

MAYOR  
JEFFREY A. MACMILLEN  
  
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MICHAEL DOWNES  
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RONALD D. PELLICCIA, JR.

# TOWN OF NORTH BRANFORD

TOWN HALL 909 FOXON ROAD NORTH BRANFORD, CONNECTICUT 06471-1290  
Building Department (203) 484-6008 Engineering Department (203) 484-6009 Planning & Zoning (203) 484-6010  
Department Fax (203) 484-6018

## NOTICE TO ADJACENT MUNICIPALITY OF PENDING APPLICATION Pursuant to CGS §8-7d(f)

DATE	February 8, 2022
TO	Town of Branford – <i>certified mail #7018 1130 0002 0235 5644</i> Town of East Haven – <i>certified mail #7018 1130 0002 0235 5651</i> Town of North Haven – <i>certified mail #7018 1130 0002 0235 5668</i> Town of Wallingford – <i>certified mail #7018 1130 0002 0235 5675</i> Town of Guilford – <i>certified mail #7018 1130 0002 0235 5682</i> Town of Durham – <i>certified mail #7018 1130 0002 1235 5699</i>
FROM	North Branford Planning and Zoning Commission
APPLICANT	24-30 Clintonville Road Associates c/o Joseph P. Williams, Esq.
LOCATION	Town of North Branford, All Zoning Districts
ACTION	Zoning Text Amendment Application PZC #2022-2  Zoning Text Amendment to Add Zoning Section 39 - Multi-Family Housing District (MFHD)  See attached copy for full details.
PUBLIC HEARING	March 3, 2022
COMMENTS TO	<a href="mailto:townplanner@townofnorthbranfordct.com">townplanner@townofnorthbranfordct.com</a>

RECEIVED AND FILED  
TOWN CLERK'S OFFICE  
NORTH HAVEN, CT

FEB 14 2022

*D. Tracy Ganss*  
TOWN CLERK

RECEIVED

FEB 14 2022

TOWN of NORTH HAVEN  
LAND USE AND DEVELOPMENT

TOWN OF NORTH BRANFORD  
PLANNING & ZONING COMMISSION

Appl. # 2022-3  
Submission Date: 1/21/22  
Date of Receipt: \_\_\_\_\_  
Fee: \$300

Circle One:

**AMENDMENT TO ZONING REGULATIONS**

**AMENDMENT TO ZONING MAP**

**RECEIVED**

JAN 21 2022

PLANNING &  
ZONING DEPT.

Applicant Name: 24-30 Clintonville Road Associates  
c/o Joseph P. Williams, Esq.  
Mailing Address: Shipman & Goodwin LLP, 265 Church Street, New Haven, CT 06510  
Telephone: 203-836-2804 Cell #: 860-306-0429  
E-mail address: jwilliams@goodwin.com

For TEXT CHANGES, please supply information below:

Section of Zoning Regulations to Amend: Creation of new Section 39.

Full Text of the Proposed Amendment: Please see attached proposed Multi-Family

Housing District (MFHD) Regulation.  
(May attach a separate sheet if necessary)

For MAP CHANGES, please supply additional information below:

Address of Property: \_\_\_\_\_

Assessor's Map No: \_\_\_\_\_ Lot #: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Has a previous zone change been requested for this property? \_\_\_\_\_  
If so, when? \_\_\_\_\_

Owner's Name: \_\_\_\_\_

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

Telephone: \_\_\_\_\_ Cell #: \_\_\_\_\_

E-mail address: \_\_\_\_\_

ALL APPLICATIONS SHALL ADHERE TO THE FOLLOWING:

1. **SUBMISSION REQUIREMENTS** include a complete and comprehensive statement of the reasons for any proposed change, including any special interest the Applicant(s) may have in such change.

2. **ADJOINING MUNICIPALITIES:** Applications affecting sites within 500 feet of, or affecting, an adjacent municipality require notification to that municipality and to the regional planning agency.

Site is within 500 feet of an adjoining municipality.

Site is not within 500 feet and will not impact any adjacent municipality.

3. **REGIONAL WATER AUTHORITY (RWA) NOTIFICATION:** The applicant must provide written notice to the RWA and to the East Shore District Health Department (ESDHD) when any application is within the watershed of the RWA.

Project is not within watershed of the RWA.

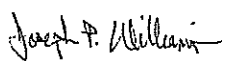
Project is within the RWA's watershed and the RWA and ESDHD have been notified.

**SIGNATURES REQUIRED ON THIS APPLICATION:**

The following is the legal agreement regarding this application which must be signed by the applicant and by all property owners of property for which a zoning map change is requested.

*The undersigned hereby applies for approval of the foregoing Regulation Amendment and/or Zoning Map Change and declares that the statements contained in this application and in all documents and/or drawings submitted as part of the same are, to the best of his/her knowledge and belief, true and accurate as presented.*

**APPLICANT(S):**

	Joseph P. Williams Applicant's Attorney-In-Fact	January 21, 2022
signature	print name	date

See attached authorization letter.

signature	print name	date
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**OWNER(S):**

N/A

signature	print name	date
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signature	print name	date
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JAN 21 2022

PLANNING &  
ZONING DEPT.

## SECTION 39 MULTI-FAMILY HOUSING DISTRICT (MFHD)

### 39.1 Purpose

The Multi-Family Housing District (“MFHD”) delineates an area that is suitable for multi-family residential development. The purposes of the Multi-Family Housing District are to:

1. Provide diverse housing choices that meet the town’s demographic needs.
2. Encourage higher-density residential development in areas with adequate infrastructure.
3. Serve as a transitional zone between other land uses, such as industrial or residential.
4. Support the local business community by providing a larger customer base and offering additional housing options to the local workforce.
5. Advance the goals and objectives of the Town’s Plan of Conservation and Development.

### 39.2 Parcel Eligibility

To be eligible to be zoned MFHD, a parcel must meet all of the following requirements:

1. Contiguous area of not less than 200,000 square feet nor more than ten acres;
2. Located in a transitional area between other land uses;
3. Located adjacent to a state highway; and
4. Public water and sewer are available.

### 39.3 Permitted Uses

1. Multiple single-family detached dwellings.
2. Multiple dwellings consisting of two or more dwelling units (such as apartments).
3. A professional or business office in a dwelling unit.
4. Customary home occupation in a dwelling unit, including home industries and services occupations.
5. Accessory buildings customary and incidental to the foregoing residential uses.
6. Accessory uses customary and incidental to the foregoing residential uses, including a home office.

## 39.4 Zone Change Application

A person seeking to change the zone of an eligible parcel to MFHD must submit to the Commission an application to amend the Zoning Map, authorized by the owners of all of the parcels that are proposed to be zoned MFHD. Since a zone change application asks the Commission to exercise its discretion, potential applicants are encouraged to request a pre-application review by the Commission.

### 39.4.1 - Application Contents

An application to amend the Zoning Map to MFHD must include the following items:

1. A written statement of the proposed use of land, buildings and other structures on the parcel if zoned to MFHD.
2. Conceptual site plans for the proposed development in sufficient detail to show the existing conditions and general layout of the proposed improvements.
3. All items required by Section 63 of these Regulations for petitions to amend the Zoning Map.

### 39.4.2 - Approval Considerations

In making its decision on an application to rezone a parcel to MFHD, the Commission shall consider whether the applicant has satisfied the following factors:

1. The proposed MFHD rezoning will accomplish the purposes set forth in Section 39.1;
2. The site is a suitable location for multi-family residential development and is situated in a transitional area between other land uses;
3. The projected development will not generate traffic in such amounts as to overburden or cause a hazardous condition to the street system in the area;
4. Adequate utility services are available to the proposed development; and
5. The proposed MFHD will not adversely impact the use or future development of neighboring properties.

## 39.5 Special Use Permit Application

### 39.5.1 – Application Contents

Following approval of an MFHD zone change, the applicant shall submit an application for Special Use Permit in order to construct a multi-family residential development on the MFHD parcels. The application shall comply with Sections 42.1 through 42.4.4 of these Regulations and shall include a Site Development Plan conforming to the standards of Section 41. A separate Site Development Plan application shall not be required.

### 39.5.2 – Procedure

The Special Use Permit application shall be processed, reviewed and acted upon by the Commission in accordance with the standards and procedures set forth in Sections 42.1 through 42.4.4 of these Regulations.

### 39.6 Development Standards

The following minimum standards shall apply to developments in the MFHD:

1. Lot Size: The MFHD lot must be a minimum of 200,000 square feet and a maximum of 10 acres.
2. Frontage: The lot must have a minimum of 400 feet of frontage on a state highway.
3. Setbacks: Minimum front setback from a local street of 25 feet; minimum front setback from a state highway of 75 feet; and minimum side and rear setbacks of 40 feet.
4. Building height: Maximum 3 stories (55 feet).
5. Density: Maximum of 20 units per acre of net lot area, which shall be the total (gross) area of land to be included in the MFHD less 50% of wetlands and slopes greater than 25%.
6. Impervious surface area ratio: Maximum impervious surface coverage of pavement, buildings and other structures as a percent of lot area shall not exceed 60%.
7. Parking: No less than one (1) parking space shall be provided for each studio or one-bedroom unit, and no less than two (2) parking spaces shall be provided for each unit with two or more bedrooms. Parking spaces in garages and driveways shall count toward required parking. The Commission may reduce the above parking requirement upon a showing that fewer spaces will be required due to the specific circumstances of a proposed use. Up to 20% of required parking spaces may be assigned to a reserve parking area designated on the site plan; the reserve spaces shall be constructed at a later date if needed, as determined by the applicant or the Commission.
8. Landscaping: All areas not covered by impervious surfaces shall be suitably landscaped, and this may include lawn and existing vegetation. Large trees and stands of mature trees and shrubs should remain undisturbed where practicable and desirable. Parking and loading areas shall have suitable landscaped islands within them and/or border landscaping adjacent to such areas so as to enhance the appearance of the area.
9. Landscape buffer: There shall be a buffer area 15 feet wide containing landscaping, fencing and/or berms between the MFHD development and an adjacent property

devoted to residential use in order to provide privacy for the adjacent use. A minimum of 50% of the trees and shrubs planted in the buffer zone shall be evergreens. Landscape buffer areas may be part of the required lot setbacks. The Commission may reduce the width and length of the landscape buffer if the proposed measures and/or existing conditions satisfy the goal of privacy.

10. Utilities: All MFHD developments shall be serviced by municipal sanitary sewers and public water supply. All utilities including, but not limited to, electric, telephone, gas, water and sanitary sewers shall be placed underground.
11. Lighting: All lighting shall comply with the requirements of Section 41.2.11, as well as Sketches 6 and 7 contained in the Appendix to these Regulations.
12. Signage: All signs permitted under Section 52.4 are permitted in an MFHD development. In addition, one sign attached to the ground is permitted at each street where the lot has frontage, and such sign shall not exceed 24 square feet in area nor a height of 10 feet but may extend to the street line. All signs shall conform to the standards set forth in Section 52.3.
13. Initial Lease Term: Rental units in an MFHD development shall be rented for a minimum initial lease term of one year.
14. Open Space: The Commission shall review the need for open space to be provided within an MFHD development when there is publicly available open space in the immediate vicinity, and in such situations it may decide that no additional open space is required on the MFHD property. If no publicly available open space is located in the immediate vicinity, then the MFHD development shall comply with the open space requirements set forth in Section 38.2.3.
15. Amenities: An MFHD development shall provide amenities such as a pool, gym, clubhouse, dog run, walking trails, mail/package service, trash collection, etc., to maintain a high standard of living for its residents.

### 39.7 Design

1. Architectural and site designs for an MFHD development shall be compatible with the physical site characteristics and architecture of the neighborhood.
2. Buildings shall be of such scale and mass that they relate to each other.
3. The placement and size of all principal buildings shall provide for a safe, efficient and harmonious grouping.
4. No more than two (2) feet of foundation or other wall above the final grade shall be without some aesthetic texture and/or color treatment or foundation plantings.

### 39.8 Modification of Site Plans

A request to modify the approved Site Development Plan for an MFHD development will require submittal of a Special Use Permit application in accordance with Section 39.4 if the proposed modification would create additional structures or dwelling units or change the layout of structures. A proposed modification shall require an application for minor modification to a Site Development Plan if none of the proposed modifications would create additional structures or dwelling units.





Joseph P. Williams  
jwilliams@goodwin.com  
Phone: (203) 836-2804

265 Church Street, Suite 1207  
New Haven, CT 06510-7013

January 21, 2022

**RECEIVED**

JAN 21 2022

Mr. William Galdenzi, Vice-Chair  
North Branford Planning and Zoning Commission  
Town of North Branford  
909 Foxon Road  
North Branford, CT 0647

PLANNING &  
ZONING DEPT.

PC #2022-2

Re: Application of 24-30 Clintonville Road Associates for Text Amendment to Create  
New Multi-Family Housing District in the North Branford Zoning Regulations

Dear Mr. Galdenzi:

On behalf of my client, 24-30 Clintonville Road Associates (“24-30 Clintonville”), I have enclosed an application to amend the North Branford Zoning Regulations. 24-30 Clintonville is proposing a new Section 39, Multi-Family Housing District, to create new housing opportunities in North Branford and make more quality housing available to the Town's workforce.

**Background**

As many Connecticut towns have come to realize in recent years, providing a rich diversity in housing options, including multi-family housing, is a critical part of attracting and retaining employers, replenishing their customer base, and promoting economic growth. Nearby municipalities including Wallingford, North Haven, Hamden, Branford and New Haven have recently recognized the benefits of welcoming new multi-family housing to their community.

Currently, North Branford’s Zoning Regulations lack a zoning district that encourages market rate, multi-family housing that is not restricted by age. The regulation that we propose to you now will provide such an option.

**Proposed Amendment**

We propose to create a new Section 39, “Multi-Family Housing District (MFHD).” The purposes of this new district, as set forth in Section 39.1, include providing diverse housing choices that meet the town’s demographic needs, encouraging higher-density residential

development in transitional areas with adequate infrastructure, and supporting the local business community by providing a larger customer base and additional housing options for its workforce.

We have modeled the MFHD after your existing Age-Restricted Housing District (ARHD), but without the age restriction. You will note that we have included several requirements that a parcel must satisfy to be eligible to be zoned MFHD (39.2). Importantly, no properties in North Branford will become automatically eligible for multi-family housing with your adoption of the MFHD regulation. Rather, as set forth in Section 39.4, an applicant must file an application to amend the Zoning Map in the usual manner, complying with Section 63 of the regulations and with the requirements and approval considerations stated in the MFHD. The Commission maintains its usual discretion in deciding a zone change application.

Additionally, please note that if you approve the MFHD, the Commission retains the authority to review multi-family housing proposals for compliance with the existing special use permit criteria in Section 42 of the Zoning Regulations and the detailed Development Standards provided in Section 39.6 of the MFHD. An application for Special Use Permit can be presented to you only after you decide whether to rezone a property to MFHD. Also, in connection with the Special Use Permit, we have included design criteria for the Commission to consider (39.7).

### **Consistency with POCD**

Our proposed text amendment is consistent with the *Town of North Branford Plan of Conservation and Development: 2019-2029* (“2019 POCD”). At page 33, the plan provides a frank assessment of the recent evolution of the North Branford population base, concluding that “demographic shifts within the community will lead to evolving housing needs over the next decade.” Facts cited in support of this conclusion include the following:

- North Branford's population grew by approximately 3.6% between 2000 and 2010 - the slowest growth rate in recent memory.
- North Branford is aging. Between 2010 and 2016 the median age of North Branford residents increased from 44 years old to 47 years old.
- There has been a decline in the number of households with children under age 18, corresponding with declining school enrollments over the last decade. Between 2007- 08 and 2017-18 school years, total K-12 enrollment declined by 26.7%.

More recent data from the U.S. Census reveals that, while North Branford experienced slow population growth from 2000-2010, the Town actually suffered a six percent (6%) net *loss* in total population between 2010 and 2020, including a 23% reduction in children.

Regarding current housing conditions in North Branford, the 2019 POCD (page 34) reports that the Town's housing stock consists primarily of single-family, owner-occupied homes. “There are limited options for those looking to live in rental or multi-family housing units.” The POCD cites the following factors, among others:

- 77.5% of the Town's housing stock is comprised of single-family detached dwellings. By comparison, only 53.6% of housing units in New Haven County are detached single-family dwellings.
- The Town has limited rental opportunities. Only 10% of housing units are renter-occupied which is much lower than New Haven County where about one-third of units are renter occupied.
- **There have been no major multi-family developments built in Town in over 20 years** meaning the existing rental housing stock consists primarily of older units.
- 26% of community survey respondents see themselves downsizing in the next 10 years, indicating demand for smaller housing units within Town over the next decade.

The 2019 POCD further observes that housing permit activity in North Branford has not yet recovered from the Great Recession. It then adds, at page 36: "There is strong regional demand for multi-family housing. Between 2013 and 2017 over 2,500 new multi-family housing units were built in New Haven County, comprising about 54% of all new housing units. However, **North Branford has not added any new multi-family housing during this period.**" (emphasis added)

After reviewing these conditions, the 2019 POCD sets this goal: "Provide housing choices that meet the town's demographic needs." In accordance with this goal, the plan (pp. 37-39) declares several objectives, including:

- Maintain a diverse housing stock in a range of styles, sizes, and price points
- Encourage higher-density residential development in areas with existing infrastructure
- Provide quality housing for the Town's workforce and senior population

The Housing Plan in the 2019 POCD identifies several "Multi-Family Housing Priority Areas" and specific "Priority Sites," one of which is my-client's property at 50 Clintonville Road (p. 41). Priority Site Criteria are listed as:

- Access to sanitary sewer
- Access to public drinking water
- Primary access/egress from state road

Finally, the 2019 POCD establishes goals to grow the tax base and "encourage business expansion and retention" (p. 47). While some people mistakenly believe that new housing development is not consistent with economic growth, note that significant North Branford employers like Honeywell and Brook & Whittle have expressed their support for my client's proposal to build new multi-family housing in North Branford. These companies recognize the benefits to their business in having high-quality housing options available for their employees close to their place of work - which will assist the companies in recruiting and retaining their workforce and in transitioning new employees - as well as the broader economic benefits derived

24-30 Clintonville Road Associates  
2319 Whitney Avenue, Suite 1A  
Hamden, CT 06518

January 18, 2022

**RECEIVED**

Mr. William Galdenzi, Vice-Chair  
North Branford Planning & Zoning Commission  
Town of North Branford  
909 Foxon Road  
North Branford, CT 06471

JAN 21 2022

PLANNING &  
ZONING DEPT.

PZ # 2022-2

Re: Application of 24-30 Clintonville Road Associates for Text Amendment to Create New Section 39 Multi-Family Housing District ("MFHD") in the North Branford Zoning Regulations

Dear Mr. Galdenzi:

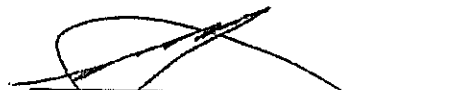
24-30 Clintonville Road Associates ("24-30 Clintonville") is filing an application for Text Amendment to the North Branford Zoning Regulations creating a new Section 39, Multi-Family Housing District. This letter will serve as certification that 24-30 Clintonville is familiar with all the information provided in this application and that the statements contained therein and in all documents submitted as part of the same are, to the best of 24-30 Clintonville's knowledge and belief, true and accurate as presented.

24-30 Clintonville hereby authorizes its attorneys, Shipman & Goodwin LLP, to execute any application forms or other documents in connection with this application and to submit documentation pertaining to this application on its behalf. Attorney Joseph Williams of Shipman & Goodwin LLP will be the primary contact on this matter.

Thank you for your assistance in this matter.

Sincerely,

24-30 CLINTONVILLE ROAD  
ASSOCIATES



By: Monadnock Circle Ltd, Its General  
Partner

By: Con-Corp, Inc., Its General Partner

By: Michael Belfonti, Its President

Duly Authorized