

TOWN *of* REDDING, CONNECTICUT

Zoning Commission

10 Lonctown Road, P.O. Box 1028, Redding, CT 06875 Tel. (203) 938-8517 Fax (203) 938-5027

January 12, 2007

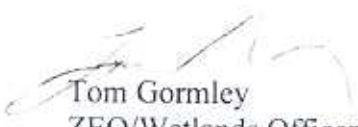
Weston Town Hall
Attn: Cynthia Williams, Town Clerk
P. O. Box 1007
Weston, CT 06883

Dear Ms. Williams:

In accordance with the Connecticut General Statute this letter is to notify you that a Public Hearing will be held March 14, 2007 at 7:30 PM in the Hearing Room at the Redding Town Hall. Purpose of hearing will be to review a proposed amendment to the zoning regulations. Amend Section 4.2 by adding section 4.2.8 Special Development District/Active Adult Residential Village.

If you have any questions or concerns regarding this matter please feel free to contact me at (203) 938-8517.

Sincerely,


Tom Gormley
ZEO/Wetlands Officer

Mr. Frank Taylor, Chairman
Redding Zoning Commission
Town of Redding
100 Hill Road
Redding, Connecticut 06875

January 11, 2007

Re; Proposed Amendment to the Zoning Regulations of the Town of Redding, Ct

Dear Chairman Taylor:

Based on the discussion that took place at the Zoning Commission Meetings on December 13, 2006 and January 10, 2007, I have amended my original proposal to incorporate those changes that you and the other Commissioners agreed are appropriate. I have chosen to retain the second paragraph of my December 6, 2006 proposal so that those other Commissions and Officials reviewing this proposal will understand the reasons behind my recommending an amendment to the Zoning Regulations permitting the establishment of Special Development Districts in the R-2 Zone for Active Adult Residential Villages.

There is a tremendous, unmet demand from people in our town who want to downsize. They have roots and family in the area, but they no longer want the lifestyle of a large home with the maintenance and other responsibilities that go with it. To many the concept of living in a freestanding home, plus the benefits of communal living, rather than an urban high rise lifestyle community, is very appealing. According to the 2000 census, over 20% of the residents of Redding are 55 years of age or older. That is, at the very least, 2700 people. Another 20% of our population in 2000 was in the 45 to 55 year old bracket. The demand is here and it is definitely growing and Redding is one of the few towns in our area of Connecticut that does not have an Active Adult Community zoning category for private housing on land located in a residential zone.

My revised recommendations for language defining this new, age restricted, category are as follows:

Amend Section 4.2 by adding Section 4.2.8 to read as follows:

4.2.8 – Special Development District / Active Adult Residential Village

On application by the owner(s) of record or a contract purchaser of land in the R-2 Zone, the Zoning Commission may establish a Special Development District (SDD) known as an Active Adult Residential Village (AARV). Each application shall be judged by the Commission on its own merits, as a change of zone application, for the purpose of effectively serving the needs and interests of an increasing population of elderly citizens. On approval by the Commission, the particular regulations for each AARV, including its approved site plan(s), shall supplant and replace the previous zoning classification of the SDD.

- (a) Application shall be for an amendment to the Zoning Map, as provided for in Section 7.1 and be accompanied by a perimeter survey, certified Class A-2, which accurately identifies the proposed SDD boundaries and the names and addresses of all included and abutting property owners.
- (b) The application shall be accompanied by a site plan or plans which fully conform with the requirements of Section 5.2.1 through 5.2.8 inclusive, subject to the specifications and standards set forth in Sub Sections 4.2.8(c) through 4.2.8(m).
- (c) The AARV may be applied only to parcels of land located in the R-2 Zoning district consisting of not less than 10 acres.
- (d) Subject to the design standards in Sub Section 4.2.8(h), the following uses are permitted in the AARV.
 - 1. Single family detached dwellings held in one or more common interest ownership communities; and
 - 2. Multi-family dwellings containing no more than four units per structure held in one or more common interest ownership communities; and
 - 3. Accessory uses to the above, which may include, in addition to uses customarily incidental to the principal uses, recreational facilities for use by residents of the AARV and their guests.
 - 4. All structures and uses under this Section shall meet the definition of "Housing for Older Persons" set forth in § 42 USC 3607 (b) [2] as amended.
- (e) Dwellings within an AARV will be limited to occupancy by persons who are 55 years of age and over as permitted by federal and state fair housing laws. In no event may a dwelling be occupied by more than two residents. The purchase of a dwelling unit for investment purposes by an entity or an individual not intending to occupy the dwelling unit is prohibited, except that a nonresident family member may purchase up to one unit for a family member who will reside in the dwelling unit and otherwise comply with the requirements of this Section. Dwellings shall be located in one or more common interest ownership communities where all utilities, private roads, driveways, accessory buildings and common open space shall be maintained by the resident's association. The resident's association shall be established prior to the issuance of any certificates of occupancy. Membership in the resident's association shall be mandatory for each dwelling unit owner. It shall be stated on the site plan and recorded on each deed or declaration of common interest ownership community condominium filed in the office of the Town Clerk, that each dwelling unit owner possesses an undivided interest in all utilities, private roads, driveways, accessory buildings, common areas and open space and is

jointly and separately responsible for their maintenance and for the payment of all required taxes thereon.

In accordance with § 8-12 of the Connecticut General Statutes, the Town of Redding, acting through its duly appointed officials, may enter onto the premises for the purpose of verifying compliance with state and local standards and regulations, including any approvals previously issued and relating to the development. As a condition for granting approval, each applicant, owner or resident's association shall provide legal documents which shall hold harmless and indemnify the Town of Redding and its duly appointed officials from any claims or liability arising from the corrections of violations sited. The form of such documents shall be acceptable to the Commission's counsel and the Commission. The provisions of this section shall survive the issuance of any Certificate of Occupancy or Certificate of Zoning Compliance.

Should such verification inspections discern that corrective action is necessary to bring the development into conformance with laws, rules and regulations, the official of the Town of Redding performing the inspection shall, in writing, cite the violations and require corrective action within a reasonable period of time. Failure to perform the required corrective action shall be considered a violation of the Zoning Regulations and be subject to fines and penalties as prescribed by statute or regulation.

- (f) The number of dwelling units that shall be permitted on a parcel of land shall be determined by dividing the gross area of the parcel, exclusive of the areas classified as inland wetlands or watercourses, as flood plain and as slopes in excess of 25% and, subject to Sub Section 4.2.8(g), by 8,000 square feet. A fractional dwelling unit total shall be rounded down to the nearest whole number if below 0.5 and rounded up to the nearest whole number if the fraction is greater than or equal to 0.5.

As a density bonus, additional dwelling units on a parcel of land shall be permitted, provided that 10% of the total dwelling units in the AARV are designated as "affordable". The affordable units may be single-family detached dwellings, multi-family dwellings containing no more than four units per structure or single family apartments located in the amenities facility. Ownership of affordable units shall be held in a common interest ownership community subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be rented based upon criteria qualifying them as affordable housing, and that there be an approved Affordability Management Plan providing for annual certification of continuing compliance with these covenants and deed restrictions.

The number of additional dwelling units that shall be permitted on a parcel of land shall not exceed 25% of the number of dwelling units calculated under paragraph one of this Sub Section.

- (g) No less than 35% of the gross area of the site shall be preserved for common open space. Common open space may include environmentally sensitive land, including but not limited to wetlands and watercourses, flood plains and slopes of 25% or greater. The open space shall be held by a resident's association and some portion thereof may be subject to a conservation easement, or may be conveyed to an appropriate conservation organization or the Town of Redding. The method of ownership of all common open space shall be specified in the application documents
- (h) Setbacks and Dimensional Requirements, subject to Sections 3.10, 3.12, and 3.13:
1. No dwelling unit or other structure, or part thereof, shall be located closer than 50 feet to any perimeter lot line.
 2. No building shall be located closer than 25 feet from the edge of pavement of any road, internal drive or cul-de-sac.
 3. Maximum building height shall be 36 feet.
 4. Maximum impervious coverage shall not exceed 35% of the gross area of the parcel.
 5. Minimum separation between buildings shall be 30 feet.
- (i) A domestic pure water supply system and a sanitary sewage disposal or treatment system, completely in accordance with State "Class A" water standards and Town Health regulations, shall be professionally engineered to a capacity in excess of the peak demands of all residents of the AARV. The owner(s) or the resident's association shall be required to file with the office of the Town Clerk an enforceable covenant or covenants guaranteeing to properly maintain such facilities, in accordance with their engineered design, at all times at no expense to the Town of Redding.
- (j) At least two means of access shall be provided for the site, one of which may be designated as an emergency access. Any access labeled for emergency use shall be constructed according to recommendations of the Town's Engineer and with the approval from appropriate Town emergency service personnel. The emergency road must be a minimum of 14 feet in width. The main access road shall have a minimum sight line of 200 feet where it intersects the Town road. The intersection sight distance shall be measured from a point on the access road at least 15 feet from the edge of the Town road pavement. All roads within and providing access to dwellings and their accessory uses in an AARV shall be private roads and shall be constructed in accordance with the standards of the Town of Redding for minor roads. Private roads within in a common interest ownership community may be modified by the Commission to accommodate cluster housing conditions. All private roads shall be permanently deeded and shall show on the site plan as private roads not deeded to the Town of Redding. Upon completion of construction, the Town of Redding shall receive as-built plans of the private roads and a seal of certification from a registered professional engineer licensed by the State of Connecticut, certifying that the private roads have been inspected and that the construction meets the design standards of the Town of Redding as may be amended for an AARV.

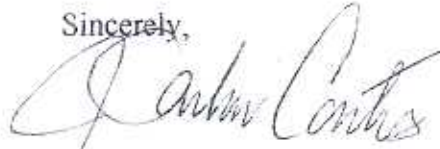
Each dwelling shall be provided with a driveway for use by emergency vehicles such as fire apparatus, police and rescue vehicles.

- (k) Two on-site parking spaces are required for each dwelling unit, except affordable dwelling units which will require one on-site parking space. Driveways may be counted as a parking space provided there is a minimum of 22 feet in depth of paved area.
- (l) Electric, telephone and cable lines shall be installed underground and other utility features located and screened as required for safety and protection of adjacent residential value.
- (m) Landscaping shall be provided in accordance with the intent and spirit described under Section 5.7
- (n) All common project facilities or systems shall be maintained by the applicant, owner or resident's association in perpetuity. Such facilities and systems shall include, but may not be limited to, the following:
 - 1. Project utilities, including fuel, lighting, electricity, telephone, cable distribution systems and controls.
 - 2. Private roads, sidewalks, driveways, parking areas, including paving and curbing.
 - 3. Drainage systems, including erosion and sediment protection, piping, drains, culverts, catch basins, manholes, clean outs and riprap ditching.
 - 4. Recreational Facilities.
 - 5. Landscaping, including maintenance of buffer areas, and conserved land.
- (o) Copies of actual regulations pertaining to the declarations of unit ownership of common interest ownership community condominiums shall be submitted to the Zoning Commission. These regulations/declarations shall set forth all definitions, articles, rules, bylaws and enforcement procedures pertaining to:
 - Seller's responsibilities
 - Owner's responsibilities
 - Tenant's responsibilities
 - Occupant's/tenant's restrictions
 - Maintenance and funding responsibilities
 - Maximum unit occupancy
 - Maximum fines
 - Recreational area activities
 - Termination procedures

- Items, which from time to time may be deemed necessary by the Commission to ensure proper zoning enforcement.

I would appreciate your reviewing my updated proposal for an amendment to the Zoning Regulations and then forwarding it to the appropriate Commissions and Officials for their comments prior to the public hearing set for March 14, 2006.

Sincerely,

A handwritten signature in cursive script that reads "J. Parker Coates". The signature is written in dark ink and is positioned above the printed name.

J. Parker Coates