor trailers and the unknown amount of loading docks, it seems impossible that the surrounding roadway network could accommodate this without any off site improvements. What will these off site improvements cost the town and it's residents?
5. Industrial Zoning Overlay Pollution: Noise, lights, visual site line, environmental protections, contaminated snow removal, diesel fuel, blasting, etc. To say that there will be no impacts to the current environment is inconceivable. The surrounding neighborhoods will hear, see and smell the impacts of this plan for years to come. The prosed plan states a 35 ft setback, ...35 ft. How is that transitional?

#### References

*Plan of conservation & development.* Watertown, CT. (n.d.).  
[https://www.watertownct.org/departments/planning\\_\\_\\_zoning/plan\\_of\\_conser\\_vation\\_\\_\\_development.php](https://www.watertownct.org/departments/planning___zoning/plan_of_conser_vation___development.php)

Sincerely, The Residents of Watertown

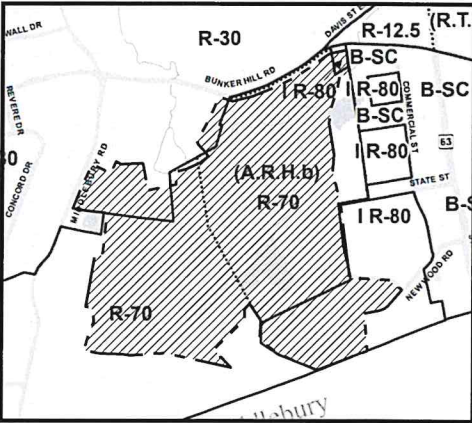


PROPOSED PDD ZONING COMPLIANCE TABLE

ZONE: BHRPDD			
ZONING REQUIREMENT	ZONING STANDARD	PROPOSED CONDITIONS	
MINIMUM LOT ASSEMBLAGE	15 AC	195.83 AC	
LOT 1			
MINIMUM YARD	35 FT	124.4 FT	
MAXIMUM BUILDING HEIGHT	60 FT	< 60 FT	
MINIMUM PARKING/LOADING SETBACK	35 FT	35.0 FT	
MAXIMUM BUILDING COVERAGE	40%	10.2%	
MAXIMUM IMPERVIOUS COVERAGE	65%	24.9%	
MINIMUM DISTANCE TO CLOSEST RESIDENTIAL STRUCTURE	500 FT	611 FT	
FLOOR AREA RATIO (FAR)	0.50	0.10	
LOT 2			
MINIMUM YARD	35 FT	112.0 FT	
MAXIMUM BUILDING HEIGHT	60 FT	< 60 FT	
MINIMUM PARKING/LOADING SETBACK	35 FT	35.0 FT	
MAXIMUM BUILDING COVERAGE	40%	5.6%	
MAXIMUM IMPERVIOUS COVERAGE	65%	13.4%	
MINIMUM DISTANCE TO CLOSEST RESIDENTIAL STRUCTURE	500 FT	> 1,000 FT	
FLOOR AREA RATIO (FAR)	0.50	0.06	
LOT 3			
MINIMUM YARD	35 FT	94.3 FT	
MAXIMUM BUILDING HEIGHT	60 FT	< 60 FT	
MINIMUM PARKING/LOADING SETBACK	35 FT	35.9 FT	
MAXIMUM BUILDING COVERAGE	40%	18.3%	
MAXIMUM IMPERVIOUS COVERAGE	65%	44.4%	
MINIMUM DISTANCE TO CLOSEST RESIDENTIAL STRUCTURE	500 FT	> 1,000 FT	
FLOOR AREA RATIO (FAR)	0.50	0.18	
LOT 4			
MINIMUM YARD	35 FT	249.2 FT	
MAXIMUM BUILDING HEIGHT	60 FT	< 60 FT	
MINIMUM PARKING/LOADING SETBACK	35 FT	37.5 FT	
MAXIMUM BUILDING COVERAGE	40%	14.4%	
MAXIMUM IMPERVIOUS COVERAGE	65%	38.3%	
MINIMUM DISTANCE TO CLOSEST RESIDENTIAL STRUCTURE	500 FT	> 1,000 FT	
FLOOR AREA RATIO (FAR)	0.50	0.14	
LOT 5			
MINIMUM YARD	35 FT	38.7 FT	
MAXIMUM BUILDING HEIGHT	3 STORES/60 FT	< 60 FT	
MAXIMUM RESIDENTIAL DENSITY	12 UNITS / ACRE	9.23 UNITS / ACRE	
MAXIMUM BUILDING COVERAGE	15%	10.8%	
MAXIMUM IMPERVIOUS COVERAGE	25%	24.8%	
FLOOR AREA RATIO (FAR)	0.40	0.30	

GENERAL NOTES

- EXISTING BOUNDARY INFORMATION TAKEN FROM BASEMAP ENTITLED "PROPERTY SURVEY OF 0 BUNKER HILL ROAD (151-45-12), 0 STRAITS TURNPIKE (158-45-118A) & 0 STRAITS TURNPIKE (165-45-12), WATERTOWN, CONNECTICUT, PREPARED FOR WPH HOLDINGS LLC", DATED APRIL 14, 2023 AND PERFORMED BY ACCURATE LAND SURVEYING, LLC.
- THE SUBJECT SITE CONSISTS OF THREE (3) SEPARATE PARCELS, #151-45-12, #158-45-118A, AND #165-45-12 LOCATED IN THE TOWN OF WATERTOWN, CONNECTICUT. THE AGGREGATE AREA OF THE SUBJECT PARCELS IS APPROXIMATELY 195.83 ACRES. THE PARCEL SIZE AND ZONE BREAKDOWN ARE AS FOLLOWS:
  - PARCEL #151-45-12: 91.89 ACRES, RESIDENTIAL (R-70) ZONE W/ AGE RESTRICTED HOUSING - 150 TO 200 ACRES OVERLAY (A.R.H.B.)
  - PARCEL #158-45-118A: 79.66 ACRES, RESIDENTIAL (R-70) ZONE
  - PARCEL #165-45-118: 23.28 ACRES, RESTRICTED INDUSTRIAL-80 (R-80) ZONE
- INDUSTRIAL USES ARE NOT PERMITTED IN THE R-70 ZONE. THEREFORE A ZONE CHANGE WILL BE REQUIRED. A NEW ZONE, THE BHRPDD, WILL BE ESTABLISHED AND WILL ALLOW FOR INDUSTRIAL USES. MULTI-FAMILY DWELLINGS ARE ALSO NOT PERMITTED IN THE R-70 ZONE. THEREFORE THE NEW ZONE WILL ALLOW FOR MULTI-FAMILY DWELLINGS.
- PORTIONS OF THE SUBJECT PARCELS LIE IN THE 100-YEAR FEMA FLOOD PLAIN. FLOOD PLAIN INFORMATION TAKEN FROM FEMA FLOOD RATE INSURANCE MAP (FIRM) #09058006B AND #0909C010H.



TOWN ZONING MAP

Map Code	Residential Districts	Map Code	Industrial Districts
R-30	Residential R-30	R-12.5	General Industrial 20
R-70	Residential R-70	R-80	General Industrial 80
R-10	Residential R-10	R-80	Restricted Industrial 80
R-20	Residential R-20	R-20	Restricted Industrial 200
R-12.5	Residential R-12.5		
R-10	Residential R-10		
R-40	General Residence		
Map Code	Commercial Districts	Map Code	Overlay/Transition Districts
B-1	Business Central Business	APZ	Amateur Recreation
B-2	Local Business	CPA	Development and Land Prime Areas
B-3	Medical and General Business	ARH	Age Restricted Housing (14-19 acres)
B-4	Shopping Center Business	ARH	Age Restricted Housing (19-200 acres)
B-5	General Business 1	RT	Residential Transition
B-6	General Business 2	UPD	Desired Residential Development
B-7	General Business 3	UPD	Planned Commercial District
B-8	General Business 4		

New Sheet  
10/26/23

PROPOSED PARKING COMPLIANCE TABLE

PROPOSED DEVELOPMENT	UNIT	REQUIREMENT	REQUIRED	PROVIDED
PROPOSED DISTRIBUTION FACILITY/INDUSTRIAL BUILDING (LOT 1)	287,500± SF	1 SPACES/ 750 SF GFA	384	384
PROPOSED DISTRIBUTION FACILITY/INDUSTRIAL BUILDING (LOT 2)	150,000± SF	1 SPACES/ 750 SF GFA	200	200
PROPOSED DISTRIBUTION FACILITY/INDUSTRIAL BUILDING (LOT 3)	150,000± SF	1 SPACES/ 750 SF GFA	200	229
PROPOSED DISTRIBUTION FACILITY/INDUSTRIAL BUILDING (LOT 4)	180,000± SF	1 SPACE/ 750 SF GFA	240	254
MULTI-FAMILY RESIDENTIAL* (LOT 5)	156 UNITS	1.88 SPACES/UNIT	294	294

\*PRELIMINARY CONVERSATIONS WITH THE TOWN OF WATERTOWN PLANNER HAVE INDICATED THAT THE REQUIREMENT OF PROVIDING (1) GARAGE PARKING SPACE PER DWELLING UNIT (SECTION 48.6.3) CAN BE WAIVED FOR THE PROPOSED DEVELOPMENT

LEGEND

---	PROPERTY LINE
---	RIGHT-OF-WAY LINE
---	ADJOINING LOT LINE
---	ZONE LINE
---	TOWN BOUNDARY
---	BUILDING SETBACK
---	LANDSCAPE BUFFER
---	STORMWATER BASIN/RAIN GARDEN AREA
---	LIMIT OF WETLANDS
---	UPLAND REVIEW AREA - 100 FT BUFFER

1 10/26/23 BHRPDD RESUBMISSION  
Rev. #: Date Description

Graphic Scale:  
200 0 200 400

**SOLLI**  
ENGINEERING  
301 Main Street, Meriden, CT 06460 T: (203) 880-5455 F: (203) 880-9095  
11 Vanderbilt Ave, Newmilford, MA 02861 T: (781) 332-4491 F: (203) 880-9095

Drawn By: VER  
Checked By: LAM  
Approved By: KMS  
Project #: 22102801  
Plan Date: 08/30/23  
Scale: 1" = 200'  
Kevin Solli, P.E.  
CT 25759

PROPOSED DEVELOPMENT  
BUNKER HILL ROAD  
WATERTOWN, CONNECTICUT

Sheet Title: MASTER SITE PLAN  
Sheet #: 2.10





## Town of Watertown Connecticut

Planning and Zoning, Zoning Board of Appeals,  
Conservation Commission/Inland Wetland Agency

**Watertown Government Municipal Center**

61 Echo Lake Road

Watertown, CT 06795

Telephone: (860) 945-5266

Fax: (860) 945-4706

Website: [www.watertownct.org](http://www.watertownct.org)

To: Planning and Zoning Commission  
From: Mark Massoud, Administrator For Land Use/Building Services  
Date: November 1, 2023  
Subject: Planning and Zoning Commission Meeting Dates for Calendar Year  
2024

Please find below the Planning and Zoning Commission dates for calendar year 2024. The meetings will be held in the Watertown Town Hall, Town Council Chambers, 61 Echo Lake Road, Watertown, CT at 6:30PM.

### **Planning and Zoning Commission Dates**

January 3, 2024

February 7, 2024

March 6, 2024

April 3, 2024

May 1, 2024

June 5, 2024

July, 2024 – No meeting

August 7, 2024

September 4, 2024

October 2, 2024

November 6, 2024

December 4, 2024



United States Department of Agriculture

RECEIVED

OCT 13 2023 September 25, 2023

TOWN MANAGERS' OFFICE  
WATERTOWN, CT

TO: Town of Watertown  
First Selectman's Office and/or  
Conservation Commission  
37 DeForest Street  
Watertown, CT 06795

RE: CONNECTICUT STATEWIDE IMPORTANT FARMLAND CRITERIA UPDATE

To help maintain the productive capacity of American agriculture, the U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) has developed criteria and guidelines to inventory important farmlands. Earlier this year, Connecticut NRCS proposed to update its farmland designation criteria for *Farmland of Statewide Importance* to allow for "not more than 3 percent of the soil surface is covered by stones 10 in (25 cm) to 24 in (60 cm) diameter." This change would allow for some *very stony* soil map units to be designated as Farmland of Statewide Importance. The result of these changes is a more equitable designation across Connecticut, as these designations are used to assess eligibility and ranking for certain USDA program benefits. Further, the new designations are consistent with criteria/designations in other states of our region such as Massachusetts.

The proposal was accepted following notification to the State Technical Advisory Committee and a 30-day comment period. Edits reflecting this criteria change were made to the farmland designations in the official soil survey data for the State of Connecticut. The new version of soil survey data will be published in late-September 2023. Official soil survey data is available from Web Soil Survey.

These farmland designation criteria changes result in the following changes to the Soil Survey of the State of Connecticut:

- 339,153 acres changed to Farmland of Statewide importance.
  - **Some of this acreage was previously designated as *Locally Important Farmland* in select towns including Watertown. This change to Farmland of Statewide importance supersedes the Locally Important Farmland designation, resulting in a more equitable designation across the state as these designations are used to assess eligibility and ranking for certain USDA program benefits.**
- 8 map units currently designated as Locally Important Farmland in select towns would *not* be changed to Farmland of Statewide Importance, so the Locally Important designation would not become obsolete as a result of the proposed change.
  - These unchanged map units are associated with bedrock-controlled landforms. Connecticut and Massachusetts currently have consistent farmland designation criteria as related to amount of bedrock outcrop/exposures.

Natural Resources Conservation Service  
344 Merrow Road, Suite A  
Tolland, CT 06084

USDA is an equal opportunity provider, employer, and lender.

- Please see the attached proposal correspondence from March 2023 with supplemental figures and tables that illustrate and detail the changes that result from the proposed surface stoniness criteria change.

Changes to Local Important Farmland lists in Watertown:

The soil map units listed in Table 1 were designated in Watertown as Farmland of Local Importance in previous versions of the Soil Survey of the State of Connecticut:

Table 1. Soil Map Units changed from Farmland of Local Importance (in Watertown) to Farmland of Statewide Importance

Soil map unit symbol	Soil map unit Name
46B; 46C; 51B; 58B; 58C; 61B; 61C; 85B; 85C	Woodbridge fine sandy loam, 0 to 8 percent slopes, very stony; Woodbridge fine sandy loam, 8 to 15 percent slopes, very stony; Sutton fine sandy loam, 0 to 8 percent slopes, very stony; Gloucester gravelly sandy loam, 3 to 8 percent slopes, very stony; Gloucester gravelly sandy loam, 8 to 15 percent slopes, very stony; Canton and Charlton fine sandy loams, 0 to 8 percent slopes, very stony; Canton and Charlton fine sandy loams, 8 to 15 percent slopes, very stony; Paxton and Montauk fine sandy loams, 3 to 8 percent slopes, very stony; Paxton and Montauk fine sandy loams, 8 to 15 percent slopes, very stony

The soil map units listed in Table 2 were designated in Watertown as Farmland of Local Importance are unaffected by this year’s farmland designation criteria change:

Table 2. Soil Map Units that will remain designated as Farmland of Local Importance in Watertown in the updated version of the Soil Survey of the State of Connecticut

Soil map unit symbol	Soil map unit Name
73C	Charlton-Chatfield complex, 0 to 15 percent slopes, very rocky

This change in designation from Farmland of Local Importance to Farmland of Statewide importance has no adverse effect to Watertown town citizens applying for USDA benefits or related conservation benefits from partner agencies that use USDA farmland classification data. This correspondence letter functions to provide transparency regarding changes to the town’s Farmland of Local Importance list, and no action is required on behalf of the Town of Watertown.

If you have any questions or concerns, please reach out to Jacob Isleib at [jacob.isleib@usda.gov](mailto:jacob.isleib@usda.gov).





United States Department of Agriculture

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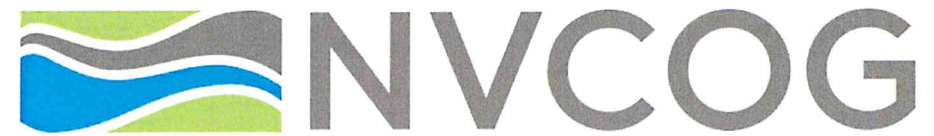
Respectfully,

A handwritten signature in blue ink, appearing to read "J. Isleib", written in a cursive style.

Jacob Isleib  
State Soil Scientist, Connecticut & Rhode Island  
US Department of Agriculture, Natural Resources Conservation Service

Natural Resources Conservation Service  
344 Merrow Road, Suite A  
Tolland, CT 06084

USDA is an equal opportunity provider, employer, and lender.



This is to certify that

**Robert Marinaro**

Has successfully completed (4) hours of training that  
meet the CGS Sec. 8-4c Commissioner training  
guidelines and requirements.

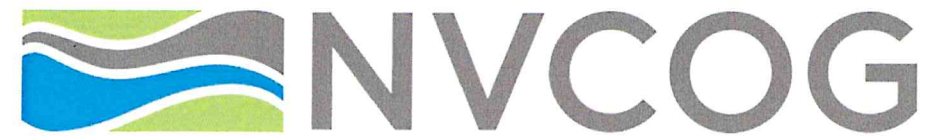
*The training included, but was not limited to: Affordable and Fair Housing Policies,  
Historic District Commissions, Low Impact Development, Aquifer Protection, Inland  
Wetlands and Watercourses, and Flood Management.*

A blue ink signature of Rick Dunne, written in a cursive style.

**September 21, 2023**

Rick Dunne, NVCOC  
Executive Director





This is to certify that

**Ken Demirs**

Has successfully completed (4) hours of training that  
meet the CGS Sec. 8-4c Commissioner training  
guidelines and requirements.

*The training included, but was not limited to: Affordable and Fair Housing Policies,  
Historic District Commissions, Low Impact Development, Aquifer Protection, Inland  
Wetlands and Watercourses, and Flood Management.*

A blue ink signature of Rick Dunne, written in a cursive style.

**September 21, 2023**

Rick Dunne, NVCOC  
Executive Director





## TOWN OF MIDDLEBURY

1212 Whittemore Road

Middlebury, CT 06762

*Planning & Zoning Department*

*203-577-4162 Ext. 2*

*[cbosco@middlebury-ct.org](mailto:cbosco@middlebury-ct.org)*

October 4, 2023

To the Town Clerks of Contiguous Towns,

Please find a copy of Application 23-67Z (text amendment) and 23-68Z (map change) received by the Middlebury Planning and Zoning Commission.

The Commission is expected to commence the Public Hearing for November 2, 2023 but will continue it if your reply is not received by that date to allow for the required 35-day window.

Feel free to contact me if you have any questions at (203) 577-4162 X-2 or by email at

[cbosco@middlebury-ct.org](mailto:cbosco@middlebury-ct.org).

Sincerely,

Curtis Bosco

C.Z.E.O.

WATERBURY, CT  
TOWN CLERKS OFFICE  
RECEIVED FOR RECORD  
2023 OCT -6 AM 11:30  
TOWN CLERK





**Town of Middlebury**  
**Planning and Zoning Department**  
1212 Whittemore Road, Middlebury, CT 06762  
203-577-4162 x2  
cbosco@middlebury-ct.org

**Zoning Permit Application**

09/28/2023

23-67Z

**Property Type:** Residential

Property

Location of Subject Property: 124 KELLY RD

Assessor's Tax Map/Block/Lot Number: 4-08 0 318~2053

Lot Size: 77.1 Zoning District: LI-80/R-40/PRD

Check all that apply: ☒ Wetlands ☒ Floodplain (FEMA) ☐ Aquifer

Related planning permits: Text Amendment Application

The subject property is served by: Private Well\* ☒ Public Water

Private Septic\* ☒ Public Sewer

**\*Requires approval from Torrington Area Health District prior to Zoning Permit Application review.**

Applicant

Name of Applicant (primary contact): Kyle P. Richards

Company: Metro Realty Management Corp

Address: 6 Executive Drive #100 Farmington CT 06032

Daytime Phone/Cell: 8606745637

Email Address: krichards@metro-realty.com

Owner

Name of Owner (if different from Applicant): MIDDLEBURY LAND DEVELOPMENT LLC

Address: 124 KELLY RD MIDDLEBURY, CT 06762

Daytime Phone/Cell: 203.346.4300

Email Address: dpayne@timexgroup.com

Proposal

Application for:	New Primary Structure	Addition	Barn	Deck
	Detached Garage	Ground Mounted Solar	Pool	Shed
	Change of Use	Special Exception	ZBA	<input checked="" type="checkbox"/> Other: <u>Text Amendment Application</u>

Briefly describe the proposal (provide dimensions and location):

LENGTH: \_\_\_\_\_ WIDTH: \_\_\_\_\_ HEIGHT: \_\_\_\_\_ SQUARE FOOTAGE: \_\_\_\_\_

This application includes parcel 4-08 / 319 also owned by Middlebury Land Development, LLC consisting of ~8.2 acres, which is included in the total 77.1 acres. This application is proposing Section 28 Planned Rental Housing Development Overlay District which is attached.

Zoning Permit Application

**Documentation**

A stamped and signed Site Plan prepared by a CT Licensed Surveyor or Professional Engineer of an A-2 standard is required for most Zoning Permit Applications. For minor structures such as Decks, Sheds or small Additions one may not be required. Attach a copy of a map, drawn to scale, of the subject parcel, indicating the size of the property and the location, dimensions, and square footage of all existing and proposed structures and related site work. A map can be obtained from the municipal online GIS system. It can be accessed at: <https://middlebury.mapxpress.net/>

The final determination concerning documentation is at the discretion of the Zoning Enforcement Officer or the Planning & Zoning Commission.

**Signatures**

By signing below, I hereby attest that I understand the application requirements, and that the information I have provided on this form is complete and accurate. I understand that this is not a Zoning Permit and that upon approval by the Zoning Official, a Zoning Permit may be issued. I further understand that approval from other municipal departments and regional entities may be required, which may increase the review time.

**Applicants For Single Family Homes:**

I understand that prior to issuing a Certificate of Zoning Compliance, a *minimum* of 5 business days is required in order to review plans, conduct inspections, and request any modifications or bonds. I also understand that all plans shall meet the minimum standards outlined in the *Zoning Permit & Final As-Built Plan Specifications* document.

Applicant's signature: Kyle Richards Date: 09/28/2023

Owner's signature: MIDDLEBURY LAND DEVELOPMENT LLC Date: 09/28/2023  
(REQUIRED if different from Applicant)

OFFICIAL USE ONLY		Conditions/Stipulations
FEE	3,805.00 <i>PAID</i>	<div>RECEIVED</div> <div>SEP 28 2023</div> <div>Middlebury Land Use Office</div> <div>Middlebury, CT 06762</div>
Fee:	\$145.00 + 760.00	
Additional Charges:	\$0.00 1,400.00 + 1,500.00	
Application #:	23-67Z	
BONDS	<div><div>SEP 28 2023</div><div>MIDDLEBURY TAX COLLECTOR</div></div>	
Bond required?	Yes	
Bonds paid:	Erosion & Sedimentation Control	
Driveway Apron	Landscaping	Other
Total Bond Amount: \$0.00		



Town of Middlebury, CT  
Planning and Zoning Department  
1212 Whittemore Road, Middlebury, CT 06762  
203-577-4162 x2

09/28/2023

ZONE CHANGE APPLICATION

Draft

**Applicant Information:**  
Name: Kyle Richards  
Address: 6 Executive Drive #100 Farmington CT 06032  
Daytime Phone/Cell: 8606745637  
Email: krichards@metro-realty.com  
Legal Interest: Contract Owner

**Owner Information:**  
Name: MIDDLEBURY LAND DEVELOPMENT LLC  
Address: 124 KELLY RD MIDDLEBURY, CT 06762  
Daytime Phone/Cell: 203.346.4300  
Email: dpayne@timexgroup.com

**Subject Parcel:**  
Address: 124 KELLY RD  
Size: 77.1 Assessor's Map and Lot # : 4-08 318~2053  
Is the subject parcel within 500 ft. of the Town boundary? ☒ yes ☐ no  
Zone Change Requested from \_\_\_\_\_ to \_\_\_\_\_

**Purpose of Request:** Text Amendment  
This application includes parcel 4-08 / 319 also owned by Middlebury Land Development, LLC consisting of ~8.2 acres, which is included in the total 77.1 acres. This application is proposing Section 28 Planned Rental Housing Development Overlay District which is attached.

**Parties of Interest:**

Attorney Name: Edward G. Fitzpatrick

Address: 203 Church, Naugatuck, CT 06770

Daytime Phone/Cell: 203.729.4555

Email: fitz@fssplaw.com

Engineer/ Architect Name: Thomas J. Daly

Address: 99 Realty Drive, Cheshire, CT 06410

Daytime Phone/Cell: 475.244.2309

Email: tdaly@slrconsulting.com

Developer/ Builder Name: The Metro Realty Management Corporation/Kyle Richards

Address: 6 Executive Drive - Suite 100

Daytime Phone/Cell: 860.919.6972

Email: krichards@metro-realty.com

Other: \_\_\_\_\_ Role: \_\_\_\_\_

Address: \_\_\_\_\_

Daytime Phone/Cell: \_\_\_\_\_

Email: \_\_\_\_\_

**Fees:**

Zone Change Fee = \$ 760.00 (Payable to the Town)

**Signatures:**

Signature of Owner(s) MIDDLEBURY LAND DEVELOPMENT LLC Date: 09/28/2023

Signature of Applicant(s) Kyle Richards Date: 09/28/2023



**SECTION 28**  
**PLANNED RENTAL HOUSING DEVELOPMENT OVERLAY DISTRICT**

**28.1      Purpose:**

The purpose of the Planned Rental Housing Development Overlay District ("PRHD") is (1) to provide for diversity of residential rental housing types and sizes, (2) to provide additional affordable or economical housing, (3) to protect environmentally significant areas and (4) to preserve significant amounts of open space by allowing flexibility in the design and placement of residential rental structures.

**28.2      Qualifying Standards:**

No parcel of land shall be considered for a Planned Rental Housing Development Overlay District unless it complies with the following standards:

- 28.2.1      All or a portion of the parcel(s) shall be located in (and thereafter if approved shall be designated in conjunction with) an R-40 Residential District in areas of the Town of Middlebury, specified below ("Eligible Area"). Such district shall be designated on the zoning map as R-40/PLRD. In addition, an identifying number may be assigned to each district. The Eligible Area is:
- The area bounded northerly by 1579 Straits Turnpike; easterly by Straits Turnpike; southerly by Kelly Road; and westerly by a property now or formerly of the Estate of Lee Johnson.
- 28.2.2      The minimum size for a Planned Rental Housing Development District is 50 contiguous acres; the maximum size is 80 acres. For the purposes of this section, property separated from other property by a Town road shall be considered to be contiguous, provided that there is a minimum of 30 acres on each side of such Town road.
- 28.2.3      The PRHD must contain 200 ft. minimum road frontage. The Commission may, however, approve reduced frontage (but not less than 150 feet) if existing conditions would permit such access which would not adversely affect abutting property or be detrimental to the neighborhood. The minimum road frontage must be on a Street designated as an arterial roadway or a collector street in the Middlebury Plan of Development.
- 28.2.4      PRHDs may be created within existing zoning districts located in Eligible Areas or may be rezoned together with a paired [R-40] residential district classification from non-residential district in an Eligible Area.
- 28.2.5      The PRHD is only allowed where: (a) access to existing or extended sanitary sewer lines is available, provided the Water Pollution Control Authority (or City of Waterbury if the sewer line will be connected to the City's system) has

determined that sufficient capacity exists or will exist upon completion of such extension, and (b) immediate access to an existing public water system is available, provided the Connecticut Water Company has determined an adequate supply exists.

**28.3      Density:**

**28.3.1      Standard Density:**

The maximum number of units allowed in the PRHD shall be four (4) housing units per each acre calculated based on the gross total acres in the PRHD. For example, if there is a 50 acre site, the maximum number of units shall be 200 units provided all other standards of the PRHD are satisfied including, without limitation, standards for minimum frontage, setbacks and maximum building coverage.

**28.4      Procedure for Establishing Planned Rental Housing Development Districts**

**28.4.1      Establishment:**

All Planned Rental Housing Development Districts shall be considered a change of zone subject to the requirements and procedures of Section 8-3 of the Connecticut General Statutes, except as noted herein. Except as set forth in Subsection C below, a Planned Rental Housing Development District shall be established only in conjunction with approval of a Preliminary Development Plan for the entire District by the Planning and Zoning Commission. The purpose of the Preliminary Development Plan shall be to indicate the general intent and arrangement of the proposed development. For the avoidance of doubt, an application for a Preliminary Development Plan can be filed at the same time as a Final Development Plan provided that approval of the Final Development Plan is contingent on approval of the Preliminary Development Plan.

**A.      Zone Change Application:**

A completed application for zone change approval, with the required fee, shall be submitted to the Commission accompanied by ten (10) copies of the Preliminary Development Plan meeting the requirements of Subsection 28.4.2 below. Such application shall include the full text of the proposed zoning amendment necessary for complete approval of the Planned Residential Development District, together with a statement of maximum proposed density and the calculation thereof in compliance with Subsection 28.3 above.

**B.      Public Hearing:**

After receipt of a complete zone change application, complete preliminary plan of development and required application fees, the Commission shall hold a public hearing and take action to approve, approve with modification, or disapprove the zone change and Preliminary Development Plan within the time limits provided in Sections 8-3 and 8-7d of the Connecticut General

Statutes. The Commission, acting in its legislative capacity when it approves, approves with modification, or denies the zone change application and preliminary Plan of Development required by this regulation, has extensive discretion to determine compliance with the required standards.

C. Modifications:

Any modification(s) of a Preliminary Development Plan approved, or approved with modification(s), by the Commission shall be endorsed by the Commission and recorded with the Town Clerk of the Town of Middlebury in the same manner as is required hereunder for the original Preliminary Development Plan.

Any portion of the approved Design Development District for which a Final Development Plan is not approved in accordance with Subsection 28.4.7, shall be deemed subject to revocation in accordance with Subsection 28.4.7.

28.4.2

Preliminary Development Plan Submission:

Ten copies of the Preliminary Development Plan (PDP) shall be submitted to the Planning and Zoning Commission along with an application for a Certificate of Zoning Compliance. Such application shall include a clear statement explaining how the proposed zone change and PRHD meet the purposes set forth in Subsection 28.2.1 above. The Commission shall charge a fee, as may be amended from time to time, to cover review costs of a PRHD submission. The Commission shall refer the plans to the Conservation Commission for a review of the project impacts on wetlands and water courses, to the Connecticut Water Company to review the availability of public water and to either the Water Pollution Control Authority or City of Waterbury, as applicable, for review of sewer impacts. In addition, plans shall be submitted to the Architectural Review Board for comment under procedures established in Subsection 51.3 of the Zoning Regulations. The PDP plans shall include topography at two foot contour intervals. The Preliminary and Final Development Plans must be developed by either a professional engineer, architect, registered landscape architect, registered land surveyor or a professional planner, or any combination of such professionals, each to limit himself to his particular area of expertise. The PDP shall include the following:

- A. The existing and proposed vehicular circulation system including major and minor thoroughfares, collector streets, local streets, parking and loading area, and points of access to public easements and rights of-way.
- B. A written report by a qualified traffic engineer evaluating the impact of the PRHD on the transportation system, including the amount of traffic projected within and for the proposed development and the adequacy of the surrounding streets and traffic controls to accommodate existing traffic, projected traffic from the proposed development, and projected traffic from other approved developments in the area.

- C. The existing and proposed pedestrian circulation system including its interrelationships with the vehicular circulation system, open space system, and other areas of common use.
- D. A general landscape plan including the proposed treatment of common areas, usable open space, water courses and the treatment of the perimeter of the PRHD including materials and techniques to be used such as living screens, berms, fences and stone walls.
- E. Information on land areas adjacent to the proposed PRHD to indicate the relationship between the existing and proposed utilization of surrounding properties, including land uses, zoning, densities, height of structures, circulation systems, public facilities, and unique natural features.
- F. Proposed types, quantities, and general location of residential units including square footage and number of bedrooms and densities for individual sections of phases of the development as well as for the PRHD as a whole.
- G. Examples of proposed product types for the buildings, typical building layouts and elevations of all buildings (front, back and both sides) showing proposed textures, materials and colors. Identical buildings will not require multiple elevations.
- H. Proposed area regulations in conformity with this Section 28.
- I. Proposed development schedule with projected completion date(s) for the PRHD and its individual phases.
- J. Proposed number of units by bedroom count.
- K. Identification of any historic structures or features on the site.
- L. Preliminary grading and drainage information of the same nature and to the same extent required for a subdivision under the Commission's regulations and Board of Selectmen's regulations and ordinances.
- M. A map showing all wetlands areas, water courses and slopes above 25%.
- N. A listing of all property owners by tax parcel number, within 250 feet of the project boundaries.
- O. A summary table indicating compliance with the development standards. The table shall show proposed phasing, the number and type of buildings and units, number of parking spaces required and provided, square feet and percent of lot area covered by pavements and buildings, lot area,

frontage and landscape requirements and amount of open space required and provided.

- P. A report discussing projected demands for public water and sewer and evidence that an undue burden will not be place, on these services by the proposed development.
- Q. The impact of the PRHD on schools, police, fire and other municipal services.
- R. Provisions for Affordable Housing Units (as defined in Subsection 28.7.2 below), if any.
- S. Any other information the Commission deems appropriate for a proper and complete review of the Preliminary Development Plan.

#### 28.4.3

##### Findings

In order to approve a zone change and Preliminary or Final Development Plan submitted under this Section, the Commission shall first make the following findings:

- A. The purposes specified in Subsection 28.1 have been substantially met.
- B. The qualifying standards of Subsection 28.2 and the design standards of Subsection 28.9 have been met.
- C. Provisions for traffic, water, sewerage, storm water and open space are adequate, do not overburden existing streets, water, sewer and storm water drainage facilities on- or off-site and do not create storm water problems off-site.
- D. No congestion in the streets surrounding the site will result from the PRHD and the proposed development design will not require upgrading of the street system of the Town of Middlebury. This requirement can only be waived if the Commission and the Board of Selectmen in their sole discretion elect to permit the necessary upgrading at the applicant's expense. To make the necessary analysis, the applicant may be required to provide additional information, plans and data at his expense.
- E. Except with respect to extension of existing sewer lines, the proposed development design will not require upgrading of the existing on or off site sewer, water and similar municipal systems and drainage systems. This requirement can only be waived if the Commission in its sole discretion recommends, and the Water Pollution Control Authority or City of Waterbury, as applicable, or the Connecticut Water Company, as to their respective utilities, elect to permit the upgrading either on or off-site at the applicant's



expense. To make the necessary analysis, the applicant may be required to provide additional information, plans and data at his expense. For the avoidance of doubt, sewer service to the site may be provided by an extension of an existing sewer line subject to the approval of the Water Pollution Control Authority or City of Waterbury, as applicable.

- F. The need exists in the community for a different type of housing unit than is allowed under the base zone and the need exists for the number of affordable housing units suggested, if any.
- G. The development and design of the PRHD will not have an adverse effect on surrounding properties, will be in harmony with the neighborhood, and will not have an adverse effect on property values in the area.
- H. The proposed development will not have a significant adverse effect on the environment and in particular wetland and watercourse areas. In making this finding the recommendations of the Conservation Commission regarding the development will be taken into account.
- I. Where appropriate, the applicant has provided for continuing maintenance of private roads, parking areas, storm water drainage facilities, open space and other amenities not accepted by the Town of Middlebury.

#### 28.4.4 Recording and Effective Date

The approved Preliminary Development Plan shall be endorsed by the Commission and recorded in the office of the Town Clerk of the Town of Middlebury within ninety (90) days of the date of approval, unless extended by the Commission for good cause shown. The Planned Rental Housing Development District zone change contemplated by Subsection 28.4.1 shall be effective upon recording of such approved endorsed PDP.

#### 28.4.5 Final Development Plan Submission

Before development can begin, a Final Development Plan must be approved by the Planning & Zoning Commission. The Final Development Plan can cover an entire project built in phases provided that the first phase includes at least one-half the rental units for the entire project and all of the required infrastructure to complete the entire project. If the foregoing is not complied with and the project is to be constructed in phases then each phase shall require a Final Development Plan. The Final Development Plan shall conform substantially to the approved PDP including, without limitation, the vehicular and pedestrian circulation system approved in the preliminary Development Plan and shall adhere to all area regulations adopted by the Preliminary Development Plan. The Final Development Plan shall include the following, subject to Subsection 28.10 below:

- A. Final subdivision plan submission in accordance with Subdivision Regulations, if applicable.
- B. Site plans meeting the standards of Sections 8.2, 8.11, 8.12, 8.13, 51.2 (excluding the statement following Section 51.2.5), 51.3, 51.4, 51.5, and 51.7 of these Regulations.
- C. Detailed landscape plans for common areas, usable open space and perimeter areas including proposed grading, plant materials, and method (s) of maintenance.
- D. The provisions for Affordable Housing Units (as defined in Subsection 28.7.2 below), if any.
- E. The contract with the Town provided for in Subsection 28.8 below, if applicable.

#### 28.4.6

##### Procedure

- A. The following procedure shall be followed with respect to the Final Development: The Final Development Plan must be submitted within one year from the date of the Preliminary Development Plan approval. Otherwise, the Preliminary Development Plan is null and void and the parcel will revert to the original underlying zone designation unless the Commission approves an extension of up to six months. Upon such reversion, the Commission shall take action to remove the PRHD District designation of the parcel from the zoning map. Nothing herein shall prohibit the simultaneous filing of the Preliminary Development Plan and the Final Development Plan provided that the approval of the Final Development Plan is contingent on approval of the Preliminary Development Plan. Subject to Section 28.4.5, application for a Final Development Plan may be for only part of the approved Preliminary Development Plan if that PDP as approved contemplates phases or if it is determined by the Commission that, as a result of the size of the project, it would be detrimental to the Town or neighborhood to allow development in a single phase, or it would be unreasonable to require a final application for the entire project.
- B. The following procedure shall be followed with respect to the final development plan final application for subsequent phases of the project, if required by these Regulations, shall be submitted at maximum intervals of three hundred sixty-five (365) days. Upon failure to submit any such application within said time limit, the provisions of subsection 22.4.6A on both will apply as to such phase.
- C. The following procedure shall be followed with respect to the Final Development Plan: The commission may hold a public hearing on the Final Development Plan if in its estimation the plan differs significantly from the preliminary development plan or for any reason satisfactory to it. Otherwise,

the Final Development Plan shall be processed in the same manner as a site development plan approval under Section 51 of these regulations, but subject, however, to this Section 28, and shall be filed either after approvals in accordance with those procedures or simultaneously with the PPD.

28.4.7 Project Completion

If no Final Development Plan has been approved for all or a portion of the PRHD within twenty-four (24) months after approval of the Preliminary Development Plan, or a modification of thereof, the Planned Rental Housing Development District designation may be revoked by the commission.

- A. Each portion or phase of a PRHD for which no Final Development Plan has been approved within 24 months of the approval of the Preliminary Development Plan, or a modification thereof, shall be deemed to be subject to revocation unless an extension of the 24 months time period has been granted as provided below.
- B. If affordable housing units are contemplated in the PRHD, no certificate of zoning compliance for any units in the original project for which application is made which are not subject to the contract and covenant restricting them as affordable housing shall be issued until completion in issuance of a certificate of zoning compliance for no fewer than a pro rata number of units of restricted affordable housing. The pro rata allocation shall be based on the proportion of the number of affordable housing units to the total units approved in the whole application.

28.5 Allowed Uses

28.5.1 Allowed by Right

Base uses allowed within the Planned Residential Development include multifamily buildings, integral and detached garages for use by residents of the project, related buildings and improvements for recreational use of the residents of the project, an on-site management office and structures for maintenance and related equipment.

28.7 Provisions of Affordable Units

A minimum of ten percent (10%) of the dwelling units in a PRHD district must be affordable units which are made available for rent to moderate income households. Where possible affordable units shall not be segregated on the project site nor shall they be substantially different in finish or level of amenities offered. The different types of other housing units, in terms of numbers of bedrooms, shall generally be proportionately reflected in the types of Affordable Housing Units.

28.7.1      Definitions of Moderate Income Household  
Moderate income households are those which, at the time of execution of a lease agreement, do not exceed Eighty Percent (80%) of the Area Medium Income (AMI) as determined by the median family income, as adjusted for family size, for the mean of all of the New Haven County, CT Housing and Urban Development Metropolitan Fair Market Rent Area ("HMFA") as established on an annual basis by the U.S. Department of Housing and Urban Development ("HUD") as defined in C.G.S. §8-30g (a) (7), as amended.

28.7.2      Definition of Affordable Housing Unit  
An "Affordable Housing Unit" shall be defined in accordance with C.G.S. §8-30g (a) (6), as amended.

28.7.3      Determination of Eligibility  
In determining whether an applicant for an Affordable Housing Unit meets the definition of Moderate Income Household, the same factors and methods of calculations used by HUD in determining median family income for eligibility for HUD administered program shall be followed.  
  
In order to prevent overcrowding of Affordable Housing Units, the guidelines shall be that, at the time of lease of an affordable housing unit, it be occupied by no more than two persons per bedroom.

28.8      **Contract Requirements**

At the time of, in prior to, approval of the Final Development Plan the applicant must present the final contract document to the Town which has been approved by the Town Counsel. Said contract shall be executed within 90 days and will describe the following:

- 28.8.1      The term of the requirement for provision of affordable housing units shall be no more than 20 years from issuance of the applicable certificate of occupancy.
- 28.8.2      Procedures for establishment of maximum income for the occupants of the affordable housing and price limits on rental or sublease of the affordable housing units. This shall include current calculations applying these Regulations as of the month prior to application.
- 28.8.3      Provisions for increases of the specified income, sale price or rent.
- 28.8.4      Covenants in favor of the Town of Middlebury incorporating the terms and conditions of the contract, which covenants shall run with the land and be enforceable by the Town.
- 28.8.5      Subordination to the interest of institutional first mortgages the project.

28.9 **Design Standards**

28.9.1 **Open Space**

Provision of open space is one of the major purposes for using Planned Rental Housing Developments. A minimum of fifty percent (50%) of the total site acreage must be preserved as private, common and recreational open space. For this purpose roads, parking areas, drives, land within twenty-five (25) feet of a building, and strips of land less than twenty-five (25) feet wide shall not be counted as part of the land constituting open space.

A. **Private Open Space**

No less than forty (40) square feet of permanent open space per dwelling unit shall be provided and constructed immediately adjacent and accessible to each unit for private use consisting of decks, patios or porches.

B. **Recreational Open Space**

Recreational space is permanent open space providing immediate access for or to residents of the development for pedestrian circulation (other than connecting sidewalks) and recreation. At least five hundred (500) square feet of the open space per dwelling unit (or other reasonable amount as determined by the Commission) shall be set aside in each PRHD as recreational open space.

C. **Common Open Space**

In addition, a minimum of not less than 30% of the gross acreage of the parcel shall be designated as common open space. At least 25% of the common open space acreage must be any single contiguous parcel, except such parcel may be divided by rights of way for public utilities. No more than 50% of the common open space can consist of wetlands, watercourses, exposed rocks or slopes in excess of twenty-five (25%).]

D. **Walking and Hiking Trails**

The commission shall determine if walking or hiking are appropriate and may request that any applicant for a PRHD use good faith efforts to incorporate such features, and if such trails are determined to exist the applicant shall incorporate the appropriate trail within the common or recreational open space.

28.9.2 **Building Setbacks**

No building may be placed within 50 feet of an existing property line, or within 100 feet of an existing dwelling on an adjacent parcel as determined at the time of application.. Buildings shall be set back 100 feet from abutting external town roadways and 150 feet from any state highway.



28.9.3

Building Standards and Separation

The maximum number of units in any building shall be 25.

- A. No building in the PRHD shall be within thirty (30) feet of any other building except for garages.
- B. The minimum floor area for units shall be 600 square feet for a studio or single bedroom unit and 800 square feet for a two bedroom unit. The PRHD shall not contain any units exceeding two (2) bedrooms.
- C. Maximum building length shall be 190 feet.
- D. The maximum height shall be limited to 3 stories or 42 feet with garages on the ground floor. Accessory buildings shall be limited to 1 1/2 stories or 25 feet.
- E. All buildings in the PRHD shall be of good quality design and appearance so as to blend harmoniously with the site in the neighborhood. Such design shall convey an impression and feeling to persons familiar with architecture that these dwelling units are of quality in substance and the PRHD is a desirable place to live. All dwellings within a neighborhood or phase shall be of a single consistent architectural style to create a harmonious appearance. However, a subsequent phase may be of an alternative style of design provided it complements the architectural quality of the development and is reasonably compatible to that which exists in order to establish a conforming and consistent design.
- F. All utility lines and connections shall be underground, except terminal boxes and connections which are prohibited from being placed underground, as approved by the Commission.
- G. All above grade electric or telephone utility boxes and other apparatus shall be suitably screened with plant material or by an architectural screen compatible with the exterior materials of the dwelling units.

28.9.4

Parking

- A. An average of 1.75 resident parking spaces shall be provided per dwelling unit.
- B. Either the garage or the pad in front of it may count toward the parking requirement but not both.
- C. One parking space must be provided for each 100 square feet of recreational buildings, within 200 feet of the building.
- D. Reserved

E. Reserved

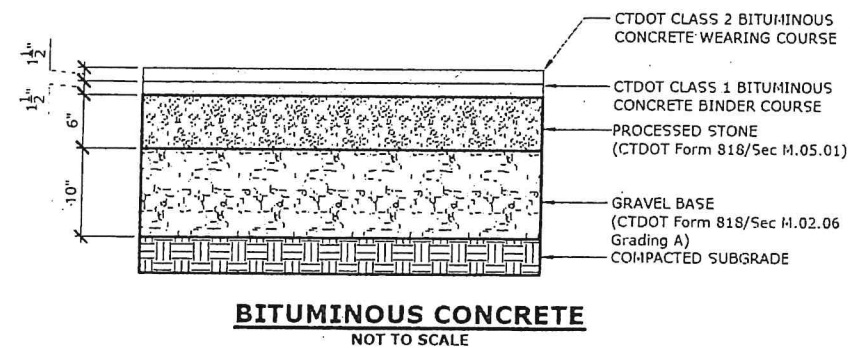
F. In connection with parking, adequate, unobstructed space shall be provided for snow storage and clearance.

G. All parking shall comply with provisions of Section 62, Subsection 62.6.3 of these Regulations entitled "Landscaping", to the extent said Subsection 62.6.3 is applicable.

#### 28.9.5

##### Road Standards

A. All roads within a PRHD must be constructed to the standards set forth below in Figure 9.5.



B. Entry signs may be placed adjacent to the entrance of the project. One small sign per entrance (maximum 20 sq. ft.) announcing the project may be placed outside the public right of way at no more than 2 entrances to the development.

#### 28.9.6

##### Coverage Requirements

The maximum percentage of the parcel which may be covered by buildings is 10%.

#### 28.9.7

##### Landscaping

A. All areas adjoining other residential property shall contain a buffer strip at least thirty (30) feet wide planted to substantially screen the buildings in the PRHD from neighboring residential areas. Suitable existing vegetation can be used for this purpose.

B. A preliminary landscape planned must be submitted with the Preliminary Development Plan and a final landscape and planting plan submitted with the Final Development Plan.

- C. To the greatest extent possible all mature trees should be retained on the site. Street trees (minimum three (3) inch caliper) shall be planted on 75 foot centers. In instances where sidewalks are placed within the right-of-way the street trees shall be planted outside the right-of-way.
- D. All utility lines and connections must be placed underground, except terminal boxes and connections which are prohibited from being placed underground, as approved by the Commission. Terminal boxes and connections placed above ground shall be adequately landscaped to screen them from view and shall be shown on the PDP.
- E. Existing mature vegetation of the site shall be retained in areas not disturbed by construction. In areas disturbed by construction, or in areas where existing vegetation is sparse, new plant material (trees, shrubs) shall be provided as follows:
  - 1. Shade trees, evergreen trees and flowering trees shall be planted in, or adjacent to parking areas. At least one (1) tree shall be planted for each three (3) spaces, or fraction thereof, in locations approved by the Commission.
  - 2. Trees and shrubs shall be planted around foundations and between structures in a manner approved by the Commission.

#### **28.10      Excavation and Grading Standards**

Except as set forth herein, the provisions of Section 64 of these Regulations shall be deemed complied with if approval is granted for Final Development Plan, unless the applicant proposes to remove from the site a substantial portion of earth for sale or use elsewhere, in which event a separate excavation and grading permit provided in Section 64 shall be required. In addition to the exemptions set forth in the last sentence of Section 64.2.1, the filling, excavation and grading for storm water basins and flood plain compensation areas that have been approved by the Commission are also exempt from the provisions of Section 64.2.1.



**Town of Middlebury**  
**Planning and Zoning Department**  
1212 Whittemore Road, Middlebury, CT 06762  
203-577-4162 x2  
cbosco@middlebury-ct.org

**Zoning Permit Application**

09/28/2023

23-68Z

**Property Type:** Residential

Property

Location of Subject Property: 124 KELLY RD  
Assessor's Tax Map/Block/Lot Number: 4-08 0 318~2053  
Lot Size: 77.1 Zoning District: LI-80/R-40/PRD  
Check all that apply: ☒ Wetlands ☒ Floodplain (FEMA) ☐ Aquifer  
Related planning permits: Zone Change Application  
The subject property is served by: Private Well\* ☒ Public Water  
Private Septic\* ☒ Public Sewer

**\*Requires approval from Torrington Area Health District prior to Zoning Permit Application review.**

Applicant

Name of Applicant (primary contact): Kyle P. Richards  
Company: Metro Realty Management Corp  
Address: 6 Executive Drive #100 Farmington CT 06032  
Daytime Phone/Cell: 8606745637  
Email Address: krichards@metro-realty.com

Owner

Name of Owner (if different from Applicant): MIDDLEBURY LAND DEVELOPMENT LLC  
Address: 124 KELLY RD MIDDLEBURY, CT 06762  
Daytime Phone/Cell: 203.346.4300  
Email Address: dpayne@timexgroup.com

Proposal

Application for:	New Primary Structure	Addition	Barn	Deck
	Detached Garage	Ground Mounted Solar	Pool	Shed
	Change of Use	Special Exception	ZBA	<input checked="" type="checkbox"/> Other: <u>Zone Change</u>

Briefly describe the proposal (provide dimensions and location):

LENGTH: \_\_\_\_\_ WIDTH: \_\_\_\_\_ HEIGHT: \_\_\_\_\_ SQUARE FOOTAGE: \_\_\_\_\_

This application includes 4-08 / 319 also owned by Middlebury Land Development, LLC consisting of ~8.2 acres, which is included in the total 77.1 acres. This application is proposing a zone change from the current LI-80/R-40/PRD to the new proposed Section 28 Planned Rental Housing Development Overlay District.



Zoning Permit Application

Documentation

A stamped and signed Site Plan prepared by a CT Licensed Surveyor or Professional Engineer of an A-2 standard is required for most Zoning Permit Applications. For minor structures such as Decks, Sheds or small Additions one may not be required. Attach a copy of a map, drawn to scale, of the subject parcel, indicating the size of the property and the location, dimensions, and square footage of all existing and proposed structures and related site work. A map can be obtained from the municipal online GIS system. It can be accessed at: <https://middlebury.mapxpress.net/>

The final determination concerning documentation is at the discretion of the Zoning Enforcement Officer or the Planning & Zoning Commission.

Signatures

By signing below, I hereby attest that I understand the application requirements, and that the information I have provided on this form is complete and accurate. I understand that this is not a Zoning Permit and that upon approval by the Zoning Official, a Zoning Permit may be issued. I further understand that approval from other municipal departments and regional entities may be required, which may increase the review time.

Applicants For Single Family Homes:

I understand that prior to issuing a Certificate of Zoning Compliance, a *minimum* of 5 business days is required in order to review plans, conduct inspections, and request any modifications or bonds. I also understand that all plans shall meet the minimum standards outlined in the *Zoning Permit & Final As-Built Plan Specifications* document.

Applicant's signature: Kyle Richards Date: 09/28/2023

Owner's signature: MIDDLEBURY LAND DEVELOPMENT LAB Date: 09/28/2023  
(REQUIRED if different from Applicant)

OFFICIAL USE ONLY	
FEE \$3,805.00 <i>Paul</i>	Conditions/Stipulations
Fee: \$145.00 + 760.00	
Additional Charges: \$0.00 1,400.00 + 1,500.00	RECEIVED
Application #: 23-68Z	
BONDS	SEP 28 2023
Bond required? Yes	Middlebury Land Use Office
Bonds paid: Erosion & Sedimentation Control	Middlebury, CT 06762
Driveway Apron    Landscaping    Other	
Total Bond Amount: \$0.00	

Draft



Town of Middlebury, CT  
Planning and Zoning Department  
1212 Whittemore Road, Middlebury, CT 06762  
203-577-4162 x2

09/28/2023

## ZONE CHANGE APPLICATION

Draft

### Applicant Information:

Name: Kyle Richards

Address: 6 Executive Drive #100 Farmington CT 06032

Daytime Phone/Cell: 8606745637

Email: krichards@metro-realty.com

Legal Interest: Contract Owner

### Owner Information:

Name: MIDDLEBURY LAND DEVELOPMENT LLC

Address: 124 KELLY RD MIDDLEBURY, CT 06762

Daytime Phone/Cell: 203.346.4300

Email: dpayne@timexgroup.com

### Subject Parcel:

Address: 124 KELLY RD

Size: 77.1 Assessor's Map and Lot # : 4-08 318~2053

Is the subject parcel within 500 ft. of the Town boundary? ☒ yes ☐ no

Zone Change Requested from LI-80/R-40/PRD to PRHD

### Purpose of Request: Zone Change

This application includes 4-08 / 319 also owned by Middlebury Land Development, LLC consisting of ~8.2 acres, which is included in the total 77.1 acres. This application is proposing a change in zone from LI-80/R-40/PRD to Section 28 Planned Rental Housing Development Overlay District (PHRD) which is attached.

**Parties of Interest:**

Attorney Name: Edward G. Fitzpatrick

Address: 203 Church, Naugatuck, CT 06770

Daytime Phone/Cell: 203.729.4555

Email: fitz@fssplaw.com

Engineer/ Architect Name: Thomas J. Daly

Address: 99 Realty Drive, Cheshire, CT 06410

Daytime Phone/Cell: 475.244.2309

Email: tdaly@slrconsulting.com

Developer/ Builder Name: The Metro Realty Management Corporation/Kyle Richards

Address: 6 Executive Drive - Suite 100, Farmington, CT 06032

Daytime Phone/Cell: 860.919.6972

Email: krichards@metro-realty.com

Other: \_\_\_\_\_ Role: \_\_\_\_\_

Address: \_\_\_\_\_

Daytime Phone/Cell: \_\_\_\_\_

Email: \_\_\_\_\_

**Fees:**

Zone Change Fee = \$ 760.00 (Payable to the Town)

**Signatures:**

Signature of Owner(s) MIDDLEBURY LAND DEVELOPMENT LLC Date: 09/28/2023

Signature of Applicant(s) Kyle Richards Date: 09/28/2023

