

315

Date Entered:

Application ID #

Guilford Planning and Zoning Commission
Application for **Special Permit for Accessory Apartment**

RECEIVED

AUG 24 2020

GUILFORD PLANNING &
ZONING COMMISSION

Requirements:

- 1. Submit six (6) copies total (**original and 5 copies**) of application and attachments
- 2. **SEND DIGITAL PDF TO planning.zoning@ci.guilford.ct.us**

Date: August 14, 2020

In accordance with Article X and § 273-99 of the Zoning Code of the Town of Guilford, application is hereby made for the approval of a Special Permit Use as shown on a site plan entitled: _____

and dated: _____

LOCATION OF PROPERTY 67 Golden Hill Dr.

Assessor's Map: 80 Lot: 107B Zone: R-5 Unique Id# 09900006

Applicant:
Name: Frank Samuelson for Mack Pender
Address: 67 Golden Hill Dr.
Guilford, CT 06437

Telephone: 203-206-2255
E-mail: Frankhsam@gmail.com

Property Owner:
Name: Mack Pender
Address: 67 Golden Hill Dr.
Guilford, CT 06437

Telephone: 203-206-2255
Fax: _____
e-mail: Frankhsam@gmail.com

Type of Use:
 Accessory Apartment to a single-family dwelling § 273-19

Project includes exterior work No Yes, if yes please complete LID checklist on page 10.

Statement of proposed use:
To finish an unfinished apartment above an existing attached 3 car garage. Apartment was a 'dry shell' when home was built in 2003.

Registered Professional who prepared Site Plan:

Name: NA

Address: _____

Telephone: _____

Fax: _____

e-mail: _____

NOTE: Under certain circumstances the Commission may waive the requirement that the site plan be prepared by a professional § 273-99A (2)

✓ If waiver of any of the requirements of § 273-97B or §273-99A(2) is requested, submit request in separate letter to the Guilford Planning and Zoning Commission.

If a letter is submitted please indicate by checking here:

Fee: _____ Paid

Sign: \$5.00 Paid

Signed: *Mack Pender*
Applicant

Signed: _____
Owner

Note: Notification of Public Hearing date and of Commission action shall be sent to the applicant who shall be responsible for satisfactory completion of an approved Special Permit, including any conditions that may be imposed.

Accessory Apartment Worksheet

Date: August 14 2020

Re: Application of: Mack Pender

Map: 080107 B07, Lot: #7, Zone: R-5

Zoning Requirements

One outside entrance

Occupied by an owner on premises

Minimum lot size for zone 40,000 sq. ft. or the minimum lot size required by the zone district as set forth in Table 3

Number of parking spaces (minimum of 3 required)

Accessory Apartment has minimum floor area of 400 sq feet & maximum floor area of 1200 sq feet or 35% of the floor area of the single family dwelling whichever is less.

Alterations/additions maintain appearance of the building

Applicant Has

Yes - to be added
Yes

Yes

Yes

Yes

Yes

Apartment in detached building
 R-1 zone no more than Two (2) dwelling units per lot
 Structure has historic or architectural § 273-19.B.(10)
 Side setbacks.....
 Sum of side setbacks.....
 Front setback.....
 Rear setback.....
 Maximum lot coverage for zone
 Professionally prepared Site Plan.....
 Professionally prepared Site Plan waived §273-99A.(2)

No
No
No
NA
NA
NA
NA
requested

Affidavit for Special Permit for Apartment Accessory to Single Family Dwelling

- MARK -

I hereby certify the following:

1. That I am the owner of 67 Golden Hill Dr., Guilford, Ct, as shown of Assessor's Map 080107B07 Lot #7.
2. That the dwelling has existed on the lot since Spring 2003.
3. That I understand that either the single-family dwelling or the apartment dwelling unit must be occupied by an owner of the premises in order to meet the requirements of the special permit requested.
4. That there will be a minimum of three (3) parking spaces provided on the lot.
5. That any alteration or addition will maintain the appearance of the building as a single-family dwelling and will not increase in nonconformity to the zoning regulations.
6. That the lot will continue to meet the area requirements and the structure will meet the floor area requirements.

[Signature]
 Owner

Notary Public

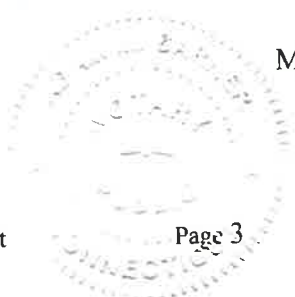
State of Connecticut, County of New Haven ss. _____

Personally appeared Mark Pender, signer and sealer of the foregoing instrument and acknowledge the same to be his/her free act and deed, before me.

ADAM M. CARNER
 NOTARY PUBLIC - CT 174872
 MY COMMISSION EXPIRES SEPT. 30, 2022

[Signature]
 Notary Public

My commission expires 08 / 21 / 2020



The following regulations must be satisfied in order for the Planning and Zoning Commission to approve an application for an accessory apartment. If your application cannot meet these conditions, you must first seek a variance and apply for the special permit after the variance is filed in the land records in the Town Clerks Office.

An A-2 survey or site plan with accurate measurements of setback distances and a copy of the current Assessor's field card and a completed Accessory Apartment worksheet and the notarized Accessory Apartment affidavit must accompany your application.

§273-19. Apartment accessory to single-family dwelling.

- A. Purpose. Accessory apartments are encouraged in order to provide a housing type that is more affordable than the single family home in accordance with the goals of the *Plan of Conservation and Development*. The following shall apply to the provision of an accessory apartment dwelling unit (see 273-2-B. for the definition of "dwelling unit". Accessory apartments are allowed by Special Permit in all residential zones and may be located within the principal dwelling unit or an addition thereto, or may be located in a detached or partially detached accessory building or an addition thereto.
- B. Conditions.
 - 1. The apartment is provided with a least one outside entrance, a bathroom and kitchen facilities separate from the single-family dwelling.
 - 2. Either the single family dwelling or the apartment is occupied by an owner of the premises. For the purposes of this Section, a dwelling unit shall be considered occupied by the owner when the unit is his/her exclusive residence for a least six months of the year.
 - 3. The lot has an area equal to or greater than 40,000 sq. ft. or the minimum lot size required by the zone district as set for in Table 3 whichever is less and there is only one principal dwelling unit and one accessory apartment per lot.
 - 4. Off street parking is provided for at least 2 vehicles for the principal dwelling and 1 vehicle per bedroom for the apartment.
 - 5. After proposed modifications are complete the accessory apartment has a minimum floor area of 400 sq. ft. and a maximum of 1200 sq. ft. or 35% of the floor area whichever is less. For the purposes of this Section, floor area shall be measured as the interior finished spaces to be used for the two dwelling units.
- C. Building Design and Location
 - 1. New accessory buildings used for accessory apartments shall meet the setback requirements for the principal building on the lot as specified in Table 3 of this Code.
 - 2. Accessory apartments in additions to the principal dwelling or in new buildings shall be located so as to minimize their impact on adjacent dwellings.
 - 3. Apartments created in additions to the principal dwelling or in detached buildings shall be designed to be harmonious with their surroundings, maintain integrity with historic buildings, and minimize perceived impacts on adjoining property. The use of an architect, landscape architect, or other qualified designer is strongly encouraged.
 - 4. Accessory apartments shall be served by septic systems and water supplies in accordance with the Public Health Code.
- D. Permit Procedures. The provisions of 273-99 are applicable and in addition the Special Permit application shall include the following;

1. An affidavit of ownership signed by the owner of the property and affirming the intent of an owner to occupy either the principal dwelling or the apartment in accordance with B. 2. Above.
2. A report from the Director of Health indicating the adequacy of the septic system and water supply in accordance with C. 4. above, and/or a plan for improvements necessary to so comply.
3. A site plan and architectural plans, drawn to scale showing floor plans, exterior elevations of all proposed changes, additions or new buildings and photographs of the proposed project from all sides and from the public way.
4. Evidence of compliance with 273-99 B requiring notice to adjoining property owners.

Low Impact Development Zoning and Subdivision Code Amendments

Amend Zoning Code, Article IX Site Plan Review by adding the following;

§273-75 General Standards

R. Low Impact Development. Applicants for Site Plan review are encouraged to practice low impact development as described in "Guidance Document for Low Impact Development Best Management Practices", dated 12/15/09 and as it may be amended. Applicants shall complete "A Check List to Guide Low Impact Development Best Management Practices."

GUIDANCE DOCUMENT FOR LOW IMPACT DEVELOPMENT BEST MANAGEMENT PRACTICES FOR GUILFORD March 11, 2010

INTRODUCTION

Over the past 30 years, Guilford has seen an increase in balancing environmental conservation with human needs, community growth and land use practices. Low Impact Development is an approach to the use of land which utilizes a variety of innovative approaches to site planning, conservation design and storm water management. Overall, the goal of Low Impact Development is to make the fewest changes to the environment consistent with zero increase in storm water runoff, environmental protection and economic considerations.

As a result of this approach, studies have shown that construction costs are reduced¹, local property values are likely to rise², tax revenues increase and compliance with wetlands and other resource protection regulations is easier³.

Guilford's Storm Water Management regulations (adopted in 2005) require storm water management plans to be consistent with the latest version of Connecticut's Storm Water Quality Manual. In this document, Section 4 describes Low Impact Development (LID) Site Planning and Management Practices. Additional guidance is described in "The Practice of Low Impact Development" by the US Department of Housing and Urban Development Office of Policy Development and Research, dated July 2003.

LID Planning and Design Practices include Site Planning, Erosion and Sediment Control, Storm Water Management and Landscape Design principles. To highlight those LID Management Practices expected in Guilford, the following principles are suggested for review by designers and developers. The attached checklist is intended for designers and developers to complete in order to provide the Planning and Zoning Commission and staff an overview of the developer's efforts to protect natural resources wherever reasonable on any given site.

SITE PLANNING CONSIDERATIONS

Environmentally sensitive development is a prime importance in Guilford, as is preservation of those elements which represent the Town's historic and cultural heritage. A visually appealing site plan which will stabilize and/ or increase property values and encourage sustainable development and energy efficient design are important elements to be included in a Site Plan application wherever possible.

Site Plans should also respect unique natural and historic features such as stone walls and public view sheds. As a result of this approach to site planning, more aesthetically pleasing and naturally attractive landscapes, more pedestrian friendly neighborhoods, more open space for recreation, and safer residential streets can be expected⁴.

Site planning can be divided into a four step process.

1. Identification of Natural Resources
2. Locating buildings outside the natural resource area wherever possible
3. Lay out streets, driveways, parking areas and trails.
4. Creation of lot lines.

Step1. Identification of Natural Resources

An initial site assessment is conducted to determine the location of all natural resources on a given site. These resources shall include wetlands, coastal resources, meadows, steep slopes, soil types, mature forest, significant trees, riparian corridors, wildlife corridors, view sheds, and the location of any endanger species. Most of these elements have already been identified in Guilford's 2005 Natural Resource Inventory and Assessment (NRIA) and they are illustrated in the NRIA Map Atlas. Other natural resource references are identified in Table 1.

After a document review of the site has been performed, a field survey should be conducted to locate hydrologic features such as streams, wetlands, floodplains and existing natural surface water drainage patterns. Once wetlands features have been identified, a surveyor needs to locate them on a site plan along with features such as site topography, limits of vegetation, exposed ledge and stone walls. Additional items required on a site plan are listed on the attached Low Impact Design Best Management Practices check list and in Table 1.

Step 2. Locating buildings outside the natural resource areas wherever possible

As a result of these initial steps, a site plan can be created showing areas of the site best suited for development and areas of the site that should be conserved. The developable areas are those locations on the site which will least disturb the natural resources and have the fewest regulator and zoning concerns. It may be advisable to cluster the development into one area of the site or into several smaller clusters that protect the site's natural features.

Conservation lands should include both inland and tidal wetlands, areas within the "A", "AE", or "V" flood zone as depicted on the flood Hazard Boundary Map or Flood Insurance Rate Map, steep slopes in excess of 25 percent (10 feet vertical in less than 40 feet horizontal), areas adjacent to open space, historic features such as stone walls, natural features such as fields, mature trees and forest, public view sheds, wildlife corridors, and site areas that contain threatened or endangered species.