

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Special Meeting

February 11, 2015

Chairman Cathleen Hall called the special meeting of the Newington Town Plan and Zoning Commission to order at 6:00 p.m. in Conference Room L101 in the Newington Town Hall, 131 Cedar Street, Newington, CT

I. ROLL CALL AND SEATING OF ALTERNATES

Commissioners Present

Commissioner Frank Aieta
Commissioner Carol Anest
Commissioner Michael Camillo
Chairman Cathleen Hall
Commissioner Robert Serra Sr.
Commissioner Stanley Sobieski
Commissioner Anthony Claffey-A

Commissioners Absent

Commissioner Kenneth Leggo
Commissioner Brian Andrzejewski-A

Chairman Hall: This special meeting is the continuation of the review of the Zoning Regulations and we are still on Section 3, but we are at 3.5 starting tonight.

II. REVIEW OF ZONING REGULATIONS

A. Section 3 (Zone Use Regulations) continued:

1. Subsection 3.5 (Uses Permitted in R-20, R-12 and R-7 Residential Zones)

Chairman Hall: Okay, Section 3.5 is uses permitted in R-20, R-12 and R-7 residential districts, and you were going to give us a little bit of supplemental information.

Craig Minor: Yes. I prepared a chart that compares and contrasts the five different kinds of what I am calling "higher density" housing types in Newington and which zones they are allowed in. It's in order of greatest density down to least density. The most dense is senior independent which is allowed in all zones; as much as twenty units per acre; with a minimum lot size of five acres; and so forth. I don't have this on the thumb drive so I can't display it on the screen, but these are the different higher density housing types here in town.

Chairman Hall: And do you have an example? For example, senior independent living....

Craig Minor: Yes, New Meadow, and I intend to populate this table with other higher density types as we talk about them. This is the New Meadow project that the Commission asked me last week to get the specifics on. It's 90 Welles Drive, it's in the R-12 Zone, it's 32 units, sixteen units on the first floor, sixteen units on the second floor. The parcel is 2.2 acres which is the minimum lot size for a senior housing, i.e. Section 3.7.2 type of housing. The units themselves are 600 square feet which is the minimum, pretty small, but these are senior apartments. I think these are all single people who live there, I'm not sure where I read that. I might have read that in

the presentation at the public hearing on this. Anyway, the density on this particular project is 14 ½ units per acre which is consistent with the maximum allowable density of 15 units per acre for a senior housing project. It's two and a half stories high, it's 25 ½ feet high, again, that's all within the regulations. The maximum is 2 ½ stories, and as high as 35 feet, but this is lower than it could have been. It was approved back in 2009. So what I intend to do is to fill out this spread sheet with other projects as you ask for them, or whatever you think would be worth comparing.

Commissioner Anest: What is Memory Lane?

Chairman Hall: Fennwyck Estates.

Commissioner Anest: Would that be considered senior independent living?

Chairman Hall: No, those are single family; probably alternate residential building.

Craig Minor: I'll find out. What's the name of it?

Chairman Hall: Fennwyck Estates. It's on Fenn Road.

Commissioner Anest: I know those are over 55.

Craig Minor: It's off of Fenn Road?

Commissioner Aieta: Those are single family houses.

Chairman Hall: Right, that's why I'm saying, it might be alternate.....

Craig Minor: Okay.

Commissioner Anest: I think they are a PUD.

Chairman Hall: Over here – "patio, duplex, condos, PUD or subdivision".

Craig Minor: Okay, I'll get the specs on that one. Are there any other housing projects that you would like to know the actual density of or height or size or whatever?

Commissioner Sobieski: What about the Kelleher Housing project? What would that fall under?

Chairman Hall: Housing for seniors I think. The second one.

Craig Minor: Is that the address, or its common name? Kelleher?

Chairman Hall: Kelleher Village. It's on West Hill Road and Chapman Street.

Craig Minor: All right.

Commissioner Anest: What about the high rise?

Chairman Hall: That had a special exception. It's what, seven stories I think. Market Square Apartments it's called. That is on Constance Leigh Drive.

Craig Minor: Right. I have that one.

Chairman Hall: Does anyone have any questions on anything else? I mean obviously we have some PUD's and patio homes, but not necessarily senior. For instance, I don't know what they are calling it now, Newington Ridge? It used to be Deming Farm.

Craig Minor: Newington Ridge Preserve, yes, that's a PUD, and that could be considered higher density, so I'll get the details on that one.

Commissioner Anest: So right now, as far as you know, we don't have any senior independent living?

Craig Minor: I don't know. We might.

Chairman Hall: Well, Cedar Mountain Commons is part independent. Because once they can't take care of themselves any more, they have to go to Jefferson House or some other place.

Commissioner Sobieski: What about Mill Brook Village, at the end of Main Street?

Chairman Hall: Mill Brook Village and Cedar Village. Millbrook, those are over 55 condos.

Commissioner Sobieski: What about the one that we just approved an addition to, on the corner of Main Street and Louis.

Chairman Hall: That's Middlewoods.

Craig Minor: Middlewoods, I think that also falls under this category of higher density residential. It's a very specific kind, its assisted living, but it's still a type of higher density residential development. Okay, that's about a half dozen, so that will give me something to start on. Like I said, I'm creating this spread sheet so I'll keep adding so we can look at all of them in one place and analyze why we allow a certain density for one type and not for the other, and try to come up with some type of a consistent policy.

2. Subsection 3.6 (Special Exceptions Permitted in R-7 Zone.)

Chairman Hall: The following uses are declared to possess such special characteristics that each must be considered a special exception. They may be permitted by the Commission subject to the following conditions, and the provisions of 5.2 and 5.3.

3.6.1 Two family attached dwelling and accessory uses and structures.

A. Each dwelling unit shall have individual and separate utility connections and/or meters in accordance with State, local and public utility regulation. Also, firewall protection, independent access to attic and independent lighting in attic space.

Chairman Hall: So that is what we are calling "in-law apartments". That's the criteria that we use to allow an in-law and we have done that a couple of times. Does everyone agree with that?

B. For re-subdivision of existing duplex structures the petitioners shall receive certification from the Building Official that these utility services are separate. This certificate shall be obtained prior to submission of an application for re-subdivision.

Chairman Hall: I think that came as a result of the duplex neighborhood that we have on Eighth Street, Seventh, Buena Vista, that whole area in the southwest corner of Newington because those originally were built with single utilities. They had one sewer line, one electric line that was parceled out, and then if they were to be sold or subdivided, everything had to be separated.

Craig Minor: So there are duplexes that are owner occupied? The owner lives in one half and rents out the other half?

Chairman Hall: Or it could be two family members. A lot of different configurations.

Commissioner Serra: Two separate owners.

Chairman Hall: Well, only if they have been split. Two owners, if they were there from the inceptions, which was what, in the late '50's, early '60's I think. They might have still gotten away with it if they were the original, but once they turn it over, they have to be separated.

Commissioner Serra: I have a friend who lives there now. He owns his half, and somebody else owns the other half.

Chairman Hall: Do you know if they have separated them?

Commissioner Serra: They have.

Craig Minor: And one party owns the land under his half and the other party owns the land under his, so it literally is a subdivision of the lot? Not just a division of the house, it's a division of the lot underneath it?

Chairman Hall: See, Newington does have a lot of different styles.

Craig Minor: A lot of variety, a lot of diversity which is good. You want to provide as many options to people as possible.

Chairman Hall: You don't really think about it until you start breaking it out and realize what we do have.

3. Subsection 3.7 (Special Exceptions Permitted in R-12 and R-7 Residential Zones.)

Chairman Hall: "The following uses are declared to possess such special characteristics that each must be considered special exceptions. They shall only be permitted by the Commission subject to the following conditions and standards, and the provisions of 5.2 and 5.3."

3.7.1 Alternate Residential building types.

Alternate residential building types may be permitted as a special exception when after a public hearing, the Commission makes a finding that such uses provide wider housing variety and choices, and when the following standards are satisfied.

A. Parcel Size

The minimum parcel size shall not be less than 10 contiguous acres. The applicant shall submit a Class A-2 Boundary Survey certifying the parcel area. Contiguous acres shall mean sharing a common boundary but shall not include parcels separated by a Town Road or State highway.

B. Location

No site location shall be approved unless it is on or within 300 feet of an arterial street as set forth in the town's Plan of Conservation and Development, and unless it is to be served by public water and sewer.

C. Density

At least 8,000 square feet of land area is required for every dwelling unit. Such computation of total number of dwelling units permitted on a site will be based on the usable area of the site. When in the opinion of the Commission, geologic or topographic conditions, slopes in excess of fifteen (15%) percent gradient, inland wetlands and flood hazard areas render any portion of the site unsuitable for development, such portions of the site will not be used in computing the total number of dwelling units permitted but may be used to provide the required open space. (Effective 3-4-11 and _____)

Commissioner Anest: I had this circled from last time because of "in the opinion of the Commission".

Craig Minor: Yes, that is something I am going to ask the Town Attorney about and there are going to be a lot of them. I will bundle them up and ask him at one time.

Commissioner Anest: Okay.

D. Building Types

Subject to the requirements of the Height, Area and Yard Requirements listed in Section 4. Table A the following building types are permitted:

- 1) Detached single family (patio houses)
- 2) Semi detached dwellings (duplex houses)
- 3) Attached dwelling (townhouses.)
- 4) For multiple family structures the maximum number of dwelling units per structure shall not exceed 12.

Commissioner Aieta: This is only in the R-12 and R-7 Zone and to do that they will have to meet all the requirements in A, right?

Chairman Hall: Right. Ten contiguous acres. That's for new build, which again, a lot of this is moot because where are we going to find ten contiguous acres that is not Industrial?

E. Frontage

Frontage shall mean a linear distance measured along a street, principal driveway or parking lot. Where principal driveways or parking lots are used as frontage there shall be a direct connection between such areas and a public street. Such connections must be entirely suitable for emergency vehicles as well as normal access services and needs. In the cases of patio houses, duplex houses and town houses such direct connections shall be shown and described in the site development plan.

F. Court Yards

Court yards enclosed on all sides shall not be permitted, and no open court shall in the least dimension be less than 50 feet.

Chairman Hall: So like a U shape?

Craig Minor: Right

Chairman Hall: And it has to be at least 50 feet...

Commissioner Aieta: Fifty feet in the opening and in the depth.

Craig Minor: So no little alleyways.

Chairman Hall: Right. Open and accessible essentially.

G. Open Space Area

Suitable common open space for the recreation of adults and children shall be provided and screened from driveways, streets and parking access. At least 1000 square feet of open space shall be required per dwelling unit. Recreation space and facilities for pre-school children are required in suitably protected locations. A 30 foot rear area or yard suitable for outdoor living space shall be provided behind each living unit.

Craig Minor: I'm going to add a "Required Open Space" column to the chart to see if we are requiring the same amount of open space for the different types of projects. Probably not. Open space for housing for seniors wouldn't be as important as open space for single family entry level.

Chairman Hall: "In computing the required open space area the Commission shall be guided by the standard that at least twenty percent (20) of the common open space shall be useable for active recreational purposes and the balance may be designed for open space conservation protection." Designed or designated?

Craig Minor: Good question. I will see if I can go back and find the minutes from when that amendment was adopted.

H. Utilities

All electric and telephone utility installations shall be located underground, excepting required or necessary light standards, etc., Patio houses, duplex houses and townhouses shall have individual, separate and self contained heating and/or air conditioning systems and separate meters.

I. Sidewalks

Sidewalks shall be installed along the frontage of public streets according to the Town of Newington standards.

Chairman Hall: Then we get rid of Spacing Modifications which was: The Commission may vary the requirements, I wonder why?

K. Buffer Areas

A landscaped buffer area is required along any portion of the property which abuts single family residential, commercial or industrial use, in accordance with Section 6.10.

Chairman Hall: And again, we need to get rid of the waiving. So that is a pretty short sentence now.

L. Roadways and Sidewalks

Roads proposed to remain private or for dedication of a public street shall be designed and constructed in accordance with the Newington Subdivision Regulations.

Craig Minor: Now, notice what I'm doing here. I'm telling developers that even if it is a private road, they still have to be built to the same standards as a town road.

Commissioner Aieta: That hasn't been the practice.....

Craig Minor: Probably not.

Commissioner Aieta: I don't know if you want to change that now.

Craig Minor: I'm recommending that this be the rule going forward because, and I don't know if this is the case in Newington, but every town that I have worked in, there comes a time when pressure gets put on the powers that be to accept, as a town road, a road that was never designed to be a town road. Politicians are susceptible to that pressure and sometimes they succumb to it. Well, if the road at least as been built to town standards, there is less of a problem when it happens.

Commissioner Aieta: There is a big difference between a private roadway and one built to the town specs. The cost will have to be outrageous.

Chairman Hall: And most of the time they try to fit these subdivisions into minimal areas, and therefore one of the compromises have been the streets. The developers say, let us have this project and we'll have the association take care of the road, so sometimes they are quite a bit smaller.

Commissioner Aieta: And they stay a private road. A good example is Glen Oaks. Those are all private roads up there.

Craig Minor: And they are usually narrower than town roads, which is okay, but they are also very often built with a minimum amount of process underneath. You don't often get the full amount of process, or binder course. Very often these private roads don't have that amount. Then the homeowners, over time, who become responsible for the maintenance now have to shoulder the burden of repairs to a road, quote road, that was built to not even parking lot standards, so what I'm suggesting is that going forward we require the developer who is building a PUD or a condo to give the buyers a decent road that is not going to fall apart within the next couple of years. That's what I'm suggesting here.

Commissioner Aieta: This still falls under the R-7, R-12 Zone with the ten acre thing?

Chairman Hall: Yes.

Commissioner Aieta: Okay.

Commissioner Sobieski: Craig, how would this affect a development that has already been developed and that the road has to be replaced?

Craig Minor: It wouldn't, because that development project already has approval, so they won't be coming to you for anything.

Commissioner Sobieski: But what I'm asking, let's assume that a development's roads are designed for the weight they are going to carry, and the road is only designed with twelve inches of process, and then two inches over four for bituminous, where a town road must be three inches over six with eighteen inches of process. Would this road have to be reconstructed? That's my question.

Craig Minor: No, because that development doesn't have to comply with the new regulations. It's grandfathered. There would be no context for him to have to comply with this new regulation.

Commissioner Camillo: What about when it's being replaced and he comes to you for a permit?

Craig Minor: He wouldn't; he doesn't have to come to us for a permit. He's just doing maintenance. When Wal-Mart wants to redo their parking lot, they don't come to me for a permit to do that, it's just maintenance. It's regular maintenance. Only a new project is subject to this regulation.

Commissioner Sobieski: When I did the driveway for my house I had to go to the Town to get a permit.

Craig Minor: You had to get a road permit from the Engineering department because you are coming out onto a town road. You didn't have to come before the Planning and Zoning Commission.

Commissioner Sobieski: No, I got a permit from the Building Department.

Craig Minor: Yes, the Building Department but not Planning and Zoning. Different set of rules. I don't think the building inspector cares what standards a private driveway or road or parking lot is being built to, so I can't think of any context where it would be a problem for an existing condominium that the standard now is something higher, because they would be grandfathered; it's a non-conforming situation.

Commissioner Sobieski: All right, let's assume that this happens and they petition the Town to make this a town road.

Craig Minor: It would have to be built to town standards before the Town Engineer would recommend accepting it.

Commissioner Sobieski: Okay, the association or whatever does this road, rebuilds it to what they had before, then two years down the line decides well, maybe the Town should come in and take it over. Is the Town going to require them to rip the road up and bring it up to standard?

Craig Minor: That's what I would recommend.

Chairman Hall: Either that or reject it.

Craig Minor: Just say no.

Chairman Hall: Reject it and not take it on, because it doesn't meet our standards.

Craig Minor: Exactly.

Chairman Hall: I think that is the more likely scenario, because they certainly can't make them redo it because that's hundreds of thousands of dollars.

Commissioner Sobieski: Oh, I realize that.

Chairman Hall: I think that is how that would play out, but who knows, sitting here years from now. It could be a whole different story, but right now, that's how it would be.

Craig Minor: That was the first sentence.

Chairman Hall: "All improvements that will be deeded to the Town shall meet the requirements of the Standard Specifications published by the Town of Newington Engineering Department.

Private roadway system serving not more than 75 dwelling units may be permitted when approved by the Commission. Each private roadway shall connect to a public street. The private roadway shall have a pavement width of 30 feet and connections to parking areas, recreations areas, etc., shall be at least 24 feet in width.

Private sidewalks shall be at least 4 feet back from curbs, or may be 6 feet wide from the curb and parking areas. Sidewalks within the proposed development shall be concrete and at least 4 feet in width.

Sidewalks along drives and connections to parking areas shall be at least 4 feet back from curbs or may be 6 feet wide from the curb and parking areas. Sidewalks with the proposed development shall be concrete and at least 4 feet width."

M. Homeowner's Association

When common parking, private streets and/or when common recreation areas and/or facilities are proposed or required, a homeowners association will be required. The association must fulfill the following requirements:

- 1) The association must be limited to homeowners within the development.
- 2) Membership must be mandatory for each home buyer, and any successive buyer.
- 3) The open space restrictions must be permanent, not just for a given period of years.
- 4) The association must be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities
- 5) Homeowners must pay their pro rata share of the cost, and the assessment levied by the association can become a lien upon the property.

Craig Minor: That sentence doesn't make any sense. I'll circle it and we can go back to it.

Commissioner Claffey: No, that's right. I have a house in Atlanta where the dues are due every year and if I don't pay it they come after me and lien the house.

Craig Minor: But at what "cost"?

Commissioner Claffey: You aren't making the cost, the association makes the cost.

Chairman Hall: Maybe we should be a little more specific. Homeowners must pay their pro rata share....

Craig Minor: I'm saying, what does the word "cost" mean here?

Chairman Hall: Association fee.

Craig Minor: Okay, I live in a house, I don't know what an association fee is.

Chairman Hall: We're talking about, these are.....

Craig Minor: All of a sudden the word "cost" shows up; well, what "cost"?

Commissioner Claffey: The cost of membership in the association.

Commissioner Aieta: This is under M. Homeowners Association. It would have common areas, so they would have to have some kind of a fee that everybody pays that takes care of the common areas.

Craig Minor: I understand all of that, I'm just asking what exactly is the "cost" that we are talking about here?

Chairman Hall: Homeowners Association fee. Whatever that is. Some of them are annual, some are semi-annual, and some are monthly, so who cares, it's just their pro rata share.

Craig Minor: And if it doesn't get paid, it becomes a lien.

Commissioner Anest: Maybe we should use assessment, yearly assessments, and then special assessments.

Chairman Hall: But look at 6: "The association must be able to adjust the assessment to meet changed needs". Maybe we should use the word "assessment" because then five and six will be consistent.

Commissioner Anest: Right. I would change cost to assessment.

Craig Minor: But there might be more than just assessment.

Commissioner Claffey: Assessment is different from...

Commissioner Anest: No, not necessarily.

Craig Minor: Assessment is the taxes, right?

Commissioner Anest: No. Your common charge is also called a common assessment. It depends on what language the by-laws have.

Chairman Hall: It's also considered an HOA, and it's considered an assessment, but if they need a new roof, then they may all have a special assessment, which will be in addition to your HOA which is your normal assessment.

Craig Minor: I think we should spell this out a little more.

Chairman Hall: And all of this will be in the original homeowner by-laws anyway, and in the declaration from the builder.

Craig Minor: Then maybe we shouldn't go into this much detail on something that might be slightly different and therefore become confusing in the declaration?

Commissioner Anest: I would still remove the cost.

Chairman Hall: Yes, "cost" is definitely out of there. Homeowners must pay their pro rata share of the home owners association fees as per association documents, or whatever, if you want to get that specific, levied by the association, can become a lien on the property.

Craig Minor: Well, we don't need to wordsmith it now. I made a note that this needs to be fleshed out.

Chairman Hall: Number six we have already talked about.

7) The association must be so established that, in the event of dissolution, all open space shall be offered first to the town, and free of charge.

8) A draft of the proposed association documents must be submitted to the Commission for determination of adequacy in meeting the requirements prior to Special Exception approval.

Commissioner Anest: Does that happen?

Craig Minor: We haven't had one since I have been here.

Commissioner Aieta: We haven't had anything under these regulations for years.

Chairman Hall: I think the last might have been Cobblestone.

Craig Minor: We are talking about "alternative residential building types".

Commissioner Aieta: In R-7 and R-12.

Chairman Hall: No, Cobblestone is newer than that.

Commissioner Anest: Toll Brothers?

Craig Minor: Okay, but was Toll Brothers an "alternate residential building type" under 3.7.1? Maybe it was.

Commissioner Anest: I don't remember having them come before us, and I was on at that time.

Craig Minor: They would have had to come before you.

Commissioner Anest: No, no, I don't remember seeing the draft documents.

Commissioner Aieta: They didn't come in under an R-12 or R-7 Special Exception. They came in with an open space subdivision, that's what they came in as.

Commissioner Anest: No, I mean the one where the drive-in was.

Commissioner Aieta: Oh, the drive-in. Is that an age restricted?

Chairman Hall: No.

Commissioner Anest: I don't remember seeing...

Commissioner Aieta: That wasn't residential property. That was Berlin Turnpike business zone.

Commissioner Aieta: None of these regulations apply to that.

Craig Minor: They got the zone change first, and then they got the residential development approved.

Commissioner Aieta: They must have changed the zone from Berlin Turnpike to some kind of residential.

Craig Minor: It's R-12.

Commissioner Aieta: They changed it to R-12?

Craig Minor: They must have, because you couldn't have approved this kind of a project in the B-BT zone. I just realized that my chart is not complete.

Commissioner Anest: What is it on the zoning map?

Craig Minor: R-12, surrounded by BT.

Chairman Hall: Again, if this does come to the Commission, I don't think the Commission is going to review it, they are just going to turn it over to the Town Attorney.

Craig Minor: What I would do is to read it just to see if it addresses the issues that the Commission is concerned about, and then give it to the Town Attorney to make sure it is legally complete.

3.7.2 Affordable Age-Restricted Housing for Seniors and Service Use Buildings.

Craig Minor: I un-deleted the phrase, "and Service Use Buildings". At the last meeting we talked about it, and maybe there is a good reason for having "service use buildings" in the title.

Chairman Hall:

A. Statement of Purpose.

"It is recognized that there is a growing need to provide appropriate affordable age-restricted housing opportunities for Newington's aging (55 or older)" I do take exception to that, but anyway, population.

Craig Minor: I think it's important, because the developer has to give us documentation restricting occupancy of this project to occupants 55 or older.

Commissioner Anest: After the last meeting, did you go back to see what "service use buildings" means?

Craig Minor: No, I agreed with Bob's point that "service use buildings" probably refers to...

Commissioner Anest: It was Kenny.

Craig Minor: ...Kenny's point that it probably refers to either a doctor's office inside the complex or a public gathering area. That's why I undeleted it.

B. Development Requirements

The following requirements are specifically designed for the development of affordable age-restricted senior housing sponsored by either the Newington Housing Authority, a non-profit or limited profit developer for the health and welfare of the Town of Newington and its residents.

Chairman Hall: That kind of drops off there. You have either the Newington Housing Authority, a non-profit or limited profit developer for the health, or.....but if you have an "either", you have to have an "or".

Craig Minor: "Either the Housing Authority, a non-profit, or a limited profit developer".

Chairman Hall: You have to put an "a" in there – "or a limited profit developer for the health..."

Recognition is hereby given to the special housing needs of senior persons. The following standards are determined to be suitable to the requirements of senior persons.

C. Standards

1. The minimum parcel size shall not be less than 2 contiguous acres. The applicant shall submit a Class A-2 Boundary Survey certifying the parcel area. Contiguous acres shall mean sharing a common boundary, but shall not include parcels separated by a Town Road or State Highway.

2. The proposed site is on a bus line, or is within reasonable walking distance to facilities that serve the necessity and convenience of the senior person, or transportation is provided by the facility for its residents or a dial ride service is provided.

Commissioner Aieta: Is this still under the section for R-7 and R-12?

Craig Minor: Yes.

3. The number of dwelling units shall not exceed 20 per acre. The proposed housing for the senior is not likely to have adverse effect upon adjacent properties and other properties in the neighborhood.

4. Reasonable traffic circulation exists to and from the site, taking into consideration such items as amount of parking, location and access to parking traffic load, circulation problems on existing streets and access to the site in case of fire or catastrophe.

Craig Minor: Can we back up a little bit? I originally deleted the paragraph that says, "Since the above described limitations apply particularly to seniors", which Commissioner Claffey pointed out last time that probably is needed, and I think he's right. I still haven't been able to figure out exactly what this means, though.

Commissioner Aieta: Where are you reading this?

Craig Minor: On page 18, that last paragraph, which I struck out the last time, because I didn't think it made sense. I still don't think it makes sense, but it must serve some function that I haven't been able to figure out yet, so those of you who noticed that I have still deleted it, I'm going to un-delete it until I feel better about what it is trying to do.

Chairman Hall: The last paragraph?

Craig Minor: The paragraph that begins since the above described limitations. What it seems to be saying, which doesn't make any sense, all of a sudden four paragraphs into this section, it is kind of giving a purpose statement, but why, why do that under B when paragraph A is the statement of purpose, what I'm saying I'm not sure that this paragraph is for.

Commissioner Serra: What it looks like to me, if I'm reading this right, by persons associated with head of household, if his spouse is younger, she can still live there, being associated with him. Either way, absolutely.

Craig Minor: So you think this paragraph is saying the non-55 year old resident can stay if the 55 year old occupant passes away?

Commissioner Serra: Well, I don't know about that, but...

Commissioner Anest: It just says that they can live there too, kinship. It doesn't say after the 55 or older person.....

Commissioner Serra: So if they have a son, daughter,

Craig Minor: Right, a young child.

Commissioner Serra: They can live there.

Craig Minor: Right, or a grandchild for that matter.

Commissioner Serra: I think that is where the kinship comes in.

Craig Minor: Yes, I think that is what it is trying to do.

Commissioner Aieta: On the next page, 19, on the top, "Housing for seniors under this section..."

Craig Minor: That's another paragraph that I don't see what it does. That is the paragraph that Commissioner Claffey last month noted does serve some function. I guess it's harmless, but I don't like having redundant phrases, because someone is going to come along and say, why are you saying the same thing twice? There must be a reason why you are saying it twice, you must mean something different the second time. I don't like being redundant. I can't see what this paragraph, or this sentence does.

Commissioner Aieta: Well, you have already said in the beginning under 3.7 that these are special exceptions permitted in the R-12 and R-7 residential zones. So this is like a duplication, in case someone forgot while reading this, as a reminder. It doesn't serve any purpose.

Craig Minor: That's what I thought. The Chairman has already read through all of these paragraphs which I will number correctly.

Commissioner Anest: At the last meeting we talked about looking at the number of units allowed by acreage.

Craig Minor: You mean density?

Commissioner Anest: Yes. Where it says the number shall not exceed 20 per acre. We were going to discuss changing that.

Chairman Hall: I think once we get that chart...you include that, don't you?

Craig Minor: Housing for seniors, yes.

Chairman Hall: That shows how many units, the maximum density, and then we have a label as to what that is, an example. Then we'll be able to get a better picture as to whether or not we think twenty is adequate or not.

Commissioner Anest: Can you flag that for us to look at?

Craig Minor: Yes. There are only two housing types that are allowed to be that dense. This one, housing for seniors, which I'm suggesting we re-label "affordable age restricted housing for seniors", because that is really what it is about, and "senior independent living", which is allowed in any zone. Those are the only two types of housing that can be twenty units per acre. Nothing else can be anywhere near that dense.

Commissioner Aieta: There is a conflict. Under 3.7.1(a) you are giving us a minimum parcel size of ten contiguous acres, and then under this one you are saying two acres.

Chairman Hall: The first is "affordable age restricted".

Commissioner Aieta: Where does it say that?

Craig Minor: I put comments in here, because somewhere in here it says that.

Commissioner Claffey: The question I brought up on that at the last meeting was how that compares with another section, either Section 6 or earlier in Section 3, and how we can change it here and not change it at that other, because you basically have two regulations under building types. That's what it seemed to me. I think that's, you'd have to look at the minutes, but I think that was what it entailed.

Craig Minor: Is anyone suggesting that we reduce the allowable density for senior independent living, which is 20 units for acre and housing for seniors which is 20 units per acre? That's what you said, but then Frank, you brought up something but I wasn't sure if what you said followed what Carol was saying.

Commissioner Aieta: Under 3.7 Special Exceptions, these are for "alternate residential type buildings", in those two zones. They have a minimum parcel size of ten contiguous acres, and then they go on to say that the building types can be either detached, semi-detached, attached dwelling, town houses, multi-family. But then when we get into this section, we're saying the minimum parcel size shall not be less than two contiguous acres.

Craig Minor: No, that's "housing for seniors". You need at least two acres to have a senior housing project. You need ten acres to do an alternative residential type building project, but you only need two acres to come in with a "housing for seniors" project. And you can have twenty units per acre in a senior housing project whereas you can only have 5.4 units per acre in an alternative residence building type. I think it really would be useful to look at the chart, because this way in one place you can compare/contrast the different types of building.

Commissioner Anest: When you look at the Kelleher building project would you let us know how many units are in there too?

Craig Minor: Oh yes.

Chairman Hall: That's all spread out. This 20 per acre pretty much begs.....

Commissioner Anest: You'd have to go high. That's what we were talking about at the last meeting, that you would have to go up.

Chairman Hall: Because you are not going to put 20 units on an acre.

Commissioner Anest: And we don't want to go up.

Commissioner Claffey: It would be like an apartment building.

Commissioner Anest: Right, and that's why we had talked about reducing the number of units per acre because we didn't want it to go up.

Craig Minor: But they can't go any higher than three stories.

Commissioner Claffey: Let's say with a 1500 square foot condo you could probably get 35 units in three floors. You can take one down to a one-bedroom, that's about a 1,000 square foot. That's what I built in Atlanta; my buildings were four stories with 40 units and I had some buildings that were four stories with 48 units. Standard ten foot ceilings, nothing crazy, minimal walkways, so you can get about 30 in a standard building. We probably put three buildings on two acres. That's why the density could get really high.

Commissioner Anest: Yes, and that's why I personally would like to see the density reduced.

Commissioner Aieta: So we'd have to cut down from twenty.

Craig Minor: Let me populate this chart and bring it back to you. Some project that you see every day and don't think much about, when you learn it's twenty units per acre, you will realize, on paper it might seem dense, but in reality, if it's well designed, it might not look that dense. Don't be too quick to think that you want to make changes yet.

Commissioner Anest: Just don't take it off the radar.

Chairman Hall: Okay, let's finish page 19 and stop at 3.7.3 because it's four minutes of.

D. Affordability

1. The applicant shall submit documentation showing that the initial rent or dwelling unit purchase price will be within the limits set by the CT Housing Finance Authority.

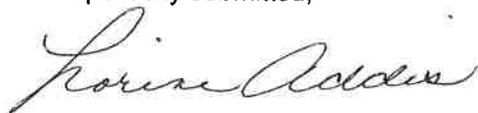
2. The applicant shall execute documentation restricting the future rent or dwelling unit purchase price to within the limits set by the CT Housing Finance Authority.

Craig Minor: Those are just place holders. I'm going to spend some on the exact wording, but my point is, we should have something in the regs telling the applicant that we're serious when we say this is affordable housing for seniors. We mean it, we're going to require that he make these units permanently affordable for seniors. I'm suggesting that we use the CT Housing Finance Authority because that is the state agency, that's the basis that the Hopkins Village units are bought and sold on. People buying and selling in Hopkins Village have to be within the income limits of the CT Housing Finance Authority, so I'm suggesting we use the same agency.

Chairman Hall: Anything else for today? Because we are going to stop here. It doesn't make sense to go into 3.7.3.

The meeting was adjourned at 6:55 p.m.

Respectfully submitted,



Norine Addis,
Recording Secretary