

PROPOSED AMENDMENT TO SECTION XI OF THE BERLIN ZONING REGULATIONS

DD Planned Residential Infill Development

1. Purpose. The intent of this section is to provide an economic incentive for the redevelopment of existing Motel properties which are considered inefficient and underperforming by contemporary land use standards. This section provides standards and procedures for the design and development of Planned Residential Infill Developments in an effort to expand the scope of land planning and development from the concept of individual lots and structures to the planning and development of small areas with groups of structures erected thereon as a coordinated entity and to provide for more efficient use of existing parcels and Town resources, but it is not intended to facilitate the conversion of non-residential uses.

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

a. The tract shall consist of a single lot under one ownership or control in existence prior to the effective date of this regulation with its current use of a Motel having a total area of not less than one-half (.5) acre nor more than three (3) acres and shall be served by public water and public sanitary sewer.

b. The tract shall have frontage on State Highway 5/15. In addition to frontage on State Highway 5/15 as described above, the tract may have access on other roads if the Planning and Zoning Commission finds traffic conditions warrant it or that is desirable to facilitate public safety. Nothing herein shall be construed to require that access be required from State Highway 5/15.

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

In addition to the requirements of Section XII, the applicant shall submit a storm water management plan prepared by a professional engineer addressing any increase in surface water runoff from the proposed development. The applicant shall also submit a written traffic statement addressing prospective traffic of the proposed development.

The location, orientation, design scale, texture, materials, landscaping, general bulk, height and other features shall be consistent with the characteristics of the Town and neighborhood in which the proposed development is located and shall take into account, where appropriate, the nature of the surrounding area and the extent to which the proposed use and its features and appearances will be in harmony with the surrounding area, including the effect upon property values in the neighborhood. The application shall include the following:

(i) six (6) copies of an overall site plan prepared by a licensed professional engineer of the entire tract of a scale of Section XIII Site Plan, and

(ii) six (6) copies of architectural drawings containing all of the information required by Section XIII together with a range of proposed textures, materials and colors of the buildings. The hearing described in Section XII shall be for the purpose of determining whether the tract described in the application meets the standards contained in these Regulations for a Special Permit. If the Commission finds the proposed use to be in accord with the public convenience and welfare and to meet the standards of these Regulations, it shall approve the Special Permit for the entire tract subject only to conditions imposed pursuant to Sections XII.

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

a. The maximum number of dwelling units shall be determined as follows:
Total gross land area ÷ 4,000 sq. ft. = maximum number of dwelling units allowed. Any fraction that results shall be rounded down to the nearest whole lot.

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

c. No building shall exceed 2 ½ stories nor 35 feet in height.

d. No dwelling unit shall exceed 1000 square feet of living area.

e. The existing motel building shall be demolished to the extent that fifty percent (50%) of the dwelling units are new construction.

f. The application shall require twenty percent (20%) of the total number of units as affordable housing units which are subject to binding recorded deeds containing covenants or restrictions in perpetuity which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty percent (30%) or less of income, where such income is less than or equal to eighty percent (80%) of the median income as defined under Connecticut General Statutes §8-30 g. The Application shall include an affordability plan specifying the procedures for establishing and monitoring the affordability restrictions and identifying the Administering Agency which will monitor and enforce the affordable housing restrictions.

ge. No building or accessory structure-unit shall extend within less than forty (40) feet of any Street Line or fifteen (15) feet of any other property line regardless whether a property line abuts a residential, commercial or other non-residential zoning district; provided however, at the request of the applicant made in writing at the time of the filing of the application, the Planning and Zoning Commission may waive the setback requirements where there is an existing structure on the tract of land which the Commission determines merits saving. The lot shall only be required to have one (1) Street Line which shall be State Highway 5/15.

All utilities shall be underground. Maximum Lot Coverage shall be fifty (50) percent.

hd. Notwithstanding any other provision of these Regulations, detached accessory structures shall be located not less than five (5) feet from a side property line, provided: 1) the side lot abuts a commercial or other non-residential district; 2) the height of the accessory structure shall not exceed 15 feet; and 3) the applicant demonstrates to the satisfaction of the Commission that the accessory structure is designed and located to be architecturally compatible with the principal structure(s) and neighborhood character.

ie. The requirements of Section IX C shall not apply to this Section XI DD but the Commission may impose landscaping, screening and buffer conditions it determines necessary for the public health, welfare and safety.

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

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

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

mi. Certificate of Occupancy. No certificate of occupancy shall be issued until the following items have been Submitted to the Planning Department: 1. Verification that the Community Association, if necessary, has been established. 2. Copies of all bonding documents for all uncompleted common area improvements.