

**CITY OF MILFORD
COMMUNITY RATING SYSTEM (CRS)
MAINTENANCE AND IMPROVEMENT PLAN**

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Prepared for the:



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LIST OF ACRONYMS

ARC	American Red Cross
ASFPM	Association of State Floodplain Managers
BCA	Benefit Cost Analysis
BCR	Benefit-Cost Ratio
BFE	Base Flood Elevation
BOCA	Building Officials and Code Administrators
CFR	Code of Federal Regulations
CLEAR	Center for Land Use Education and Research (University of Connecticut)
CLOMR	Conditional Letter of Map Revision
CM	Centimeter
CRS	Community Rating System
DEEP	Department of Energy & Environmental Protection
DEMHS	Department of Emergency Management and Homeland Security
dFIRM	Digital Flood Insurance Rate Map
DFA	Dam Failure Analysis
DMA	Disaster Mitigation Act
DOT	Department of Transportation
DPW	Department of Public Works
EAP	Emergency Action Plan
ECC	Emergency Communications Center
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
FEMA	Federal Emergency Management Agency
FHA	Flood Hazard Area
FIRM	Flood Insurance Rate Map
FIS	Flood Insurance Study
FMA	Flood Mitigation Assistance
FMP	Flood Management Plan
GIS	Geographic Information System
HAZUS-MH	Hazards U.S. – Multi-Hazard
HMA	Hazard Mitigation Assistance
HMGP	Hazard Mitigation Grant Program
HMP	Hazard Mitigation Plan
HUD	United States Department of Housing and Urban Development
HURDAT	Hurricane Database (NOAA's)
HURISK	Hurricane Center Risk Analysis Program
ICC	International Code Council
IPCC	Intergovernmental Panel on Climate Change
ISO	Insurance Services Office, Inc.
KM	Kilometer
KT	Knot
LID	Low Impact Development
LOMA	Letter of Map Amendment

LIST OF ACRONYMS (Continued)

LOMC	Letter of Map Change
LOMR	Letter of Map Revision
MM	Millimeter
MMI	Milone & MacBroom, Inc
NAI	No Adverse Impact
NCDC	National Climatic Data Center
NESIS	Northeast Snowfall Impact Scale
NFIA	National Flood Insurance Act
NFIP	National Flood Insurance Program
NFIRA	National Flood Insurance Reform Act
NOAA	The National Oceanic and Atmospheric Administration
OPM	Office of Policy and Management
POCD	Plan of Conservation and Development
PDM	Pre-Disaster Mitigation
RFC	Repetitive Flood Claims
RLAA	Repetitive Loss Area Analysis
RLP	Repetitive Loss Property
SFHA	Special Flood Hazard Area
SLOSH	Sea, Lake and Overland Surges from Hurricanes
SRL	Severe Repetitive Loss
SSURGO	Soil Survey Geographic
USACE	United States Army Corps of Engineers
USD	United States Dollars
USDA	United States Department of Agriculture
USGS	United States Geological Survey
USNG	United States National Grid
WMD	Water Management District
WFO	Weather Forecast Office

GLOSSARY

A Zone: The Special Flood Hazard Area (except coastal V Zones) shown on a community's Flood Insurance Rate Map.

Activity: A floodplain management activity for which Community Rating System credit has been established.

Base flood: The flood having a 1% chance of being equaled or exceeded in any given year, also known as the "100-year" or "1% chance" flood. The base flood is a statistical concept used to ensure that all properties subject to the National Flood Insurance Program (NFIP) are protected to the same degree against flooding.

BFE: Base flood elevation. The elevation of the crest of the base or 1% annual chance flood (also known as the 100-year flood).

bSF: is the acronym for the number of buildings within the Special Flood Hazard Area (SFHA) at the time of an ISO verification visit, the value for bSF is recalculated at each cycle visit. The value can change if there is a new map or if the community annexed land that includes more SFHA. This number does not include buildings located outside of the SFHA as shown on the FIRM in effect on the date of the verification visit. It does not include buildings located in the B, C, D, or X Zones, even though the community may be regulating flood problem areas in those zones.

Building: For CRS purposes, the definition of what constitutes a building is based on whether the structure is insurable. It must meet the following criteria, which are taken from the definition in the National Flood Insurance Program's Flood Insurance Manual for insurance agents. A "building" is: (1) A structure with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site; or (2) A manufactured home (a "manufactured home," also known as a mobile home, is a structure built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or (3) A travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.

"Building" does not mean a gas or liquid storage tank or a recreational vehicle, a park trailer, or other similar vehicle, except as described above.

CBRA: The Coastal Barrier Resources Act of 1982 (pronounced "cobra").

Coastal: Relating to the coastlines and bays of the tidal waters of the United States or the shorelines of the Great Lakes. Under the CRS, there are five coastal areas eligible for creditable coastal activities: the coastlines and bays of the Atlantic Ocean, Pacific Ocean, Gulf of Mexico, Bering Sea, and Great Lakes. The term does not include riverine areas.

Coastal A Zone: Those parts of a community's coastal floodplain, inland from the mapped V Zone (or shoreline if there is no mapped V Zone), that are subject to the damaging effects of waves, velocity flows, erosion, scour, or combinations of these forces. The exact boundary of a coastal A Zone is determined by the community, as described in Section 432.k, although the Federal Emergency Management Agency may provide a proposed boundary or "limit of moderate wave action" on Flood Insurance Rate Maps.

Coastal Barrier Resources System: A set of "undeveloped coastal barriers" and "otherwise protected areas" along the U.S. coast (including the Great Lakes) designated by Congress under the Coastal Barrier Resources Act of 1982 (CBRA). Most expenditures of federal funds are prohibited within the Coastal Barrier Resources System.

Coastal erosion: Coastal erosion is the wearing away of land masses caused primarily by waves on the two oceans, the Gulf of Mexico, the Bering Sea, or the Great Lakes, and major embayments to these bodies of water.

Coastal erosion-prone area: The coastal areas within which waves are anticipated to cause significant erosion and shoreline retreat within the next 60 years.

Coastal high hazard flooding: A condition of flooding subject to high velocity waters, including, but not limited to, hurricane wave wash or tsunamis. Coastal high hazard flooding is mapped as a Zone V or "limit of moderate wave action" on a Flood Insurance Rate Map. Coastal flooding without the high velocity hazard is mapped as a Zone A.

Community: A city, village, town, county, township, parish, borough, Indian tribe or authorized tribal organization, Alaska Native village or authorized native organization, or other local government with the statutory authority to enact floodplain regulations and participate in the National Flood Insurance Program.

Critical facility: A structure or other improvement that, because of its function, size, service area, or uniqueness, has the potential to cause serious bodily harm, extensive property damage, or disruption of vital socioeconomic activities if it is destroyed or damaged or if its functionality is impaired. Critical facilities include health and safety facilities, utilities, government facilities, and hazardous materials facilities. For the purposes of a local regulation, a community may also use the International Codes' definition for Category III and IV buildings.

CRS classification: A rating of a community's floodplain management program according to the CRS Coordinator's Manual.

CRS Coordinator: A local official designated by the community's Chief Executive Officer to coordinate the community's Community Rating System activities and work with FEMA and the Insurance Services Office, Inc. to document and verify the community's program.

CRS Coordinator's Manual: A publication for local officials that describes the procedures, credit criteria, and activities credited by the Community Rating System. It is available from FEMA or Insurance Services Office, Inc.

Datum: A reference surface used to ensure that all elevation records are properly related. Many communities have their own datum, developed before there was a national standard. The National Flood Insurance Program previously used the National Geodetic Vertical Datum (NGVD) of 1929, but all recent Flood Insurance Rate Maps have used the North American Vertical Datum (NAVD) of 1988. Both datum planes express elevations in relation to sea level. The Flood Insurance Rate Map indicates the datum that applies to the community.

Debris: Trash, junk, litter, discarded remains of something destroyed, landscape waste, or vegetation that may reduce the conveyance capacity of a channel or the storage or infiltration capacity of a basin.

Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment and materials.

Drainage system: For the purposes of the CRS, a community's drainage system consists of all natural and manmade watercourses, conduits, and storage basins that must be maintained in order to prevent flood damage to buildings from smaller, more frequent storms.

Element: A discrete piece of a floodplain management program that is credited as part of a Community Rating System activity.

FEMA: The Federal Emergency Management Agency. Most of the National Flood Insurance Program field work and community coordination is done by the 10 FEMA Regional Offices, which are listed at www.fema.gov/about/structure.shtm.

FIRM: Flood Insurance Rate Map. An official map of a community on which FEMA has delineated both the Special Flood Hazard Areas and the risk premium zones applicable to the community. Most FIRMs include detailed floodplain mapping for some or all of a community's floodplains. In most cases, the date of the first FIRM issued to a community is the date the community entered the Regular Program of the National Flood Insurance Program.

Flood Insurance Study: A report published by FEMA for a community in conjunction with the community's Flood Insurance Rate Map. The study contains such background data as the base flood discharges and water surface elevations that were used to prepare the FIRM. In most cases, a community FIRM with detailed mapping will have a corresponding flood insurance study.

Floodplain: Any land area susceptible to being inundated by flood waters from any source. A Flood Insurance Rate Map identifies most, but not necessarily all, of a community's floodplain as the Special Flood Hazard Area.

Floodproofing: Protective measures added to or incorporated in a building that is not elevated above the base flood elevation to prevent or minimize flood damage. “Dry floodproofing” measures are designed to keep water from entering a building. “Wet floodproofing” measures minimize damage to a structure and its contents from water that is allowed into a building

Floodway: The channel of a river and the portion of the overbank floodplain that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation by a designated height. The National Flood Insurance Program regulations allow construction in the floodway provided that it does not obstruct flood flows or increase flood heights.

Freeboard: A margin of safety added to the base flood elevation to account for waves, debris, miscalculations, lack of data, or changes in climate.

ISO: The Insurance Services Office, Inc., an insurance organization that provides support to FEMA on implementation of Community Rating System (CRS).

Low-impact development (LID): According to the U.S. Environmental Protection Agency, “an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible and treat stormwater as a resource rather than a waste product. LID practices include bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological functions.”

Natural floodplain functions: The functions associated with the natural or relatively undisturbed floodplain that moderate flooding, retain flood waters, reduce erosion and sedimentation, and mitigate the effects of waves and storm surges from storms; and other significant beneficial functions, which include maintenance of water quality, recharge of groundwater, and provision of fish and wildlife habitat.

Post-FIRM building: For insurance rating purposes, a post-FIRM building is one that was constructed or substantially improved after December 31, 1974, or after the effective date of the initial Flood Insurance Rate Map of a community, whichever is later. A post-FIRM building is required to meet the National Flood Insurance Program’s minimum Regular Program flood protection standards.

Pre-FIRM building: For insurance rating purposes, a pre-FIRM building is one that was constructed or substantially improved on or before December 31, 1974, or before the effective date of the initial Flood Insurance Rate Map of the community, whichever is later. Most pre-FIRM buildings were constructed without taking the flood hazard into account.

Regulatory floodplain: For purposes of the Community Rating System, the regulatory floodplain is the flood-prone land area that is subject to a community’s floodplain development or floodplain management regulations. The regulatory floodplain includes, at a minimum, the Special Flood Hazard Area (SFHA) (see definition), but may also incorporate other areas outside

the SFHA that are also subject to a community's floodplain development or floodplain management regulations.

Repetitive loss property: A property for which two or more National Flood Insurance Program losses of at least \$1,000 each have been paid within any 10-year rolling period since 1978.

Retrofitting: Modifications made to an existing building or nearby grounds to protect it from flood damage. Retrofitting techniques include elevation, dry and wet floodproofing, and protection from sewer backup.

Riparian ecosystem: A distinct association of flora, fauna, and soil occurring along a river, stream, lake, ocean, or other body of water and dependent upon high water tables and occasional flooding to maintain its viability. These areas often exhibit high biological productivity and species diversity. Although riparian ecosystems are closely associated with a body of water, they may extend beyond the Special Flood Hazard Area.

Riverine: Of or produced by a river or stream. Riverine floodplains have readily identifiable channels. Floodway maps can only be prepared for riverine floodplains.

Severe Repetitive Loss property: As defined in the Flood Insurance Reform Act of 2004, those 1–4 family properties that have had four or more claims of more than \$5,000 or two to three claims that cumulatively exceed the building's value. For the purposes of the CRS, non-residential buildings that meet the same criteria as for 1–4 family properties are considered Severe Repetitive Loss properties.

SFHA: Special Flood Hazard Area (see definition).

Special Flood Hazard Area (SFHA): The base floodplain delineated on a Flood Insurance Rate Map that a community must regulate under the requirements of the National Flood Insurance Program. The SFHA is mapped as a Zone A (see definition). In coastal situations, Zone V (see definition) is also a part of the SFHA. The SFHA is included in a community's regulatory floodplain.

Storage basins: For the purposes of the CRS, storage basins include all constructed stormwater runoff detention or retention facilities located on public or private property. These include onsite detention, retention, or infiltration facilities that are required for new development.

Substantial damage: Damage of any origin sustained by a building whereby the cost of restoring the building to its before-damage condition would equal or exceed 50% of the market value of the building before the damage occurred.

Substantial improvement: Any reconstruction, rehabilitation, addition, or other improvement to a building, the cost of which equals or exceeds 50% of the market value of the building before the start of construction of the improvement.

V Zone: The Special Flood Hazard Area subject to coastal high hazard flooding. There are three types of V Zones: V, V#, and VE, and they correspond to the A-Zone designations.

X Zone: Newer Flood Insurance Rate Maps show Zones B and C as Zone X. The shaded Zone X corresponds to a Zone B and the unshaded Zone X corresponds to a Zone C.

1.0 INTRODUCTION

1.1.1 Community Rating System Background

Every year, flooding causes hundreds of millions of dollars' worth of damage to homes and businesses around the country. One of the most successful approaches to solving the impacts caused by flooding is mitigation. Flood hazard mitigation measures are a sustained effort that work to eliminate or reduce the risk of flooding impacts to people and property while preparing communities for disaster response. The responsibility of flood hazard mitigation is an interconnected framework that includes the community, property owners, residents, and the cooperation and regulation of state and federal agencies.

The City of Milford secured grant funds of \$6,500 from the Northeast Regional Ocean Council (NROC) and \$13,500 from the Connecticut Association of Realtors to encourage flood damage reduction through the development of this Community Rating System (CRS) plan in order to improve resilience to coastal storms and the effects of sea level rise. Milford's efforts can serve a model for other communities looking to address coastal storm impacts and participate in CRS or enhance their rating.

Standard residential homeowners and commercial property insurance policies do not cover flood losses. To meet the need for this vital coverage, the Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP). The NFIP was created by Congress through the National Flood Insurance Act of 1968 (P.L. 90-448) and offers flood insurance in communities that comply with minimum standards for floodplain management and mitigation.

In 1990, the NFIP implemented a voluntary incentive program to recognize and encourage community floodplain management activities that exceed the minimum NFIP standards. Called the "Community Rating System" (CRS), the program rewards community efforts beyond minimum standards by reducing flood insurance premiums for the community's property owners. The CRS is similar to the private insurance industry's programs that grade communities on the effectiveness of their fire suppression and building code enforcement. Depending on the community class rating, flood insurance premium rates are discounted to reward the community's actions. A participating community must annually submit a CRS recertification report to maintain its membership and class rating.

Although CRS communities represent less than 5% of the over 21,000 communities nationwide participating in the NFIP, more than 67% of all flood insurance policies are written in CRS communities. As of December 31, 2013, there were 42,762 flood insurance policies in Connecticut.

The three primary goals of the CRS:

- ☐ **Reduce flood damage to insurable property.**
- ☐ **Strengthen and support the insurance aspects of the NFIP.**
- ☐ **Encourage a comprehensive approach to floodplain management and mitigation.**

According to the 2014 FEMA Community Status Book Report, all Connecticut communities participate in the NFIP. Of the 177 NFIP communities¹, only eight participate in the CRS program.

1.2 NFIP Participation

The City Milford is a diverse coastal community of 53,000 residents located in southwestern New Haven County along Long Island Sound. The City has participated in the NFIP since 1978 and continues to participate. The City's approach to floodplain management is to meet NFIP's minimum criteria and exceed the NFIP standards when and where possible. As part of the program, the City has adopted Flood Hazard and Flood Damage Prevention regulations within its Zoning Regulations to both recommend better site planning and mandate construction methods that can withstand flood conditions.

The City's dense residential coastal neighborhoods consist of a diverse housing stock. With 4,316 properties located within the Special Flood Hazard Area (SFHA), 2,943 of these properties are insured by \$2,935,266 in premium costs with \$631,836,200 worth of coverage. Many of these coastal neighborhoods were ravaged by Tropical Storm Irene in 2011 and Tropical Storm Sandy in 2012. More than \$62,151,650 in reported losses have been paid by the NFIP for 2,596 claims since 1978. These numbers do not yet fully reflect and incorporate the damages due to Tropical Storm Sandy in 2012 which is estimated to exceed \$36 million based on initial Substantial Damage Estimates completed.

Following Storm Irene and Sandy, Milford now contains 510 repetitive loss properties and 42 severe repetitive loss properties.

Milford's most recent coastal map updates adopted in July 2013. These maps were produced by FEMA to better reflect actual risk of flooding based on coastal topography. The maps demonstrated increased risk for coastal Milford with the following changes:

- ☐ No parcels mapped out of high-risk areas.
- ☐ 790+/- parcels mapped into high risk areas.

Per the Biggert-Waters Act of 2012 and the modifications from the Flood Insurance Affordability Act in 2014, many of Milford's properties will experience significant insurance increases which are only just being analyzed. However, based on premium costs in 2013 (\$2,935,266, average of \$997), Milford residents have the potential to experience the following savings under various CRS classes:

- ☐ **Class 9 (5%) – average savings of \$49 per policy, \$142,917 for the community.**
- ☐ **Class 8 (10%) – average savings of \$93 per policy, \$273,466 for the community.**
- ☐ **Class 7 (15%) – average savings of \$137 per policy, \$404,014 for the community.**

¹ Connecticut is generally recognized as having 169 towns. Groton includes the city and town, and Stonington includes the borough and town (171 municipalities). Furthermore, the two tribal governments and a few separate jurisdictions within municipalities administer the NFIP regulations independently. The total in the State is 177.

- ❑ 2,600+/- parcels remained in high-risk areas – most with an elevation increase.
- ❑ Only 13 parcels remained in moderate- to low-risk areas.

1.3 Community Rating System Participation

Officially entering the CRS in May of 2012, the City of Milford currently maintains a class 9 community rating to achieve 5% insurance premium discounts City-wide. Through 2013, the City has focused its efforts on record management, annual public outreach, repetitive loss area outreach, providing NFIP information to its constituents, utilizing local GIS resources to show flood hazards, attempts to mitigate through the Hazard Mitigation Grant Program (HMGP), and regulation of new construction and substantial improvements.

However, Storm Irene and Storm Sandy recovery has limited City staff's ability to pursue more robust participation in the CRS program. Paradoxically, these storms have been the primary barrier to increasing the CRS rating.

FEMA indicates that the changes to the 2013 CRS Coordinator's Manual were the result of a multi-year program evaluation that included input from a broad group of contributors to evaluate the CRS and refine the program to meet its stated goals. The changes are meant to drive new achievements in the following six core flood loss reduction areas: (1) reduce liabilities to the NFIP Fund; (2) improve disaster resiliency and sustainability of communities; (3) integrate a "Whole Community approach" to addressing emergency management; (4) promote natural and beneficial functions of floodplains; (5) increase understanding of risk, and; (6) strengthen adoption and enforcement of disaster-resistant building codes.

The City of Milford Hazard Mitigation Plan Update (HMP) serves as the City's Floodplain Management Plan under the CRS. Though the City has been able to make significant progress using this Hazard Mitigation Plan, the City determined that formulating a separate CRS Maintenance and Improvement Plan ("CRS Plan") would be a key step toward increasing its rating.

This CRS Plan has been developed per the new CRS guidelines to act as a separate living document that accounts for and encourages community floodplain management activities that exceed the minimum NFIP standards while providing a roadmap for making annual improvements to increase the City's rating.

The CRS plan outlines the steps necessary for the City to *remain in the program, increase its rating to achieve higher insurance premium reductions, and conduct appropriate outreach to members of the public relative to acquiring flood insurance*. The CRS Plan provides a detailed description for how certain CRS series and activities will be directly addressed and enhanced by the City to achieve a higher rating and increase coastal resilience as noted below.

Table 1 provides a list of the available CRS series, maximum points available for each activity or each series, and the current number of points earned by Milford for each. The last two columns of the table provide a preliminary summary of which activities are proposed to be addressed in this CRS plan with specific actions recommended to increase the associated score. Actual point increases will be determined through an application and audit with a CRS/ISO representative.

Table 1
CRS Series, Points, and Activities in Milford

Series	Activities	Current Points	Maximum Possible Points	Proposed for Increased Activity in Milford
300	PUBLIC INFORMATION ACTIVITIES			
310	Elevation Certificates	56	116	X
320	Map Information Services	0	90	X
330	Outreach Projects	12	350	X
340	Hazard Disclosures	10	80	X
350	Flood Protection Information	24	125	X
360	Flood Protection Assistance	0	110	X
370	Flood Insurance Promotion	0	110	
400	MAPPING AND REGULATIONS			
410	Floodplain Mapping	0	802	
420	Open Space Preservation	46	2,020	X
430	Higher Regulatory Standards	107	2,042	X
440	Flood Data Maintenance	105	222	X
450	Stormwater Management	30	755	X
500	FLOOD DAMAGE REDUCTION			
510	Floodplain Management Planning	91	622	X
520	Acquisition and Relocation	0	2,250	X
530	Flood Protection	0	1,600	X
540	Drainage System Maintenance	0	570	X
600	WARNING AND RESPONSE			
610	Flood Warning and Response	68	395	X
620	Levees*	0	235	
630	Dams	51	160	X

*Not applicable

Note that levees are not located in Milford, and therefore element 620 under series 600 (Warning and Response) is not applicable. Likewise, element 370 is not yet available under the CRS program.

1.4 Coastal Resilience Objectives

Milford's first HMP was adopted in 2002 as a result of the City's participation in FEMA's "Project Impact Program" which elevated approximately 30 homes in a repetitive loss area subsequent to Storm Beth. The HMP was updated in 2007 and the current revision was undertaken in 2011 with the final update adoption completed in August 2013. The HMP and the City's Plan of Conservation and Development (POCD) both identify *Sea Level Rise* as a hazard that will adversely affect the city's shoreline and land use patterns. Both plans identify the need for further study to fully understand the risks and impacts to habitat and property owners.

The increase in the rate of rising sea levels will inundate low areas, increase erosion of beaches and tidal marshes, increase the incidence of flooding from storm surges, and enable saltwater to advance upstream and intrude further into estuaries and aquifers. Milford's shore is at risk of all these things. As sea level rises, storm surges from hurricanes and nor'easters will reach further inland as they are starting from a higher base level. It has been projected that by the end of the 21st century, it is possible that a Category 1 hurricane storm surge will be similar to what is now mapped as a Category 3 hurricane storm surge.

Similarly, FEMA coastal base flood elevations (BFEs) could progressively rise along with sea level currently at unaffected elevations. Sea level rise exacerbates the problem of coastal and near-coastal inland flooding within Milford. Rising high tide levels have already affected some of Milford's drainage systems which back-up during lunar high tides. More intense rainstorms, such as those already documented by the Northeast Regional Climate Center, have the potential to further compound these flooding problems. Milford reportedly experiences increased problems with inadequate storm drainage in at least ten coastal areas. As sea levels rise, these areas will likely experience decreased drainage capacity and increased flooding.

In the context of hazards such as flooding, risk is sometimes defined as the product or the sum of vulnerability and frequency (risk = vulnerability X frequency or risk = vulnerability + frequency). Thus, if an event has (1) a low frequency and (2) very few people, structures, or infrastructure are vulnerable to the effects of that event, then the risk is assumed to be low. If an event has a high frequency and many people, structures, or components of infrastructure are vulnerable to the effects of that event, then the risk is assumed to be high. Either low frequency coupled with high vulnerability or high frequency coupled with low vulnerability will produce moderate risk.

In the context of coastal hazards and the need for developing coastal resilience, risk will change over time because the frequency will increase. Coastal storms are believed to be increasing in frequency, and flooding will increase in frequency as sea level rises. Thus, even if coastal vulnerabilities in Milford remain static, risks will increase. Therefore, Milford is at a crossroads with regard to reducing risk. Vulnerabilities can remain static and risk can increase, or vulnerabilities can be reduced to hold risk at bay. If

vulnerabilities can be reduced even further, than risks could be lowered in the face of rising sea level and increased coastal storms, leading to increased resilience. Milford wishes to reduce vulnerabilities along the shoreline, in part utilizing the CRS.

Some of Milford's neighborhoods are constructed on filled tidal marshlands with low elevations and are particularly vulnerable to the exacerbated flooding that sea level rise will cause. These areas must be considered when developing mitigation strategies, which may include grant-funded acquisitions. Milford may begin to focus some of its FEMA mitigation grant applications for property acquisitions where ambient grades show properties may be inundated in the near future planning horizon. For example, two acquisitions were funded in 2014 and are pending.

However, loss of significant tax base is a primary deterrent to an aggressive property acquisition policy. Milford will eventually need to analyze the global benefits and costs of a retreat policy in some areas where warranted in addition to identifying areas that should be designated as a priority for protection. Priority areas such as the City's wastewater treatment facility or public utilities may warrant infrastructure investment to deter the effects of sea level rise, however it should be noted that these efforts will have significant costs. A CDBG-DR planning grant awarded to the Town of Branford (to be used for Branford, Madison, and Milford) will begin to address some of these complex issues in 2015.

Resilience concepts explain how community function is affected by a disturbance such as a hurricane. Community functions decline as communities respond to a disaster. A resilient community can quickly restart local services and chart a path to a "new normal." The most resilient community incurs some losses but avoids some losses, because it has taken informed measures (anticipating threats, developing disaster response plans and recovery strategies, longer-term land use policies) in advance to minimize the impact of the disturbance. Resilient communities may find opportunities to transform themselves and grow. Thus, a resilient community's new normal may be a higher level of function or it may be able to return to a level of function existing before the disturbance. Ultimately, this cycle repeats itself after each disturbance resulting in opportunities to incrementally increase resilience and comprehensively reduce losses over time.

Milford's coastal resources are a key attraction for its residents, and full retreat from the shoreline would be economically and socially devastating. Creative ideas for adaptation are urgently needed in Milford in order to preserve its focus on shoreline access and recreation in close proximity to its most dense neighborhoods while building capacities for and among its residents and businesses. Understanding that widespread acquisitions and full retreat are not possible, the City would like to leverage its CRS participation to leverage more widespread purchase of flood insurance and increase use of insurance among its property owners, which would make it more likely that property owners would become more educated about mitigation and make their properties more resilient before and after coastal disasters. This will likewise help build the capacities of property and

business owners to recover more quickly from future coastal storms. This is the crux of coastal resilience.

In summary, the intent is to develop and maintain a CRS plan that will outline the steps necessary for the City to remain in the program, increase its rating to achieve higher insurance premium reductions, and conduct appropriate outreach to the public relative to acquiring flood insurance, utilizing insurance to become more resilient, and mitigating properties to further reduce insurance premiums and become more resilient.

1.5 Description of Ongoing Flood Mitigation Actions

The City of Milford is currently engaged in a number of important flood mitigation studies and projects that will increase resilience over the coming years. The City is a participant in a coastal resilience planning grant (\$150,000) with Branford and Madison, Connecticut and a broader planning grant (\$700,000) along with 14 other coastal municipalities from Fairfield to Madison. The planning grant is being facilitated by the Greater Bridgeport Regional Council and the South Central Regional Council of Governments. The City has also been granted Community Development Block Grant (CDBG) disaster recovery grants of nearly \$2 million for revetment repairs and construction of a breakwater.

Approximately \$3.5 million has been locally bonded for coastal drainage projects in 2014-2015 (refer to section 3.3.4, “Activity 540 – Drainage System Maintenance” for additional information).

The Connecticut DEEP projects in the City include a \$1 million+ project to redesign the Great Creek tide gate and training wall, improving water flow and reducing *phragmites* in the Great Creek and ongoing dredging of the Nettleton Avenue tidal creek.

The U.S. Department of Agriculture National Resources Conservation Service (NRCS) has undertaken dredging in the Calf Pen Meadow Creek and awarded Milford a \$1.4 million grant to conserve over 40 acres of coastal tidal marshes.

FEMA-funded projects have been completed throughout the city, and the U.S. Army Corps of Engineers completed a \$2.5 million beach nourishment project in Woodmont and a cost benefit analysis has been completed for a beach nourishment project for Silver Sands and Bayview Beach.

The City received an in-kind grant of \$100,000 from the Southwest Conservation District for green stormwater infrastructure project that includes rain gardens, tree filters and upgraded catch basins. Approximately \$50,000 has been awarded for engineered design of Wepawaug River dredging.

1.6 Inter-Departmental and Multiple Agency Coordination

The success of this CRS Plan depends upon the communication, participation and collaboration of multiple departments not only within the City, but with regional, state and federal agencies, public and private organizations, that are within and neighboring the community. As a coordination tool this CRS Plan serves as a guide to understand the roles and responsibilities that the various agencies play in helping to develop, implement and maintain the credited activities related to the goals and objectives of the City of Milford. This coordination begins with a planning process that is conducted through a flood protection committee composed of staff from those departments in the City that implement or have expertise in the credited CRS activities.

City Departments that are involved with the CRS planning process and represented on the flood protection committee include, but are not limited to:

- Planning and Zoning Board
- Inland Wetlands Agency
- Engineering
- Emergency Management Services
- Police/ Fire Department
- Parks and Recreation
- Permitting and Land Use
- Building Inspection
- Conservation Commission
- Economic Development
- Public Works
- Mayor's Office

Section 4.0 of this document explains who will be responsible for its implementation.

Every year the City must evaluate its progress toward implementing policies, programs and projects related to the CRS and submit an annual progress report of that evaluation with the required annual CRS recertification application to FEMA via the Insurance Services Office, Inc. (ISO) Specialist responsible for the community. The recertification should continue annually using the form provided by the ISO specialist, regardless of whether a new rating is being requested by the City.

Regional, State and Federal partners as well as non-profit agencies are instrumental in the success of integrated, coordinated flood control measures. Milford works hand in hand with agencies such as DEEP, the CT Southwest Conservation District, the NRCS, the Army Corp of Engineers, and others to maximize mitigation and conservation efforts within and around the City.

2.0 FLOOD RISK ASSESSMENT

The City of Milford has significant flood risk. This section of the plan provides an overall summary of flood risk. Details can be found in Appendix A. The descriptions in this section and in Appendix A were taken from the City's Hazard Mitigation Plan Update in an effort to integrate the two documents.

Milford is a coastal community surrounded and intersected by waterbodies. It is bordered on the south and southeast by Long Island Sound and on the west by the Housatonic River estuary. It is centrally bisected north to south by the Wepawaug River. The easterly part of the city is bisected by the Calf Pen Meadow Creek and Farley Brook/Oyster River systems, and the westerly part of the city is bisected by the Beaver Brook system.

As a result of its geography and topography, the City has strong potential for flooding, as identified on FEMA Risk Maps. GIS analysis calculates the flood zones as encompassing 7.6 square miles or more than one-third of the city. Hurricanes and coastal storms have caused severe coastal flooding as well as flooding along the Wepawaug River. Milford's shoreline juts into Long Island Sound making it more vulnerable.

Many of the homes along the coastal areas of Milford are converted summer cottages, which are smaller and built on smaller plots of land. This results in some of Milford's most highly dense residential neighborhoods being the most vulnerable.

Flooding is the most common type of disaster that occurs in Milford. One type of flood producing storm is the extra-tropical cyclone, moving up the eastern side of the Appalachian Mountains and commonly referred to as a Nor'easter; the other is a tropical low (hurricane) moving up the coast from the South.

Every spring, the chance of floods is increased due to snowmelt or complicated by ice jams. Connecticut has no distinct flood season. There is no time during the year when a major flood cannot occur. However, there are two yearly periods of higher flood frequency, late summer and early fall, when hurricanes are most likely to occur, and early spring, when snow and ice are melting.

Floods are either classified as "slow-rising" or "flash floods." Slow rising floods may be preceded by a warning period of hours or days. Evacuation and sand bagging for slow-rising floods sometimes help to lessen flood-related damage. On the other hand, flash floods are the most difficult to prepare for, due to minimal advance warning time.

Monthly full moon high tides cause minor flooding in Laurel Beach by Milford Point Road, along Field Court, areas along Calf Pen Meadow Creek – particularly Melba Street and Beachland Avenue and the finger streets off of East Broadway closest to the tide gate have risk during extreme high tides. The likelihood of floods occurring in these areas can have a return period as short as a month.

Damages from flooding have increased in the last decade. This is mainly due to increased population living in flood risk areas and. The impact of flooding on an area depends on the size of the area affected and the severity of damage. Major flooding can damage infrastructure and cause devastating property damage. Flooding causes significant displacement as populations have to be evacuated, before, during, and likely after the disaster.

Response and mitigation measures are required not only during 100-year storm events, but can be necessary seasonally or during lunar high tide, including regular relocation of vehicles to prevent property damage. Roads are impassable when water-covered and may be damaged. Bridges may be closed or destroyed and utilities may be shut off in flooded areas. Standing water for an extended period of time can also cause structural damage. River floodwater is fast moving and can carry objects; these affects combine to produce damage to bridges and other structures in the path of floodwaters.

3.0 CRS ACTIVITIES

The purpose of this section is to provide an account of current and future activities associated with the City of Milford's participation in the CRS. Each CRS activity listed below will contain a list of current actions being taken by the City to remain in the program and maintain their current rating along with proposed actions to improve the City's rating over time. For each activity, the following commentary is provided:

- ❑ **Current Actions** – A description of the City's current actions for this activity. Some of these actions may not have been counted in the City's current rating, and therefore they may immediately provide additional points under the activity.
- ❑ **Rating Improvement** – A description of what the City will do to obtain more points and increase its rating under the CRS.

3.1 Series 300 – Public Information Activities

Activities under series 300 on described on the following pages. Supporting Documentation can be found in Appendix B.

3.1.1 Activity 310 – Elevation Certificates

Refer to Supporting Documentation for a list of permits for properties in the SFHA between October 2013 and May 2014 and a map of post-FIRM construction.

Current Actions – The City of Milford has achieved 56 out of 116 points for this activity by maintaining FEMA Elevation Certificates (ECs) for new and substantially improved buildings. As part of this plan, the City has provided a list of all permits issued in the floodplain between October 2013 and May 2014. Permitting has been robust as property owners make repairs from damage incurred during storms Irene and Sandy. It is understood that the Insurance Services Office (ISO) will select approximately 30 of these permits and request copies of the associated ECs to ensure accuracy. City personnel routinely review the associated ECs for completeness and accuracy.



Moving forward the City will develop and implement a protocol that requires all ECs to be scanned and filed electronically. Paper copies will be filed in a separate box labeled “CRS Activity 310” to ensure that the documents are readily available upon each recertification. This box will be kept in the Building Department office. Filing with the permit records will continue as current practice.

Rating Improvement – Over time, the City plans to bolster its record of ECs for pre-FIRM buildings and post-FIRM buildings (elements ECPO and ECPR, respectively). This will be accomplished by working with real estate agents and insurance companies to obtain copies of ECs that are filled out in connection with property transactions rather than as a result of permits. Coordination with the City Clerk’s office and the Building official will be necessary.

3.1.2 Activity 320 – Map Information Services

The objective of this activity is to provide inquirers with information about the local flood hazard and about flood-prone areas that need special protection because of their natural functions.

Current Actions – The City of Milford has not received any of the 90 points available for this activity. However, numerous measures are in place to provide the public with information regarding floodprone areas, and the City believes that most or all of the 90 points can be granted.

The City provides basic FIRM information (element MI1) which is a prerequisite to gaining credit under this activity and additional FIRM information (MI2). The counter at the Planning and Zoning Department office contains a record of inquiries that is filled out as people are assisted in person, via telephone, or via email.

The City's GIS and Planning and Zoning Department personnel have a variety of tools available in hard copy and on the IT system to help answer questions, including the previous FIRMs and current FIRMs along with the City's own versions of these maps that show SFHAs with BFEs, floodways, the City's coastal barrier, and limits of moderate wave action.

In particular, the three example maps listed to the right and provided in the Supporting Documentation provide information to the property owner or occupant about how the flood risk mapping changed from 2010 to 2013. For example for 94 Beach Avenue, the former risk is depicted with black lines and black/white labels whereas the new zone is depicted with colored shading and blue labels. ***The City GIS personnel have these maps available for all parcels in the SFHA. They can be provided to anyone that inquires about any property in the SFHA.***

Refer to Supporting Documentation for the following:

- ☐ Example #1 of map available for all properties in the SFHA showing zone limits and BFEs in relation to parcel lines and structures [MI1 and MI2]
- ☐ Example #2 of map available for all properties in the SFHA showing zone limits and BFEs in relation to parcel lines and structures [MI1 and MI2]
- ☐ Example #3 of map available for all properties in the SFHA showing zone limits and BFEs in relation to parcel lines and structures [MI1 and MI2]
- ☐ Floodprone roads, bridges, and culverts [MI3]
- ☐ Flood depth map, city view [MI4]
- ☐ Flood depth map, neighborhood/parcel view with structures visible [MI4]
- ☐ Map of other related hazards such as erosion, shallow flooding, and drainage problems [MI3 and MI5]
- ☐ Hurricane surge inundation map [MI5]
- ☐ Map of inundation from Hurricanes Irene and Sandy, city view [MI6]
- ☐ Map of inundation from Hurricanes Irene and Sandy, neighborhood/parcel view with structures visible [MI6]
- ☐ Views from USGS "Hurricane Sandy Storm Tide Mapper" [MI6]
- ☐ Milford Open Space Corridors map (from the POCD) [MI7]
- ☐ Call Inquiry Log

The City has also created a series of maps that provide other information including non-FIRM flood areas, flood depths based on the BFEs, areas of erosion (pictured to the right) and poor drainage, high water marks from storms Irene and Sandy, and hurricane surge risk zones. Dam failure inundation area maps are also available (refer to section 630 of the Supporting Documentation for examples). ***The City GIS personnel can make these maps using citywide, neighborhood, and parcel views; and the City's GIS personnel can show residents how to use the Hurricane Sandy storm tide mapper so they can make their own maps at home.***



The City's GIS website provides information regarding flood zones, wetlands and local zoning.

The City's POCD includes a very detailed section ("Greenways and Greenbelts") in its Open Space chapter pertaining to preserving open space along floodplains and floodways. The Milford Open Space Corridors map (MI7) is included in the Supporting Documentation. This map is the official map of record that recommends protection of additional land along watercourses and the shoreline. In particular, greenways and greenbelts are recommended along:

- ☐ Wepawaug River
- ☐ Housatonic River
- ☐ Beaver Brook
- ☐ Long Island Sound beachfronts and tidal marshes
- ☐ Stubby Plain Brook and Indian River
- ☐ Calf Pen Meadow Creek
- ☐ Oyster River and Farley Brook

Through all of the above efforts and maps:

- ☐ The City provides inquirers with historical flood information during property discussions such as whether the site has flooded in the past, nearby high water marks, or whether the property is a mapped repetitive loss area.
- ☐ The City assists the public by providing basic information found on a FIRM in order to accurately rate a flood insurance policy.
- ☐ The City has provided the public with information shown on most FIRM's such as coastal barriers, floodways, or lines demarcating wave action.

To publicize the ability to answer inquiries, the City annually provides notification through different methods. For example in June 2014, the City provided the following message on an insert with the City's automobile tax bills: "Contact the Planning and Zoning Dept. about flood insurance, construction and permitting within the flood zone at 203-783-3245." A copy is included in the Supporting Documentation under activity 330. This tax bill insert typically reaches more residents than any other mailing because it is delivered to people who own their homes *and* people who rent their homes.

The City has recently implemented a new call log that is operated from any desktop PC in the GIS or Planning offices when a telephone or in-person inquiry is made from members of the public. An example "screen shot" is included in the supporting documentation. Pertinent information about the call is recorded in the dialog box and saved to the city's IT system.

Rating Improvement – A rating improvement does not appear to be necessary at this time, as the City is eligible for 90 points. However, to ensure that the public is aware of available services, information will be posted on the City's website directing inquiries regarding flood protection and flood insurance policies to the correct staff. The City will also send an annual mailer to local real estate agents, mortgage companies and insurance companies notifying them that they can obtain floodplain information on a specific parcel from the City. These tasks will be additional to the annual notification that already occurs.

3.1.3 Activity 330 – Outreach Projects

The objective of this activity is to provide the public with information needed to increase flood hazard awareness and to motivate actions to reduce flood damage, encourage flood insurance coverage, and protect the natural functions of floodplains.

Current Actions – The City currently has 12 out of 350 points for this activity. The City recognizes that community outreach is essential to ensuring the public has an understanding of flood hazards and the measures that can be taken to reduce flood damage. Consequently, the City has made informational materials regarding flood hazards available to the public:

- ☐ The City implements an annual targeted outreach program by sending a mailer to residents within SFHAs and those listed as repetitive loss properties.
- ☐ Informational materials are available in various locations such as City Hall and the Public Library and provide information on the following topics: permit requirements, FEMA brochure on flood insurance, property protection, flood hazards.
- ☐ Links to informational pamphlets are available on the City's website and include: How to Prepare for a Hurricane; How to Prepare for a Power Outage; Food and water Safety During Floods and Hurricanes; How to Keep Foods safe During Floods and Hurricanes; Re-Entering a Flooded Home; Cleaning up Flood water; Mold and Flooded Garden Produce. Refer to <http://www.ci.milford.ct.us/emergency-preparedness-division/pages/floods-hurricanes>. These materials are collectively considered a "Flood Response Plan."
- ☐ Pre-prepared messages are on standby and ready to be distributed through the City's Reverse 911 and text messaging systems prior to potential events that may cause floods.
- ☐ Informational articles are available on the City's Planning and Zoning and Permitting and Land Use websites. Relevant topics include: Important information for Milford

Refer to Supporting Documentation for the following:

- ☐ **Flood and Hurricane information on city web site**
- ☐ **Emergency shelter information on city web site**
- ☐ **"Are You Ready?" information linked to city web site**
- ☐ **Food safety information on city web site**
- ☐ **Information about re-entering flooded homes**
- ☐ **Letter dated October 15, 2013 to residents in areas with repetitive loss**
- ☐ **Press release dated March 10, 2014 about National Flood Safety Awareness Week**
- ☐ **Letter dated May 9, 2014 about availability of FMA grants for severe repetitive loss and repetitive loss property owners**
- ☐ **June 2014 automobile tax bill stuffer about floods, hazard mitigation, and signing up for emergency alerts**

residents living in the floodplain; post storm construction and repair; preparing for Hurricanes and floods and climate change.

- ❑ Information regarding various hazards can be found in the City's 2013 Natural Hazard Mitigation Plan Update.

Rating Improvement – A Program for Public Information (PPI) has been prepared as part of this CRS Plan and is included as Appendix B. Several projects have been designed and will be implemented as part of this plan. The PPI will be adopted and the PPI Committee will take over outreach activities from that point forward. This will provide additional credits throughout activity 330 beginning in 2015 and continuing into 2016.

3.1.4 Activity 340 – Hazard Disclosures

The objective of this activity is to disclose a property's potential flood hazard to prospective buyers before the lender notifies them of the need for flood insurance.

Refer to Supporting Documentation for a template that can be used for a real estate agents brochure.

Current Actions – The City of Milford has 10 out of 80 available points for this activity. The City believes that the 10 points have been received as part of the Uniform Minimum Credit (UMC). Essentially, UMC is provided for certain state laws, regulations and standards that support floodplain management.

Rating Improvement – The City's Permitting and Land Use web page contains a link that allows residents and/or potential buyers to research a property by identify zoning, wetlands and flood zones (<http://www.ci.milford.ct.us/permitting-and-land-use/faq/how-can-i-research-property-information>). This service may immediately provide additional points under activity 340.

The PPI requires the City to host meetings with local real estate agents to discuss the need for agents to notify those interested in purchasing properties located in the SFHA about the flood hazard and the flood insurance purchase requirement. The PPI also requires the City to distribute brochures to local real estate agents that advise potential buyers to investigate the flood hazard for a property. A copy of an example brochure is included in the Supporting Documentation.

In addition, the City may consider the feasibility of providing additional notification to prospective buyers regarding flood-related hazards, such as erosion, subsidence, or wetland by adding appropriate disclosures to the Assessors property cards.

3.1.5 Activity 350 – Flood Protection Information

The objective of this activity is to provide the public with information about flood protection that is more detailed than that provided through outreach projects.

Refer to Supporting Documentation for a list of publications filed in the Milford Library. This separate sheet can be easily copied and provided to the library staff when needed.

Current Actions – The City currently has 24 out of 125 points for this activity, and these points appear to be related to information filed in the public library. The City believes that the point total can be increased with current and ongoing actions.

The City has several materials available to the public regarding flood protection methods. Specifically, the following FEMA publications are available (element LIB):

- ☐ Above the Flood: Elevating your Floodprone House, FEMA-347 (2000);
- ☐ Answers to Questions about the National Flood Insurance Program F-084 (2011);
- ☐ Coastal Construction Manual, FEMA-P-55 (2011);
- ☐ Elevated Residential Structures, FEMA-54 (1984);
- ☐ Mandatory Purchase of Flood Insurance Guidelines, F-083 (2007);
- ☐ Protecting Manufactured Homes from Floods and Other Hazards, FEMA P-85 (2009);
- ☐ Mitigation of Flood and Erosion Damage to Residential Buildings in Coastal Areas, FEMA-257 (1994);
- ☐ Protecting Building Utilities from Flood Damage, FEMA-P-348 (1999);
- ☐ Protecting Floodplain Resources, FEMA-268 (1996); and
- ☐ Reducing Damage from Localized Flooding, FEMA-511 (2005).

The following *additional* references related to the community's flood problems and local or state floodplain management programs are housed in the public library (LPD):

- ☐ City of Milford Plan of Conservation and Development (2012);
- ☐ City of Milford Hazard Mitigation Plan Update (2013);
- ☐ State of Connecticut Natural Hazard Mitigation Plan Update (2014);
- ☐ Flood Insurance Study, City of Milford (1987) [original FIS];
- ☐ Flood Insurance Study, New Haven County (2010) [accompanies the initial DFIRMs for Milford];
- ☐ Flood Insurance Study, New Haven County (2013) [includes revised coastal mapping for Milford];
- ☐ City of Milford FIRM panels [original];
- ☐ City of Milford DFIRM panels [2013];
- ☐ Great Creek Flood Control Project Environmental Impact Evaluation (1984); and
- ☐ Engineering Investigation Services: Coastal Processes Evaluation for Great Creek Outlet, Silver Sands State Park (2013).

Each of these documents can be located by searching for materials on flooding or flood protection in the library.

Floodplain information is also available on the City's website. Specifically, the City's Emergency Management website contains several links related to flood protection such as:

- ❑ An interactive Flood Map Index (<http://www.ci.milford.ct.us/emergency-management-services>);
- ❑ A link to FEMA's map service center;
- ❑ Safety information with respect to floods and hurricanes (<http://www.ci.milford.ct.us/emergency-preparedness-division/pages/floods-hurricanes>); and
- ❑ A link to the City's Natural hazard Mitigation Plan Update.

Refer to activity 330 in the Supporting Documentation for examples of materials on the City's web site.

Rating Improvement – As identified in the PPI, the City intends to update the Emergency Management website to include a link to real-time gage information so users can see current water levels and, where available, flood height predictions. In addition, the City will consider making Elevation Certificates available online once the protocol for Activity 310 has been implemented and PDFs are available.

3.1.6 Activity 360 – Flood Protection Assistance

The objective of this activity is to provide one-on-one help to people who are interested in protecting their property from flooding.

Refer to Supporting Documentation for a map of the areas with the most repetitive loss properties in the city.

Current Actions – The City of Milford has zero out of 110 points for this activity. While not reflected in the current points, the City’s floodplain manager has played a significant role in providing flood protection assistance to the residents of Milford, with significant assistance provided in the three years since the flooding caused by Hurricane Irene and the two years since Hurricane Sandy. The City Zoning Enforcement Officer and/or Building Official will continue to provide support regarding flood protection and potential mitigation measures. Consider the following:

- ❑ The City’s Floodplain Manager has been available to provide one on one assistance for residents inquiring about property protection. Much of this assistance has been provided in areas with high densities of repetitive loss properties. This will continue through the Zoning Enforcement Officer and/or Building Official.
- ❑ The City’s Floodplain Manager has conducted inspections and provided advice on ways residents can protect their home from flooding. This will continue through the Zoning Enforcement Officer and/or Building Official.
- ❑ The Emergency Management Services website provides a link to homeowner information and grant opportunities (<http://www.ci.milford.ct.us/emergency-management-services>).
- ❑ The City provides written information about grants available (for example, the letter included in the Supporting Documentation under activity 330) and also provides this information one-on-one (element FAA) while assisting residents and property owners.
- ❑ The City’s Emergency Preparedness Division’s website provides a link to the Owner Occupied Reimbursement Program for CDBG-DR Funding. Refer to

Proof of these services can be found throughout the city. However, a shining example is available at 79 Melba Street. City staff advised the property owners to exceed the minimum standards that were in effect at the time of a renovation and elevate the home higher than required, and the structure on the property was minimally damaged during Hurricanes Irene and Sandy.



<http://www.ci.milford.ct.us/home/news/owner-occupied-reimbursement-program-for-cdbg-dr-funding>.

- ❑ The City's Emergency Preparedness Division's website provides information regarding obtaining appropriate levels of flood insurance to minimize financial losses through the NFIP (<http://www.ci.milford.ct.us/emergency-preparedness-division/pages/floods-hurricanes>).

Rating Improvement – The City will develop and publicize an annual mailer which will be directed to all properties within the floodplain to notify them that City staff is available to provide advice and assistance regarding flood protection.

As the State of Connecticut rolls out the “Shore Up” loan program to elevate shoreline homes, the City will begin providing this information as one of the many options available for financial assistance to property owners.

3.1.7 Activity 370 – Flood Insurance Promotion

The objective of this activity is to improve flood insurance coverage in the community. It should be noted that at this time it is not possible for any communities in the United States to obtain credit for this activity. The City of Milford will revisit activity 370 in the future if it becomes available.

3.2 Series 400 – Mapping and Regulations

3.2.1 Activity 410 – Floodplain Mapping

The objective of this activity is to improve the quality of the mapping that is used to identify and regulate floodplain development. At this time, the City of Milford is not seeking credit for this activity. New FEMA mapping was completed in 2013 which increased base flood elevations in the City. Currently, there is no community support for additional increases in base flood elevations. Future editions of this plan may consider actions for activity 410.

3.2.2 Activity 420 – Open Space Preservation

The objectives of this activity are to (1) Prevent flood damage by keeping flood-prone areas free of development, and (2) Protect and enhance the natural functions of floodplains.

Current Actions – The City has achieved 46 out of 2,020 points for this activity but believes that additional points are available at the present time in accordance with the explanations below.

A total of 1,573 acres of SFHA in Milford is considered dedicated permanent open space. This figure excludes impervious surfaces (any paved roads, driveways, and buildings that happen to be on the open space) and open water. The breakdown is provided in the table below. A full list of all parcels and two map views of SFHA open space are provided in the Supporting Documentation. A \$1.5 million grant from NRCS has recently been awarded to Milford to conserve an additional 40 acres of open space in the Calf Pen Meadow and Great Creek tidal marshes.

Refer to Supporting Documentation for the following:

- ☐ **List of all open space parcels in SFHAs or including SFHAs (8 pages)**
- ☐ **Map of open space parcels in SFHAs or including SFHAs, city view**
- ☐ **Map of open space parcels in SFHAs or including SFHAs, neighborhood/parcel view with structures visible**
- ☐ **City of Milford Subdivision Regulations**

Type or Ownership	Area (acres)
State-owned Wheeler Wildlife Area	402
State-owned Silver Sands State Park	221
Other state-owned land	57
City parks and facilities	157
City-owned wetlands and tidal marshes	335
Deed restricted open space and Land Trust parcels	359
Miscellaneous parcels including ownership by private beach associations	42
Total	1,573

According to the Plan of Conservation and Development, “significant suburbanization and subdivision in Milford’s northern forested and farmland areas led to a focused natural resource inventory that targeted several large parcels that the City has been successful in purchasing and preserving as open space. The jewel of this effort is the 100± acre Solomon Woods property – a passive recreation parcel with unique wetland habitats adjacent to Eisenhower Park, the City’s largest park property.”

Much of the open space is deed restricted (element DR), and much of the open space provides natural functions (element NFOS). For example, the Wheeler Wildlife Area is completely undeveloped and has never been developed, with the exception of the small office that serves the wildlife area. Likewise, city-owned wetlands and tidal marshes are completely undeveloped and have never been developed. The City is not aware of any open space covering element SHOS. The

City's GIS personnel stand ready to assist ISO with open space calculations to support an increase in points under activity 420.

Section 3.10 of the Milford Subdivision Regulations (refer to Appendix D) requires that 10% of the land area of subdivision proposals must be delineated and protected as open space (element OSI). One of the criteria for designating open space is "Natural Resource Protection, such as habitat protection for plants and animals, streambelt or riparian corridor protection, shorefront protection, or the provision of greenbelt linkages, forest land, agricultural land and fisheries."

Appendix A of the Subdivision Regulations (Conservation Design Principles) states that proposed subdivisions should "Preserve and protect floodplains, waterbodies, aquifers, wetlands, steep slopes, mature woodlands and forested land, existing greenfields and other open space, meadows, wildlife habitats, scenic views, historical and archeological resources and other important natural features to the greatest extent possible."

Various provisions of the Milford Zoning Regulations (refer to Appendix E) specify the amount of open space that must be set aside for various development proposals (element OSI). In addition, Section 3.24 provides for an Open Space Affordable Housing Development district (OSAHD-MF). This district "provides a district which encourages flexibility in housing construction; provides a variety of housing opportunities to meet the needs of the community; encourages the construction of housing that is affordable as defined by state statutes, consistent with design and construction standards present in the community; and assists in meeting the City's need for affordable residential alternatives. A further purpose and intent of this Section is to encourage the preservation of natural resources of the City through the maximum protection of woodlands, waterbodies, watercourses, steep slopes, scenic vistas, conservation areas, recreation areas, and similar natural features, characteristics and open spaces." For an open space affordable housing development, ***there shall be a minimum of 40% of the total lot area dedicated to open space and deed restricted.***

Element LZ is not applicable in Milford. Five-acre lot sizes are not specified for any of the zoning districts.

Rating Improvement – Three types of rating improvements are proposed:

- ☐ Acquisitions of two residential properties and conversion to deed restricted open space are pending with the use of HMGP funds. The City will add these parcels to the open space inventory in 2015.
- ☐ Approximately \$1.5 million was awarded to the City in September 2014 to deed-restrict municipal and land trust properties in SFHAs.

- ❑ In the long term, the City will continue to identify additional properties within the floodplain that could be purchased and maintained as open space. There is no particular timetable for these acquisitions.
- ❑ The City will compile an inventory of properties that may meet the criteria for natural shoreline protection (element NSP) and prepare a summary for future increases in the CRS rating for Milford. For example, portions of the tidal creek at Silver Sands State Park were restored through removal of training walls (refer to the photograph to the right), and may be eligible for this credit.



3.2.3 Activity 430 – Higher Regulatory Standards

The objective of this activity is to credit regulations to protect existing and future development and natural floodplain functions that exceed the minimum criteria of the NFIP.

Current Actions – To date, the City maintains 107 out of 2,042 points for this activity. Since its entrance into the CRS program, the City of Milford has amended its Zoning Regulations to achieve higher standards. The City also has additional regulations and policies in place to provide substantial protection from development. A copy of the City's Zoning Regulations is included in Appendix E and a summary is as follows:

Refer to Supporting Documentation for the following:

- ☐ **Proposed freeboard text to be adopted in Fall 2014 (2 pages)**
- ☐ **Adopted substantial damage text dated December 18, 2012 (1 page)**
- ☐ **Example from Town of Old Saybrook, Connecticut (use of V zone standards in coastal A zones)**

Zoning Regulations – Section 5.8 Flood Hazard and Flood Damage Prevention Regulations

- ☐ Section 5.8.6.2 – Residential Buildings: *is currently being amended to include a freeboard requirement of one foot above base flood elevation.* A copy of the proposed language change is included in the Supporting Documentation (element FRB).
- ☐ Section 5.8.6.5 – Storage of Material and Equipment: prohibits the storage of hazardous materials and equipment (element DL).
- ☐ Section 5.8.6.6 – Grading, Filling, Dredging, Excavating and Removing: states that the Board may permit grading, filling, dredging, excavating or removing of any earth products subject to the Earth Fill and Removal Regulations, Section 5.7, herein. The Board may permit the proposed activity only if it will not increase flood hazards, cause or accelerate erosion or otherwise interfere with natural drainage (element DL).
- ☐ Section 5.8.6.7 – Alteration of Natural Protective Barriers: Sand dunes, barrier beaches and other natural protective barriers shall remain intact to provide protection against wind, waves and erosion damage. The Board may, subject to the Earth Fill and Removal Regulations, Section 5.7, herein, permit the removal of sand blown or washed upon improved properties by action of high winds and tides, provided that the sand removal will not create a hazardous condition upon the improved property or other properties.
- ☐ Section 5.8.12.1 – Anchoring: *is currently being amended to include a freeboard requirement of one foot above base flood elevation* (element FRB).
- ☐ Section 5.8.13.1 – Residential Construction: *is currently being amended to include a freeboard requirement of one foot above base flood elevation* (element FRB).

- ❑ Section 5.8.13.3 – Manufactured Mobile Homes in VE Zones: *is currently being amended to include a freeboard requirement of one foot above base flood elevation* (element FRB).
- ❑ Section 5.8.14.2 – Elevation: *is currently being amended to include a freeboard requirement of one foot above base flood elevation* (element FRB).
- ❑ Section 5.1.15 – Floodways: Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification, with supporting technical data, by a registered professional engineer is provided demonstrating, through hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that encroachments shall not result in any (0.00 feet) increase in flood levels during the occurrence of the base flood discharge.
- ❑ Section 5.8.16 – Compensatory Storage: states that “the water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain” (element DL).
- ❑ Article XI (adopted December 18, 2012, effective January 2013; refer to Supporting Documentation for a copy) the definition of Substantial Damage was revised as follows: Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before damage occurred. *“Substantial damage” also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred* (element CSI).

Additional Requirements

- ❑ Pursuant to the State of Connecticut Floodplain Management Regulations, all new critical facilities are required to be protected to the 500 year flood level. The City of Milford abides by this regulation (element PCF).
- ❑ The 2005 Connecticut State Building Code was amended in 2011 and adopted with an effective date of October 6, 2011; and subsequently amended to adopt the 2009 International Residential Code (IRC), effective February 28, 2014. All municipalities in Connecticut follow the State Building Code (elements BC and LDP).
- ❑ The City Engineer, Mr. Gary Wassmer, has successfully completed the Emergency Management Institute, NFIP course and is also a Certified Floodplain Manager (element RA).

Rating Improvement – To meet element CAZ, the City intends to adopt the higher regulatory standard for coastal A zones. The Town of Old Saybrook, Connecticut recently did this and its language will serve as a model for Milford. Refer to the Supporting Documentation for this example.

The Building Code Effectiveness Grading Schedule (BCEGS) of the City needs to be a Class 5 for both Residential and Commercial structures (100 possible points) to attain at least a Class 6 CRS rating. As of 2007, the City had a BCEGS 5/4 rating. However, the current status of this rating is not known. If the rating has lapsed or is lower, this may be a barrier to the City eventually achieving a Class 6 CRS rating. The City will resolve this question in 2015 and pursue the higher ratings to remove the barrier to the Class 6 CRS rating.

3.2.4 Activity 440 – Flood Data Maintenance

The objective of this activity is to make community floodplain data more accessible, current, useful, and/or accurate so that the information contributes to the improvement of local regulations, insurance rating, planning, disclosure, and property appraisals.

Refer to Supporting Documentation for the following:

- ☐ **Field-checked and surveyed benchmarks, city view**
- ☐ **Field-checked and surveyed benchmarks, neighborhood/parcel view with structures visible**

Current Actions – At this time the City has been awarded 105 of the 222 available points for this activity. However, the City has many resources that allow the community to obtain floodplain data. Available resources include the following:

- ☐ The City of Milford GIS database is maintained and provides overlay maps and parcel records for staff use as well as public use (element AMD). The database includes the local flood zones and identifies streets and parcels. *Examples of the maps that can be produced were included in the Supporting Documents under activity 320. Sub-elements that are carried out by the City include AMD1 through AMD12. Only AMD13 is not available at this time.*
- ☐ The Planning and Zoning Department maintains hard copies of previous FIRMs that have been issued for the City of New Milford (element FM). The FIRM maps are also available in the Public Library, and City staff can prepare parcel-specific maps that depict older mapping as well as current mapping (refer to Supporting Documents under activity 320).
- ☐ The City of Milford's Engineering Department has field-checked and surveyed 83 benchmarks (element BMM) within the City boundaries. City personnel can make this information available for local engineers, architects, and contractors. The City can provide more information about benchmarks as needed.

Rating Improvement – The City will consider the development of a system that measures the rate of coastal erosion and make this available to the public (element EDM).

3.2.5 Activity 450 – Stormwater Management

The objective of this activity is to prevent future development from increasing flood hazards to existing development and to maintain and improve water quality.

Refer to Supporting Documentation for a copy of the City's Engineering Guidelines. The Subdivision and Zoning Regulations are found in Appendix D and E, respectively.

Current Actions – The City has currently achieved 30 out of 755 points for this activity. Development and redevelopment policies to address the prevention of flood damage must include effective stormwater management policies. Developers are typically required to build detention and retention facilities where appropriate. The goal is that post-development stormwater does not leave a site at a rate higher than under predevelopment conditions.

The City of Milford has several regulations and policies that regulate development such as the City's Engineering Guidelines, Subdivision Regulations (Appendix D), Zoning Regulations (Appendix E), Stormwater Management Plan, Inland Wetland Regulations, and the Plan of Conservation and Development. A summary of pertinent sections follows.

Subdivision Regulations

- ❑ Section 3.5 of the Subdivision Regulations – Storm Drainage: Adequate surface and subsurface storm drainage facilities shall be provided within the subdivision to carry existing water courses and to drain the proposed streets and street which may reasonably be expected to be constructed at some future date on adjoining property which normally drains through the area of the proposed subdivision.
- ❑ Section 3.16 states that the plan shall include measures consistent with the need to minimize flood damage. Public utilities and facilities shall be located and constructed to avoid damage from flooding. Drainage shall be designed to minimize the occurrence of flooding.
- ❑ Section 3.15 of the Subdivision Regulations – Soil and Erosion Control: The applicant shall provide a Soil Erosion and Sediment Control Plan prepared and certified by a Professional Engineer. This plan shall include measures for the control of erosion and sediment during construction.
- ❑ Section 3.5.1.2 of the Subdivision Regulations – Storm drainage facilities designed to carry streams shall be designed to pass, with a minimum of one foot of freeboard, stormwater runoff resulting from storms recurring with a fifty year frequency. In addition, the effect of storms recurring with a 100 year frequency shall be examined to ensure that they do not create an unsafe condition.

Engineering Guidelines

- ❑ The City's 2001 Engineering Guidelines (copy in the Supporting Documentation) state that drainage plans shall provide on-site storage for any increase in stormwater runoff, which is expected to occur due to the proposed development when analyzed for a twenty-five year storm condition. The design rainfall is to be 4.1 inches of rain over a six hour period.

Stormwater Management Plan

- ❑ According to the City's 2012 Stormwater Management Plan, "the City of Milford's website currently includes links to other web pages, as well as to City documents (such as the Stormwater Management Plan and Annual Reports). The City's webpage also currently includes links to the Connecticut Department of Energy and Environmental Protection, Milford Earth Day, ECC, Tree Commission, Conservation Commission, Flood and Erosion Control Board, Inland Wetlands Agency, and Plan of Conservation and Development mapping (e.g., existing open space, model habitat viewing trail, natural resource features, and open space corridors)."
- ❑ The Stormwater Management Plan also states that "the Inland Wetlands Agency is collaborating with the Southwest Conservation District on a study of the lower Wepawaug River Watershed. The MIS and Engineering Division have provided maps of catch basin locations and stormwater discharge points within the watershed. The sub-watersheds are being assessed to determine possible control strategies for preventing sediment from reaching the river. Also included in this project are an inventory, assessment, and evaluation of stormwater outfalls for potential retrofit opportunities to reduce non-point source pollutant loadings to the Wepawaug River and its tributaries. As part of this Watershed Study, the City is also investigating the feasibility of restoring three ponds along the Wepawaug River that have been adversely impacted by stormwater runoff."
- ❑ The Stormwater Management Plan indicates that "there are approximately 7,500 catch basins in the City of Milford. In 2012, the City continued to inspect and clean municipal catch basins (if necessary) and to use the catch basin spoils disposal area. Approximately 25% of the City's catch basins were inspected in 2012."

Rating Improvement – Overall, the City enforces regulations related to stormwater management, soil and erosion controls and water quality. However, improvement to the regulations could be made. For example, in order to ensure that post-development stormwater does not leave a site at a rate higher than under predevelopment, the City should consider amending the Subdivision Regulation to require developers to demonstrate whether detention or retention of stormwater is the best option for reducing peak flows downstream of a project and provide a design for the appropriate alternative. The sub-element that Milford plans to pursue in the short term is DS, or "design storms used in regulations."

In addition, the City Zoning Regulations could also be amended with a goal of incorporating best management practices relating to Low Impact Development (sub-element LID) into the regulations. This is a longer-term goal for the City.

3.3 Series 500 – Flood Damage Reduction

3.3.1 Activity 510 – Floodplain Management Planning

The objective of this activity is to credit the production of an overall strategy of programs, projects, and measures that will reduce the adverse impact of the hazard on the community and help meet other community needs.

Refer to Supporting Documentation for a copy of the front cover of the City's Hazard Mitigation Plan Update and a copy of the resolution adopting the plan. Refer to <http://www.ci.milford.ct.us/emergency-management-services> for a full copy of the plan.

Current Actions – The City has currently achieved 91 of the 622 points available for this activity. The City believes that additional points are presently available due to the following actions:

- ❑ The City's FEMA-approved Hazard Mitigation Plan Update (2013) serves as the community's floodplain management plan (element FMP). A review of the plan indicates that it meets the ten steps outlined in the CRS Manual. The City has been busy implementing the Hazard Mitigation Plan Update. The Hazard Mitigation Committee meets on a monthly basis; this committee is separate than the Flood and Erosion Control Board that will be implementing the PPI. Two HMGP-funded property acquisitions are underway, and the Public Works Department is pursuing completion of ten drainage improvement projects.
- ❑ The City of Milford Natural Resource Inventory (2002) provides an evaluation of significant natural resources and recommendations for preserving such resources (element NFP).
- ❑ As noted in the section of this plan describing activity 320, the City's POCD includes a very detailed section ("Greenways and Greenbelts") in its Open Space chapter pertaining to preserving open space along floodplains and floodways; and the Milford Open Space Corridors map is included in the Supporting Documentation. This map is the official map of record that recommends protection of additional land along watercourses and the shoreline. In particular, greenways and greenbelts are recommended along the Wepawaug River, Housatonic River, Beaver Brook, Long Island Sound beachfronts and tidal marshes, Stubby Plain Brook and Indian River, Calf Pen Meadow Creek, and Oyster River and Farley Brook (element NFP). This is similar to the "green infrastructure plan" described in the CRS manual for this element.

Rating Improvement – Repetitive loss properties are discussed in both the Hazard Mitigation Plan and the Plan of Conservation and Development. However, the detailed analysis required by CRS for element RLAA has not been completed. In the next few years, the City will prioritize the repetitive loss properties and develop a repetitive loss

analysis for at least one area. This more specific analysis will provide more detailed information on ways to minimize damage.

3.3.2 Activity 520 – Acquisition and Relocation

The objective of this activity is to encourage communities to acquire, relocate, or otherwise clear existing buildings out of the flood hazard area.

Refer to Supporting Documentation for images from the pending acquisition of 23 Caroline Street and 15 Blair Street.

Current Actions – The Community has currently achieved 0 of the 2,250 point available for this activity. Since its entrance into the CRS program, the City of Milford has obtained HMGP funding for the acquisition of two properties:

- ❑ 23 Caroline Street: Coastal A Zone; a repetitive loss property (pictured to the right) located at the end of the dead-end road adjacent to existing open space. The parcel will be a valuable addition to this existing open space.



- ❑ 15 Blair Street: Coastal A Zone; a repetitive loss property located near the end of the dead-end road. The parcel will be near existing open space, although not adjacent. Additional acquisitions in this area over the long term would help connect the parcel to existing open space.

Rating Improvement – The City plans to increase its CRS rating through additional acquisitions. Moving forward, the City will continue to identify opportunities to pursue acquisitions or relocations of floodprone properties.

3.3.3 Activity 530 – Flood Protection

The objective of this activity is to protect buildings from flood damage by (1) Retrofitting the buildings so that they suffer no or minimal damage when flooded, and/or (2) Constructing small flood control projects that reduce the risk of flood waters' reaching the buildings.



Current Actions – The City has currently achieved 0 of the available 1,600 points for this activity. However, as noted in the Hazard Mitigation Plan Update, “Elevation of as many as 130 structures has occurred at locations along the Milford coastline as a result of proactive homeowners, strict enforcement of the requirements of the City’s floodplain management regulations and over 42 have been elevated as part of formalized projects such as: 1) US Army Corps of

Engineers (USACOE), 2) FEMA Project Impact in the Point Beach area and through Flood Mitigation Assistance (FMA) and through HMGP.” Many of the elevations were voluntary and triggered the substantial improvement criteria only because the property owners elected to elevate their structures.

Rating Improvement – While the City understands that not all of the 170+ elevations will gain points for element TUE and other elements in activity 530, it is believed that many of the elevations are eligible for points. Therefore, the City plans to review each of the elevation projects with the goal of approaching ISO with a complete inventory of which projects will be eligible for credit under elements TUE, FPI, and PB.



3.3.4 Activity 540 – Drainage System Maintenance

The objective of this activity is to ensure that the community keeps its channels and storage basins clear of debris so that their flood carrying and storage capacity are maintained.

Current Actions – The City has currently achieved 0 of the available 570 points for this activity. The City of Milford Public Works Department is the Department charged with drainage system maintenance in the City of Milford, and many of its actions can gain points for activity 540. Ongoing actions and capabilities include:

Refer to Supporting Documentation for:

- ☐ **Stormwater infrastructure map, city view**
- ☐ **Stormwater projects for 2014-2015 (cover page and 10 maps)**

- ☐ The City's Engineering Division and MIS Department have completed mapping the City's storm sewer system (~1,000 outfalls), including pipe size, type, description of flow, and photographs of the outfalls. A map is included in the Supporting Documentation.
- ☐ With the purchase of a \$400,000 VacAll truck in 2013, the City's Public Works Department has increased the amount and frequency of catch basin cleanings.
- ☐ The Public Works Department conducts routine maintenance inspections and debris removal for catch basins, ditches and drainage ways. The Public Works Department website includes a link to the City of Milford Public Works Service Request Form. By filling out the form, citizens can direct comments or requests to the Department of Public Works for further action. These actions count toward elements CDR and PSM.
- ☐ The City's Public Works Department website provides a link for the public to notify the Public Works Department of flooded roads. This allows the City to respond appropriately to prevent threats to health, safety or property.
- ☐ Drainage improvement projects are routinely included in the City's capital improvement plan (element CIP). The Public Works Department has commenced ten specific drainage improvement projects in SFHAs to be funded at \$3.5 million using bonds. Maps of these ten areas are included in the Supporting Documentation. Studies are underway and construction is planned for 2015.
- ☐ According to City of Milford 2012 annual Stormwater report, the City is implementing a formal process and procedures for logging and responding to public complaints, including those associated with drainage and illicit discharges. A complaint tracking and asset management system (CarteGraph) is available to City staff and is being maintained by the City's MIS department. The following Departments utilize the procedure: DPW, Engineering Division, Wastewater, Inland Wetlands and the Department of Health. Illicit discharges are documented by DPW

staff. The documentation is maintained on file in the DPW administrative offices. The information is accessible to the public during normal business hours Monday through Friday. The Department's clerical staff will be responsible for accepting and recording public written or telephone complaints for potential illicit discharges. These complaints will be referred through the Department of Public Works to field personnel for proper assessment and correction (as necessary).

Rating Improvement – The City recognizes that moderate improvements can be made in the points for activity 540. Specifically, stream dumping regulations (element SDR) and erosion protection maintenance (element EPM) may be possible. Storage basin maintenance (element SBM) for private basins is not currently feasible, although public basins can be included in an annual maintenance program.

3.4 Series 600 – Warning and Response

3.4.1 Activity 610 – Flood Warning and Response

**Refer to Supporting Documentation
for a map of flood warning siren
impact areas.**

The objective of this activity is to encourage communities to ensure timely identification of impending flood threats, disseminate warnings to appropriate floodplain occupants, and coordinate flood response activities to reduce the threat to life and property.

Current Actions – The City has currently achieved 68 of the available 395 points for this activity, generally split between the elements for a flood threat recognition system (FTR) and emergency warning dissemination (EWD). All 75 points for EWD appear to be available, as EWD1 through EWD10 are possible.

- ❑ The City’s Emergency Operations Plan was last updated in 2013. This serves as the City’s flood warning and response plan.
- ❑ The City of Milford has purchased its own Everbridge subscription. It is called “Milford Alerts” and replaced an older “Code Red” system. The City has the ability to include flood warnings to the public through the Milford Alerts Notification System. Annual reminders to “Sign up online to be notified in the event of a local emergency” are provided through the mail, including the June 2014 automobile tax bills (copy in the Supporting Documentation). In addition to emergency messages, residents can be notified of severe weather alerts, road closures, localized coastal flood warnings, crime advisories and community events. The database used for Milford Alerts is built from a combination of the telephone directory white pages and voluntary enrollment in the system. Enrollment is done with paper forms or via the City website. All residents who sign up will receive emergency notifications. They can also choose to be notified about other events simply by using check boxes. Residents can add their cell phone numbers and e-mail addresses to the database. When a message is sent, Milford Alerts will continue sending that message to all listed communication pathways until the resident verifies receipt. The system can identify residents who have special needs such as hearing, vision, or speech impairment, people with in-home medical devices that will not operate during power outages, and people who are mobility impaired. This information can be used to establish priority lists for power restoration and emergency response tactics.
- ❑ The City of Milford has seven Mass Notification Sirens throughout the City with an estimated range of 4,200 feet. Over 2,800 parcels in the flood zone are in range of the sirens. The City of Milford GIS Department created a “Flood Warning Siren Impact Area” map, which shows the 2,800 parcels in the flood zone that are in range of the sirens. A copy of this map and information on the siren is included in the Supporting Documentation.

❑ The City's HMP Update contains a series of Critical Facilities maps which reflect Milford's critical infrastructure in relation to identified hazards, such as flooding.

❑ Evacuation signs and flood stage markers are located throughout the SFHA as depicted in the photograph to the right.

❑ A state-wide exercise called the Emergency Planning and Preparedness Initiative (EPPI) was conducted in 2012. The EPPI exercise was a coordinated effort among federal, state, regional, local, utility and private entities to test the state's ability to endure a Category 3 hurricane. The exercise was coordinated in Milford by the Assistant Chief of the Fire Department and the DEMHS liaison. Preparations for the exercise including researching locations of high risk flood zones, evacuation and sheltering options, best practices for estimating, ordering and processing commodities and how to provide shelter and resources to displaced residents. During the exercise every City department was represented in daily briefings with the Mayor. Elements practiced in this exercise were then applied when managing the City's response to Hurricane Sandy. For example, sheltering and recovery information was augmented on the Milford homepage by the Health Department. In an effort to identify Milford's capabilities to its residents a number of documents were prepared and posted on the City's website in an attempt to reduce losses and property damages and maintain public health standards.



Rating Improvement – The City will pursue becoming a National Weather Service Storm Ready Community (element SRC) and will prepare written procedures to meet the requirements of flood response operations (element FRO) and critical facilities planning (CFP).

3.4.2 Activity 620 – Levees

Levees are not located in Milford. Activity 620 is not applicable.

3.4.3 Activity 630 – Dams

The objectives of this activity are to encourage states to provide dam safety information to communities and to encourage communities, in turn, to provide timely identification of an impending dam failure, disseminate warnings to those who may be affected, and coordinate emergency response activities to reduce the threat to life and property.

Refer to Supporting Documentation for:

- ☐ **Current list of dams in Milford**
- ☐ **Map of dams in Milford**
- ☐ **Dam failure inundation areas in Milford for Shepaug Dam, Stevenson Dam, and Trap Falls Reservoir (displayed side by side on one page)**

Current State Actions – The State of Connecticut has a strong dam safety program (element SDS) that has recently been modified through legislation and is being strengthened. The Dam Safety Section of the DEEP Inland Water Resources Division is charged with the responsibility for administration and enforcement of Connecticut's dam safety laws. The dam safety statutes are codified in Section 22a-401 through 22a-411 inclusive of the Connecticut General Statutes. Sections 22a-409-1 and 22a-409-2 of the Regulations of Connecticut State Agencies have been enacted to govern the registration, classification, and inspection of dams. Dams must be inventoried by the owner with the DEEP, according to Connecticut Public Act 83-38.

The statutes in place as of mid-2013 require that permits be obtained to construct, repair, or alter dams and that existing dams be inventoried and periodically inspected to assure that their continued operation does not constitute a hazard to life, health, or property. Dam inspection regulations have traditionally required that nearly 700 dams in Connecticut be inspected annually. The DEEP currently performs inspections of those dams which pose the greatest potential threat to downstream persons and properties, and also performs inspections as complaints are registered. Dams found to be unsafe under the inspection program must be repaired by the owner. Depending on the severity of the identified deficiency, an owner is allowed reasonable time to make the required repairs or remove the dam. If a dam owner fails to make necessary repairs to the subject structure, the DEEP may issue an administrative order requiring the owner to restore the structure to a safe condition.

Owners of Class C dams have traditionally been required to maintain Emergency Operation Plans (EOPs). Guidelines for dam EOPs were published by DEEP in 2012, creating a uniform approach for development of EOPs. As dam owners develop EOPs using the new guidance, DEEP anticipates that the quality of EOPs will improve, which will ultimately help reduce vulnerabilities to dam failures.

Important dam safety program changes are underway in Connecticut. Public Act 13-197, An Act Concerning the Dam safety Program and Mosquito Control, passed in June 2013 and describes new requirements for dams related to registration, maintenance, and EOPs, which will be called emergency action plans (EAPs) moving forward. This Act requires owners of certain unregistered dams or similar structures to register them by

October 1, 2015. The Act shifts regularly scheduled inspection and reporting requirements from the DEEP to the owners of dams. The Act also makes owners responsible for supervising and inspecting construction work and establishes new reporting requirements for owners when the work is completed.

Effective October 1, 2013, the owner of any high or significant hazard dam (Class B and C) must develop and implement an EAP after the Commissioner of DEEP adopts regulations. The EAP shall be updated every two years, and copies shall be filed with DEEP and the chief executive officer of any municipality that would potentially be affected in the event of an emergency. New regulations shall establish the requirements for such EAPs, including but not limited to (1) criteria and standards for inundation studies and inundation zone mapping; (2) procedures for monitoring the dam or structure during periods of heavy rainfall and runoff, including personnel assignments and features of the dam to be inspected at given intervals during such periods; and (3) a formal notification system to alert appropriate local officials who are responsible for the warning and evacuation of residents in the inundation zone in the event of an emergency.

Current City Actions – Portions of the city with insurable buildings are located in the dam failure inundation areas of three high hazard dams that are located “upstream” of Milford: the Trap Falls Reservoir located in the City of Shelton, the Stevenson Dam located on the Housatonic River at the Monroe-Oxford town line, and the Shepaug Dam located on the Housatonic River at the Newtown-Southbury town line. Inundation areas are depicted on the map in the Supporting Documentation. The City’s Emergency Management Director has copies of the EOPs/EAPs for all three of these dams. Descriptions are as follows:

- ❑ The Housatonic River forms a series of lakes downstream of the town of Brookfield. Each lake is formed by a hydroelectric power dam. The Shepaug Dam forms Lake Lillinonah. This is a Class C dam owned by First Light Power. The EAP for the Shepaug Dam was prepared in 2012 and specifies the actions to be taken during an emergency. Failure of the dam would cause catastrophic damage along the Housatonic River. In Milford, floodwaters would affect properties located along the Housatonic River, along the Milford Point barrier beach, adjacent to the Wheeler Wildlife area, and extending upstream along creeks into the densely developed Devon section of Milford.
- ❑ Further downstream, the Stevenson Dam impounds Lake Zoar. This is a Class C dam owned by First Light Power. The EAP for the dam was prepared in 2012 and specifies the actions to be taken during an emergency. Failure of the dam would cause catastrophic damage along the Housatonic River. In Milford, floodwaters would affect the same areas as failure of the Shepaug Dam.
- ❑ The Trap Falls Reservoir Dam is a Class C dam located at the southern end of the Trap Falls Reservoir near the municipal borders of Shelton, Stratford and Trumbull. The impoundment creates a water supply source and both the reservoir and the dam

are owned by Aquarion Water Company. The date of the most recent inspection performed by Aquarion is September 14, 2010 when the condition of the dam was described as "good." Inspections are conducted every two years by Aquarion. The dam's EOP was developed in 2002 and is updated annually. Failure of the Trap Falls Reservoir Dam would cause catastrophic damage on the west side of the Housatonic River. In Milford, floodwaters would affect properties located along the Housatonic River, along the back side of the Milford Point barrier beach, and adjacent to the Wheeler Wildlife area.

First Light Power and Aquarion Water Company both provide dam failure threat recognition systems (element DFR) and dam failure response operations (element DFO) that are spelled out in the EOPs/EAPs and exercised regularly.

The City has the ability to broadcast potential dam failure warnings to the public through the Milford Alerts Citywide Notification System and other methods described previously in this plan (element DFW). These notifications would not necessarily be targeted directly to people residing in the dam failure inundation areas. Instead, all residents would be notified.

In addition, 20 registered dams are located in the city limits. These dams are designated as class A, B, and BB hazards (low, moderate, and significant hazard, respectively). A list and a map are included in the Supporting Documentation. Dam failure mitigation measures for these dams are addressed in the City's HMP Update.

Rating Improvement – Under the recent State legislation, EAPs will be forthcoming for the Class B dams in Milford. The City's Emergency Management Director will file these EAPs as they become available.

The City will pursue the entry of dam failure inundation areas in the Milford Alerts Citywide Notification System in order to reduce the number of people that must be alerted of potential dam failures.

4.0 PLAN IMPLEMENTATION

The City of Milford *Floodplain Manager* and *Emergency Management Director* will together be responsible for implementation of this CRS Plan. They will be assisted by the following individuals:

- ☐ Stephen Harris, Zoning Enforcement Officer
- ☐ Gary Wassmer, City Engineer
- ☐ Meghan McGaffin, GIS Analyst
- ☐ MaryRose Palumbo, Inland Wetland Officer

The PPI will be adopted and implemented by the individuals listed in the PPI:

PPI Committee Members

Individual	Affiliation
Mr. Thomas Bach	Flood and Erosion Control Board
Mr. Drew Berndlmaier, P.E.	Flood and Erosion Control Board
Mr. Patrick Tokarz	Flood and Erosion Control Board
Mr. Michael Zabinski, PhD	Flood and Erosion Control Board
Mr. John Casey, P.E.	Flood and Erosion Control Board
Mr. Joe Griffith	Director, Department of Permitting and Land Use, City Flood Plain Manager
Mr. Gary Wassmer, P.E., L.S., CFM	City Engineer, Department of Public Works
Mr. Chris Saley	Director, Department of Public Works

One individual assisting with implementation of this CRS Plan is also appointed to the PPI Committee. This will ensure that tasks completed per the PPI will be documented and recorded per this CRS Plan.

APPENDIX A

Flood Risk Profile

Historic Record

The City of Milford has experienced various degrees of flooding in every season of the year throughout its recorded history. Melting snow combined with early spring rains has caused frequent spring flooding. Numerous flood events have occurred in late summer to early autumn resulting from storms of tropical origin moving northeast along the Atlantic coast. Winter floods result from the occasional thaw, particularly during years of heavy snow or periods of rainfall on frozen ground. Other flood events have been caused by excessive rainfalls upon saturated soils, yielding greater than normal runoff.

In June of 1982, a low pressure weather system stalled over Connecticut resulting in 12 inches of rainfall within a four-day period. The Wepawaug River which flows through the center of downtown Milford overflowed its banks literally dividing the City in two. City Hall which is adjacent to the river was flooded and City records were floating in the streets. Access to Interstate 95 was limited due to extensive flooding of local streets. Emergency response and plans were revised at that time and are revised annually. Emergency response guidelines were established for swift water rescue.

As a result of this flood, plans were made to have duplicate assets and special rescue teams created for the West and East side of town. The most recent update to the City Emergency Operation Plan was submitted to DEHMS Region 2 in February 2012. Paper records are now mainly electronic with offsite back up storage.

According to the NCDC Storm Events Database, since 1996 there have been approximately 93 flooding and flash flooding events in New Haven County. The following are descriptions of historic floods in the vicinity of the City of Milford based on historic records and information in the NCDC Storm Events Database. Note that flooding was not necessarily limited to the described areas.

- ❑ April 16, 1996 – Heavy rain produced moderate flooding along the Wepawaug River in Milford. The total un-insured flood damage was about 1.5 million dollars according to preliminary damage assessments by the Connecticut Office of Emergency Management and the Federal Emergency Management Agency.
- ❑ October 19, 1996 – A strong low pressure system produced heavy rains and minor to major coastal flooding. Rainfall amounts from around 4 to 7 inches caused widespread serious street and poor drainage flooding. Many roads were forced to close including the Merritt Parkway near Norwalk. Heavy rain also caused the Wepawaug River in Milford to rise above its' flood stage.
- ❑ January 23, 1998 – Heavy rainfall from around 2 to 6 inches resulted in widespread river, small stream, and low-lying poor drainage flooding. The Wepawaug River in Milford rose out of its' banks before cresting more than 2 feet above it's' flood stage.

- ❑ September 16, 1999- Torrential record rainfall, which caused serious widespread urban, small stream, and river flooding, preceded the remnants of Hurricane Floyd, which passed over Central Connecticut on the 16th. Serious widespread flooding of low-lying and poor drainage areas resulted in the closure of many roads and basement flooding across New Haven County.
- ❑ April 21, 2000 – A series of intense thunderstorms moved north to northeast across Southeast Fairfield and New Haven Counties during Friday evening on April 21st. The thunderstorms were accompanied by torrential rainfall that produced widespread flooding of small streams, brooks, rivers, and low-lying and poor drainage areas. They also produced lightning strikes. Rainfall amounts ranged from around 2 to 4 inches. Significant and widespread ponding of water caused road flooding in Stratford and Milford. Brooks and rivers in New Haven County flowed over their banks.
- ❑ March 22, 2001 – A strong and slow-moving coastal storm produced widespread heavy rain and strong gusty winds throughout much of southern Connecticut from Wednesday March 21st through Thursday March 22nd. Heavy rain, combined with rapid snowmelt from a deep pre-existing snowpack, produced significant rises on many small rivers and streams across southern Connecticut.
- ❑ July 18, 2006 – Severe thunderstorms produced damaging winds, hail, lightning, and heavy rain as they moved across the region. Torrential rain caused flash flooding along Merlin Avenue in Milford, where water rose over car hoods.
- ❑ August 7, 2008 – A strong upper level trough moved across the area producing thunderstorms with torrential rainfall that caused flash flooding across portions of southwest Connecticut. Firefighters in the town of Milford received a half dozen phone calls from drivers in flooded streets. Several people had to be rescued from their vehicles.
- ❑ August 28-29, 2011- Tropical Storm Irene moved in north northeast across eastern New York and western New England producing widespread flooding due to extreme rainfall and heavy winds. Much of the rain had fallen within a 12-hour period. Numerous road closures were reported due to flooding, downed trees and power lines causing some evacuations and widespread, long duration power outages. Winds gusted between 35 and 55 mph with stronger gusts exceeding 60 mph causing blow downs of tree with assistance of highly saturated soils. Approximately 25,000 customers were affected by power outages and a Major Disaster Declaration was declared by FEMA.
- ❑ September 28, 2012 – An area of low pressure moved across the area producing periods of heavy rainfall. One round of heavy rainfall coincided with high tide on Long Island Sound. The tides were astronomically high with a full moon predicted on September 29. This exacerbated the flash flooding situation in Fairfield and New Haven Counties. Flood waters entered the first floor of the Milford Mall in Milford. Twenty five homes and businesses, including City Hall, were also flooded.

Hurricanes/Tropical Storms

Hurricane Gloria

Several hurricanes and tropical storms have impacted the City of Milford over the years. According to the City's Hazard Mitigation Plan, Hurricane Gloria in September 1985 was the most significant hurricane to impact Milford. The storm caused significant coastal and inland flooding. As in the past occurrences of street flooding the worst areas were Cedar Beach, Wildermere Beach, Walnut Beach, Silver Beach, Bayview Beach, Woodmont Beach, Field Court, Melba Street, Beachland Avenue, Point Beach Drive and Hillside Avenue. In these areas street closures and property damage was moderate to major. Loss of power due to the storm lasted up to one week in some areas.

Tropical Storm Irene

Tropical Storm Irene impacted Connecticut in August 2011. Milford, located to the east of the storm, was subject to approximately 4 inches of rain over a 24-hour period with sustained winds of 40 miles per hour (mph) with 60 mph gusts. Storm Irene moved slowly – taking about 12 hours to move across the state. During that time, high tide contributed to a four feet above normal tide combined with the storm surge caused by the winds. Milford experienced extensive flooding and property damage with over 500 structures estimated to have been damaged by the storm.

The properties located closest to Long Island Sound experienced damage due to wave action with most water ward facades at the 1st floor level requiring repair. These include the Melba Street and Point Beach neighborhoods. Where wave heights were particularly high and 2nd floor levels required repair as well. Properties adjacent to the tidal marsh areas reached flood heights ranging from 1 to 5 feet (up to elevation 9.8). Substantial Damage Estimates for the area confirm that approximately 45 structures sustained substantial damage and needed to be mandatory retrofitted or reconstructed to be flood compliant.

In some circumstances, this has required elevation with new foundations. Some property owners have chosen to tear down the structure and rebuilt or sell the property to someone else willing to do that work. It is unclear how many property owners will walk away from their homes. Approximately 25 property owners applied for grant funds through the HMGP to elevate their structures above the base flood elevation.

Wave action also caused bluff erosion along Point Lookout and sea wall and revetment damage Citywide. Beach erosion occurred west to east from Laurel Beach, Gulf Beach, Bayview Beach, along Beach Avenue, and Woodmont Beach.

Hurricane/Superstorm Sandy

Occurring just 14 months after Irene, Sandy made landfall on October 29, 2012 near Atlantic City, New Jersey. The tri-state area experienced the hardest hit from the storm with the greatest

losses to life and property in New York City, Long Island and coastal New Jersey. The storm impacted Milford with higher storm surge and flood heights than occurred with Irene by approximately 1.5 feet. The wave action demolished four structures – two of which were left as little more than a pile of rubble. Over 13,000 customers lost power.

Sandy damaged an estimated 1,000 structures compared with Irene's 540 – many of which are had been newly mapped into the SFHA on FEMA's DFIRM update of mid-2013. At this time, over 700 structures have been assessed for damage estimates with approximately 175 structures over 50% substantially damaged and requiring elevation or other flood-compliance mitigation.

Milford established a Long Term Recovery Committee that is comprised of City, State and Federal Departments and Agencies, Volunteer Organizations Active in Disasters (VOAD) such as the Salvation Army, American Red Cross and United Way, and faith based organizations.

Recently, the Milford Disaster Case Management Partnership was created, consisting of Human Services, Economic and Community Development, Health Department, Milford School District, and the United Way of Milford. These agencies and organizations are working with The Salvation Army and American Red Cross to better manage the needs of the Milford citizens affected by Super Storm Sandy. The Disaster Case Management group will address immediate needs, looking at the impact of the two storms, and will also address long-term needs and implementation including preparation for rebuilding when monies become available.

Vulnerability of Residential Properties

Residential flooding presents the most wide spread hazard consequence in the City of Milford. Residential structures that are subject to flooding during significant flood events are primarily in the southern section of the City and are impacted by coastal flooding. There is a mix of the types of homes in the hazard areas, but those at risk are primarily single-family dwellings.

Most of Milford's velocity zones are located along the immediate shoreline. The beachfront properties in the velocity zone are susceptible to damage. Over the years, many seasonal cottages have been converted to year round dwellings, and the character of the Milford shoreline has become more of a year-round community, intensifying risks to life and property for those who live in the coastal area. Beachfront properties are very susceptible to damage, not only as a result of flooding but also because the dynamic nature of the beach system results in shoreline erosion in some locations.

While the vast majority of the repeat flood insurance claims are in coastal areas, other areas in the City are subject to flooding including properties that have experienced repeated flooding in the vicinity of the Wepawaug River and other streams and watercourses.

Potential Financial Risk from Flooding

Square feet of flood hazard risk areas	209,108,717
Square miles of flood hazard risk areas	7.5 miles
Parcels that intersect any flood hazard risk areas	4,316
Residential structures on parcels within any flood hazard risk areas	6,944
Replacement cost, all structures	\$1,659,689,532
Average replacement cost	\$239,010
Parcels completely within all flood hazard risk areas	2,245
Residential structures on parcels completely within a flood hazard area	2,556
Replacement cost for all residences	\$559,005,635
Average replacement cost	\$218,703
VE	
Number of residences on parcels with 10% or more coverage	1,059
Replacement cost for all residences	\$338,192,897
Average replacement cost	\$319,351
AE	
Number of residences on parcels with 10% or more coverage	5,169
Replacement cost for all residences	1,196,543,124
Average replacement cost	\$231,484
A	
Number of residences on parcels with 10% or more coverage	38
Replacement cost for all residences	\$7,729,264
Average replacement cost	\$203,401
0.2% Annual Chance Flood Hazard	
Number of residences on parcels with 10% or more coverage	382
Replacement cost for all residences	\$48,401,997
Average replacement cost	\$126,706

Source: City of Milford, 2013 Hazard Mitigation Plan

The City of Milford has identified the following residential areas along Milford Beach that are vulnerable to coastal flooding:

Cedar Beach – Milford Point to the intersection of Milford Point Road and Seaview Avenue

The Cedar Beach area consists of Seaview Avenue and numerous dead end residential streets that extend to the north terminating at the vast tidal wetland area near the mouth of the Housatonic River. All of the streets in the area are at elevation below the 100-year base flood elevation. As a result, the Cedar Beach area is subject to flooding both from Long Island Sound on the beachside and from overflow of the tidal marsh from the north and is in a high velocity flood hazard area subject to wave action in addition to flooding. The hazards in the Cedar Beach area are further compounded by the fact that access to the area is then limited to Seaview Ave. Several residential structures in this area, particularly along the beachfront have been raised to comply with the requirements of the National Flood Insurance Program and the Milford flood plain management regulations, but some of the older cottages remain below the base flood elevation (BFE) and subject to repeated flooding. This neighborhood consists of approximately 127 structures within the flood hazard zones.

Laurel Beach – Milford Point Road/Seaview Avenue to Wildermere Avenue

The residential development in the Laurel Beach area is at significantly higher elevations than the Cedar Beach and Wildermere Beach areas which flank it. Laurel Beach has a protected shorefront with many well-elevated, substantial residences on larger lots along the shoreline. The land slopes up away from the beach area to the north. In the past, many of the structures in this neighborhood were not understood to be at high risk of flooding, however, the FEMA coastal flood studies completed as part of the DFIRM update, now place many structures in the Special Flood Hazard area. Access to Laurel Beach is also much better than many of Milford's other beach areas. There are a series of streets available as options to gain access to locations along the shoreline so this area has less of a threat of isolation during a significant flood event. There are approximately 146 structures within this neighborhood in the flood hazard zone.

Wildermere Beach – Wildermere Avenue to Stowe Avenue

The Wildermere Beach area includes a series of dead end streets which run from Broadway, which is the main thoroughfare running parallel to the shoreline, to the beachfront.

A very dense mixture of residential development is present throughout the area with many older structures built at low elevations. Several newly renovated residences are elevated on piles or columns with floor elevations above the base flood elevation but a great number of residential structures with lowest floor elevations several feet below the base flood elevation remain in the Wildermere Beach area. There are 297 structures in this neighborhood that are in the flood zone.

Walnut Beach – Stowe Avenue to Nettleton Avenue extended

This section of shoreline is developed primarily with multi-family residential buildings. The development of this area, which includes the largest municipal beach in the city, appears to have been undertaken in a manner consistent with the standards of the National Flood Insurance Program. Beach erosion continues to be a problem along some of the beachfront but the potential for widespread flood damage is more limited. There are 183 residential units in this area in the flood zone with a more significant number of multiple condominium units in singular structures.

Silver Beach – Silver Sands Parkway to Surf Avenue

This beach area includes a densely developed shoreline with numerous low-lying residential streets which extend to the north from East Broadway into the Great Creek wetland area that is part of Silver Sands State Park. Great Creek has a relatively small watershed and creek flooding is primarily related to tidal flooding events.

Limited hydraulic capacity of culvert outlets from the wetland area to the north of East Broadway can result in backup and flooding of low lying backshore residences. Structures along East Broadway directly facing Long Island Sound have primarily been redeveloped; however not all these structures meet the flood compliant standards of the new DFIRMs. Few structures on the streets that extend into the tidal marshland have been redeveloped or elevated so flood risk to these structures is particularly high. Ambient grades on some of these streets are as low as elevation 3 or 4 where the base flood elevation (BFE) is estimated at elevation 11. Streets in this area can also be subject to flooding seasonally and at significant lunar high tide events in addition to larger events like the 100-year flood. This area consists of 337 structures and is one of the City's most vulnerable for flood hazard zones, SLOSH, and future sea level rise impacts.

Fort Trumbull Beach – Surf Avenue to Rogers Avenue

This section of shoreline is generally at a higher elevation than Silver Beach. There is limited potential for flooding from the north because the Great Creek wetland area does not extend beyond Surf Avenue, which is the western limit of this beach area. However, unlike Silver beach, this area has defined lawns and landscape areas protected by low-lying retaining and landscape walls that have recently been subject to wave action flooding that has also impacted residential structures. There is strong desire for more armament to protect these “lawns” facing Long Island Sound. This area has 72 structures within the flood zone.

Gulf Beach – Milford Harbor to Point Lookout

Gulf Beach is oriented with a shoreline with limited exposure to long wave fetches and direct attack by coastal storms. The Gulf Beach area has limited development and includes a long section of public beach adjacent to the outlet of Gulf Pond to the west. The residential development in the area consists of large residences located at high elevations at the eastern end of the beach on the north side of Gulf Street. Overland flooding is limited to the roadways closes to the Point Lookout Association Beach area.

This is an area of more water dependent uses in relation to the harbor (boating businesses or private docks and piers) with only 5 residential structures at lower elevation within the flood zone. For the residential structures in this area, lot sizes are generous with proportionally larger homes. It should be noted that the bluffs located on the westerly side of Point Lookout have experienced significant erosion with Storms Irene and Sandy.

Bayview Beach – Point Lookout to Calf Pen Meadow Creek

This beach area is a densely developed single family residential area with many older homes built at elevations significantly below the base flood elevation. A total of 23 repetitive flood insurance claims have been filed in the Bayview Beach area, making it the area of the highest concentration of reoccurring flood losses in the City of Milford.

The majority of the repeat claims are clustered along the shoreline on the south side of Field Court, which runs parallel to the shoreline. The Flood Insurance Rate Map for the City of Milford indicates that the 100-year flood area of inundation extends north of Field Court to the north side of Bayshore Drive. The extent of the area of inundation of such a highly developed area indicates that the level of flood hazard in the Bayview Beach area is high. There are 192 structures within the flood zone in this area. Continued erosion in this area has left many structures extremely vulnerable to wave action and surge damage.

Pond Point Beach – Calf Pen Meadow Creek to Buckingham Avenue

Pond Point Beach is an area with a significant number of low-lying beachfront residences. Melba Street runs parallel to the shoreline. Development is located along the south, shoreline side of the road as well as the north, Calf Pen Meadow wetland side of the road. The majority of the repeat flood insurance claims in this area are clustered along the eastern section of the beachfront. Some properties in this area have been redeveloped, although movement away from the high velocity wave action/surge area is highly recommended to reduce impacts to homes in directly contact with Long Island Sound. There are 158 structures within the flood zone in this area.

Point Beach – Buckingham Avenue to Hilldale Court

Point Beach has historically been flooded repeatedly by storm surges. Properties along Morehouse Street, Richard Street and Point Beach Drive have suffered repeat damages. Point Beach was the location of an Army Corps of Engineers (ACOE) and FEMA flood mitigation project (known as Project Impact) that included raising 42 low lying residences in the area.

Completion of this project significantly reduced the potential of flood damage in the area. Some residences remain at low elevation however, and roadway and property damage also remains a concern. There are approximately 204 structures in this neighborhood within the flood hazard zone.

Morningside Beach – Hilldale Court to South Street

The development in the area of Morningside Beach is located on a high promontory overlooking Long Island Sound. As a result of its' elevation this beach area has been subject to coastal erosion in the past but has not been the location of wide spread coastal flooding. The shoreline is protected by a major revetment structure that requires periodic maintenance and inspections. The residential structures in this neighborhood are located on a bluff above the flood hazard area. To the west of the revetment, the bluff area has eroded over the last 20 years.

Hillside Area - South Street to Seabreeze/Merwin Avenue, Benjamin Street

This area has a significant level of development along Hillside Avenue. A total of 25 repeat flood insurance claims have been filed in this area. The locations of the claims are on the shoreline side of Hillside Avenue indicating that the risk in this area is from coastal storm surge and wave action along the beachfront.

Anchor Beach – Benjamin Street to Beach Avenue

This area is subject to coastal flooding in the immediate area of the beachfront. No records of repeat flood damage are available in the Anchor Beach area. This may be as a result of its elevation which is somewhat higher than the adjacent beach areas to the west.

Woodmont – Beach Avenue to West Haven Line

Woodmont is an area of a high promontory overlooking Long Island Sound. The location of Beach Avenue along the immediate shoreline provides protection to the residences located landward of the roadway throughout this easternmost beach area in Milford. This area has not had significant damage due to the recent Irene and Sandy storms, but the DFIRM update does place greater proportions of structures and properties within the flood hazard zone. Formerly very few structures were within the flood hazard zone, the new mapping adds 30 structures to the flood hazard zone.

Vulnerability of Commercial Properties and Critical Facilities

Although residential neighborhoods are the City's primary vulnerable areas, there are also areas of vulnerable commercial properties that have been identified as being located within the flood plain and are considered to be susceptible to damage impacts. Commercial areas vulnerable to flooding impacts are as follows:

Downtown/Milford Harbor Area

This area includes many restaurant and retail businesses along the Wepawaug River floodplain in the downtown and the low-lying roadways adjacent to the train station underpass. The Milford Harbor includes several private docks, marinas, and some boating businesses.

Wepawaug River (North of I-95 south and Route 1)

This area along the Wepawaug River Floodway has a long history of flooding. There are also commercial properties in the vicinity of the Route 1 crossing of the river that are within the flood hazard area.

North side of Bridgeport Avenue (between School House Road and Silver Sands Parkway)

Water from the large amount of impervious areas and the state drainage has difficulty getting under the railroad tracks causing a back-up of water on the properties in this area.

New Haven Avenue businesses adjacent to Gulf Pond outlet/Old Gate Lane

These areas are at particularly low elevation, adjacent to the tidal marsh, and susceptible to flooding.

750 & 772 Bridgeport Avenue

Water from the large amount of impervious areas and the State Drainage has difficulty getting under the railroad tracks causing a back-up of water on the properties at 750 (car dealership) & 772 (UI Substation).

Intersection of Boston Post Road and Woodruff Road

Tumble Brook runs into a 30" pipe which leads to a catch basin near the Boston Post Road in the DOT right of way which bottlenecks into a 15" RCP pipe. The runoff then goes into a 36" pipe underneath the Post Road, finally discharging into the Indian River. In significant rain events there is too much runoff for the 15" RCP pipe or the pipe becomes blocked with debris and water runs through the parking area at #1650 Boston Post Road into the parking lots at 1590, 1602 and 1620, eventually flooding the intersection making it impassable.

Flooding of commercial property is also caused by the overflow of the drainage system in the vicinity of Old Gate Lane as well as in Devon Center. A drainage project for Bridgeport Ave and Naugatuck Ave is in the design phase pending final funding. Based on initial reconnaissance it appears that the majority of the flooding in these areas results in flooded roadways and driveways causing transportation disruption, but limited structural damage to commercial buildings.

Some institutional and recreational uses such as Fire Headquarters, City Hall, beaches, parks, and other public properties are also located within the flood plain and may be vulnerable to some damage due to flooding. These facilities include:

- ☐ The Tri-Beach Recreation Center on Hillside Avenue (flooded during Sandy)
- ☐ The West Shore Recreation Center near Walnut Beach (flooded during Sandy)

- ❑ The Animal Control Facility, located within the Silver Sands State Park area has not experienced flood damage to the office area, but the outdoor kennels require evacuation during significant flood events. Relocation of this facility is targeted as a mitigation project in order to allow Animal Control to operate more effectively as a shelter for pets during natural disasters. Since the last Plan, Animal Control has become a regional serving facility which also provides services to the Town of Orange, making mitigation more critical.
- ❑ Fishing piers at Walnut Beach and Gulf Beach.
- ❑ Lisman's Landing (the City's Marina) in Milford Harbor (flooded during Sandy)

The majority of the City's critical public facilities are not located in flood hazard areas and therefore are not vulnerable to flooding impacts. The City of Milford is in possession of 196 structures with an approximate insured value of over \$489 million including their contents. Of these, 37 structures are in a flood zone. Nine are pump stations, seven are recreation facilities, and 11 structures comprise the Beaverbrook Wastewater Treatment Plant. The City Animal Shelter, Lisman Landing Marina and the buildings that comprise the former Gulf Pond Treatment Plant are also located in flood zones. The insured value of these facilities totals \$54 million.

The West Mayflower Place, Rock Street, and Morningside Drive pump stations are in areas where flooding makes access difficult. Also, a number of pump stations are outfitted with original generators from the 1960's such as the Sailor's Lane, Milford Point Road, Viscount Drive, Rock Street, and Morningside Drive. The age of these generators makes it impossible to obtain replacement parts should there be a mechanical failure.

The City's Beaverbrook Wastewater Treatment (Beaverbrook) facility is a secondary treatment facility that augments the main Housatonic Wastewater Treatment facility. Beaverbrook serves approximately 15,000 of Milford's 52,000 residents. This facility is at risk for flooding around the southwestern edge of the property.

APPENDIX B

Supporting Documentation

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Elevation Certificates

Permits for Properties in SFHA

October 2013 - May 2014

ID	PIN	OWNER	PERMIT FOR	DATE ISSUE	PARCEL ID	HOUSE	STREET	OCCUPANCY	BUILDING T	CONTRACTOR
5	TB-14-172	CASEY JOHN JR & PATRICIA H & SURV	Window/Door Replacements	1/1/1900	11627	93	WILCOX RD	Residential	Single Family	
6	TB-14-390	ROBINSON DONNA L	Siding	1/1/1900	8378	94	SURF AVE	Residential	Single Family	HOMA HOME IMPROVEMENT LLC
11	B-13-1275	SULLIVAN KELLEY R	Re-Roofing - R	10/2/2013	448	14	GRANT ST	Residential	Single Family	
12	B-13-1276	POCEVIC RAYMOND P & JUDITH A &	Res Repair/Altereration (no zoning required)	10/2/2013	726	52	NELLS RD	Residential	Single Family	NEW ENGLAND PAINTING & RESTORATION
18	B-13-1270	GJS PROPERTIES LLC	Signs - Exterior	10/3/2013	17661	881	BOSTON POST RD	Commercial	Commercial	PAUL S COHEN
22	B-13-1286	CONNECTICUT POST LTD PARTNERSH	Signs - Interior	10/4/2013	19189	1201-2416	BOSTON POST RD	Commercial	Commercial	BRYAN M VASSER
24	B-13-1291	CONNECTICUT POST LTD PARTNERSH	Tenant fit-out	10/7/2013	19189	1201-1023	BOSTON POST RD	Commercial	Commercial	
28	B-13-1298	CAREY EILEEN M	Window/Door Replacements	10/9/2013	337	20	SEAVIEW AVE	Residential	Single Family	BANTON CONSTRUCTION COMPANY INC
30	B-13-1296	METRO VIEW LLC	Elevator - Commercial	10/9/2013	10887	25-27	HIGH ST	Commercial	Commercial	DANIEL E SULLIVAN
33	B-13-1301	ANDERSON ELIZABETH SARASON	SANDY - Demolition	10/9/2013	12564	147	HILLSIDE AVE	Residential	Two Family	
39	B-13-1277	YPB 1928 LLC	Tenant fit-out	10/11/2013	13369	49-51-53	RIVER ST	Commercial	Commercial	
41	TB-13-1310	KHAN MICHAEL	Additions/Alterations - Residential	10/11/2013	6452	39	MELBA ST	Residential	Single Family	
45	TB-13-1320	MIRMINA JOSEPH P & ANN MARIE &	SANDY - Residential Repair	10/16/2013	5716	22	JAMES ST	Residential	Single Family	
52	B-13-1325	BALANCE ASSET MANAGEMENT LLC	Add/Alt - Comm (no zoning interest)	10/17/2013	17381	755	BOSTON POST RD	Commercial	Commercial	
57	B-13-1334	CONNECTICUT POST LTD PARTNERSH	Signs - Interior	10/21/2013	19189	1201-2054	BOSTON POST RD	Commercial	Commercial	
60	B-13-1335	WHITCOMB BARBARA J	SANDY - Res. Repair - No Zoning Interest	10/21/2013	4366	741	EAST BROADWAY	Residential	Single Family	CT APPLIANCE & FIREPLACE DIST LLC
63	B-13-1346	BISHOP CHRISTOPHER & CHRISLER	Siding	10/23/2013	308	116	FIFTH AVE	Residential	Single Family	L A BARNABY & SONS INC
72	B-13-1357	BASSETT DAVID J &	Detached Garage/Accessory Structure	10/28/2013	1122	8	KIRKSIDE AVE	Residential	Single Family	
74	B-13-1323	T 21-23 DANIEL STREET LLC	New Construction - C	10/28/2013	13352	21	DANIEL ST	Commercial	Discount Store	EARTH TECHNOLOGY INC
83	B-13-1371	GRAY ALICE M	Demolition	10/30/2013	6312	57	PELHAM ST	Residential	Single Family	
84	B-13-1370	CONNECTICUT POST LTD PARTNERSH	Tenant fit-out	10/30/2013	19189	1201-1020	BOSTON POST RD	Commercial	Commercial	
87	B-13-1314	CAPPELLI LOUIS J TRUSTEE &*	SANDY - Residential Repair	10/31/2013	6438	2	BAYSHORE DR	Residential	Single Family	FABIAN L PENA
88	B-13-1374	DESROSIERS ALLEN & TERRY & SURV	SANDY - Demolition	11/1/2013	6099	2	LAWRENCE CT	Residential	Single Family	
92	TB-13-1380	CONNECTICUT POST LTD PARTNERSH	Additions/Alterations - Commercial (no exterior lighting)	11/4/2013	19189	1201	BOSTON POST RD	Commercial	Commercial	
97	B-13-1407	KEHOE DOROTHY T 3/8 & ET AL*	Re-Roofing - R	11/7/2013	100	8	SEAVIEW AVE	Residential	Single Family	BANTON CONSTRUCTION COMPANY INC
107	B-13-1410	MILEWSKI RICHARD & KATHLEEN &	Stoves Gas/Wood	11/8/2013	8926	60	CARRIAGE LN	Residential	Single Family	CT APPLIANCE & FIREPLACE DIST LLC
109	B-13-1422	YATSINKO ERIC J	Additions/Alterations - Residential	11/13/2013	17797	189	ORANGE AVE	Residential	Single Family	
111	B-13-1424	HELMING G JEROLD	Res Repair/Altereration (no zoning required)	11/13/2013	6767	12	POINT BEACH DR	Residential	Single Family	CROWN ELECTRIC LLC
112	B-13-1425	MUNIZ MAXIMO C JR &	SANDY - Res. Repair - No Zoning Interest	11/14/2013	14750	171	HILLSIDE AVE	Residential	Single Family	M PUCCI LUXURY HOMES LLC
113	B-13-1426	HANLEY H CHRISTINA	Additions/Alterations - Residential	11/14/2013	67	41	MILFORD POINT RD	Residential	Single Family	BAYBROOK REMODELERS INC
114	B-13-1430	DORNEY JAMES J & GRETCHEN C &	Decks	11/15/2013	6666	55	POINT BEACH DR	Residential	Single Family	
115	TB-13-1428	CONNECTICUT POST LTD PARTNERSH	Tenant fit-out	11/15/2013	19189	1201-1103	BOSTON POST RD	Commercial	Commercial	
119	B-13-1431	GELB JOSEPH JR	Demolition	11/18/2013	14641	166	KINGS HWY	Residential	Single Family	
122	B-13-1435	YAZDANI VAHID & CLEMENTINA & SURV	Demolition	11/19/2013	534	21	SEAVIEW AVE	Residential	Single Family	
125	B-13-1441	SUSAN VOCCOLA	Res Repair/Altereration (no zoning required)	11/20/2013	17895	512	ANDERSON AVE	Residential	Single Family	
126	B-13-1442	GREUNKE ORVILLE V LIFE USE THEN TO	SANDY - Demolition	11/20/2013	6752	7	POINT BEACH DR	Residential	Single Family	
131	B-13-1448	CHARNEY RICHARD K &	Solar Installation	11/21/2013	12812	125	BEAVER BROOK RD	Residential	Single Family	PUREPOINT ENERGY LLC
133	B-13-1328	RAPPA MICHAEL & PATRICIA & SURV	Additions/Alterations - Residential	11/21/2013	1493	193	HOUSATONIC DR	Residential	Single Family	
134	B-13-1432	BARTHOLOMEW RICHARD A JR &	Detached Garage/Accessory Structure	11/22/2013	20265	55	MARLBORO DR	Residential	Single Family	KLOTTER FARMS INC
144	B-13-1454	POCEVIC RAYMOND P & JUDITH A &	Re-Roofing - R	11/25/2013	726	52	NELLS RD	Residential	Single Family	BERKLEY EXTERIORS INC
146	B-13-1390	DRAGAN ALISSA &	Res Repair/Altereration (no zoning required)	11/5/2013	451	311	BROADWAY	Residential	Single Family	J KRANZ CARPENTRY LLC
148	B-13-1378	DRISCOLL MARY LOU 1/4 INT	Res Repair/Altereration (no zoning required)	11/6/2013	15605	18	NORTH ST	Residential	Single Family	NEIGHBORHOOD CHIMNEY SERVICES LLC
161	B-13-1420	SIMONETTI ELIZABETH M	Solar Installation	11/12/2013	472	21	WILDEMERE AVE	Residential	Single Family	SOLARCITY CORPORATION
163	B-13-1414	BELLUSCIO JAMES MICHAEL & ELIZ	Siding	11/12/2013	8320	978	EAST BROADWAY	Residential	Single Family	BAYBROOK REMODELERS INC
170	TB-14-374	CASEY CHARLES &	Additions/Alterations - Residential	5/2/2014	15823	86	GOVERNORS AVE	Residential	Single Family	
178	B-14-373	PINCHEON MARYANN TRUSTEE*	SANDY - Residential Repair	5/5/2014	6101	14	FIELD CT	Residential	Single Family	JOHN D NASTASIA
183	B-13-1464	CONNECTICUT POST LTD PARTNERSH	Signs - Interior	11/27/2013	19189	1201-1071	BOSTON POST RD	Commercial	Commercial	MARC BUZZELLI
185	B-13-1465	ROBINSON DONNA L	SANDY - Res. Repair - No Zoning Interest	11/27/2013	8378	94	SURF AVE	Residential	Two Family	MICHAEL S MITCHELL
186	B-13-1463	BLANDO KRISTEN L &	SANDY - Demolition	11/27/2013	5690	17	GARDNER AVE	Residential	Single Family	
189	B-13-1469	CONNECTICUT POST LTD PARTNERSH	Signs - Interior	12/3/2013	19189	1201-2008	BOSTON POST RD	Commercial	Commercial	
191	B-13-1351	YAZDANI VAHID & CLEMENTINA & SURV	New Construction - R	12/3/2013	534	21	SEAVIEW AVE	Residential	Single Family	MICHAEL H SALEY
197	B-13-1476	CONNECTICUT POST LTD PARTNERSH	Signs - Interior	12/4/2013	19189	1201-2068	BOSTON POST RD	Commercial	Commercial	
201	B-13-1480	PARLITSIS GEORGE &	Siding	12/5/2013	6470	95	MELBA ST	Residential	Single Family	COMPASS BUILDERS LLC
206	B-13-1461	ZIEBELL WILLIAM J & MARSHA J &	SANDY - Residential Repair	12/6/2013	5671	10	SILVER ST	Residential	Single Family	RAYMOND JELLIFFE JR
209	B-13-1486	J & J MILFORD LLC	Demolition	12/9/2013	5272	580	BRIDGEPORT AVE	Commercial	Commercial	
217	B-13-1495	CONNECTICUT POST LTD PARTNERSH	Signs - Interior	12/12/2013	19189	1201-2078	BOSTON POST RD	Commercial	Commercial	PAUL S COHEN
221	B-13-1501	BALANCE ASSET MANAGEMENT LLC	Signs - Exterior	12/13/2013	17381	755	BOSTON POST RD	Commercial	Discount Store	
222	TB-13-1503	NG VICTOR &	SANDY - Residential Repair	12/16/2013	4354	691	EAST BROADWAY	Residential	Single Family	
224	B-13-1506	Heiko Bosler	Decks	12/17/2013	1185	6	LEE CT	Residential	Single Family	
225	B-13-1505	CONNECTICUT POST LTD PARTNERSH	Signs - Interior	12/17/2013	19189	1201-2104	BOSTON POST RD	Commercial	Commercial	MARC BUZZELLI
226	B-13-1507	CONNECTICUT POST LTD PARTNERSH	Signs - Interior	12/17/2013	19189	1201-1103	BOSTON POST RD	Commercial	Commercial	BRYAN M VASSER
236	B-13-1511	ST GABRIELS ROMAN CATHOLIC CHU	Demolition	12/19/2013	1359	0	LAUREL AVE	Commercial	Commercial	

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ID	PIN	OWNER	PERMIT FOR	DATE ISSUE	PARCEL ID	HOUSE	STREET	OCCUPANCY	BUILDING T	CONTRACTOR
237	B-13-1500	RIVER PARK ELDERLY HOUSING INC	Signs - Exterior	12/20/2013	13164	38	WEST RIVER ST	Residential	Multi Family	
242	B-13-1471	CONINE ASSOCIATES LLC	Additions/Alterations - Commercial (no exterior lighting)	12/27/2013	13379	50	DANIEL ST	Commercial	Commercial	
244	B-13-1524	HART BONNIE	SANDY - Demolition	12/30/2013	9326	115	BEACHLAND AVE	Residential	Single Family	
246	TB-13-1527	LANDBANK INVESTMENTS LLC	Tenant fit-out	12/31/2013	17382	765	BOSTON POST RD	Commercial	Commercial	
248	B-13-1528	John Argust et al	Res Repair/Altereration (no zoning required)	12/31/2013	5934	25	OAKLAND AVE	Residential	Single Family	
249	B-13-1516	IWANICKI JEFFREY &	SANDY - Residential Repair	1/2/2014	5693	69	JAMES ST	Residential	Single Family	DICAMILLO REMODELING LLC
250	B-13-1491	MILFORD YACHT CLUB INC	SANDY - Commercial (no zoning interest)	1/6/2014	8383	131	TRUMBULL AVE	Commercial	Commercial	
251	B-14-2	T 33 JAMES STREET LLC	SANDY - Res. Repair - No Zoning Interest	1/6/2014	5705	33	JAMES ST	Residential	Single Family	CARRANZO CONSTRUCTION LLC
252	B-14-3	JEANETTE PATRICK &	Re-Roofing - R	1/6/2014	1185	6	LEE CT	Residential	Single Family	MSR SIDING CONSTRUCTION LLC
253	B-13-1481	MYERS WILLIAM	SANDY - Residential Repair	1/6/2014	6792	35	RICHARD ST	Residential	Single Family	WILLIAM E MYERS
254	B-14-7	Thomas Hayes	Demolition	1/8/2014	8668	85	OVERHILL RD	Residential	Single Family	
256	B-14-11	MASTRO COMPANY LLC	SANDY - New Construction	1/9/2014	528	290	BROADWAY	Residential	Single Family	BAYBROOK REMODELERS INC
257	B-14-9	CONNECTICUT POST LTD PARTNERSH	Additions/Alterations - Commercial (no exterior lighting)	1/9/2014	19189	1201-9062	BOSTON POST RD	Commercial	Commercial	M P BUCKLEY LLC
263	B-14-17	FOLEY EDWARD R	Res Repair/Altereration (no zoning required)	1/13/2014	5972	18	WESTLAND AVE	Residential	Single Family	CIPRIANI CONSTRUCTION INC
265	B-14-19	CARDINALI NANCY &	Re-Roofing - R	1/13/2014	9343	49	EAST AVE	Residential	Single Family	POWER HOME REMODELING GROUP LLC
267	B-14-21	EINBINDER STANLEY M	SANDY - Demolition	1/13/2014	16890	73	BEACH AVE	Residential	Single Family	
268	B-13-1317	BANTA ASSOCIATES	Signs - Exterior	1/14/2014	17881	278	OLD GATE LN	Commercial	Hotel	MARK A DETULIO
269	B-13-1445	ALLOCCA PHILIP N & GARBER J	SANDY - New Construction	1/14/2014	12480	47	HILLSIDE AVE	Residential	Single Family	
272	B-14-25	BIKE AMY LEE	Res Repair/Altereration (no zoning required)	1/15/2014	6018	24	DEERFIELD AVE	Residential	Single Family	
275	B-14-27	WELCH WILLIAM C & BETTY T & SU	SANDY - Res. Repair - No Zoning Interest	1/17/2014	512	105	FIFTH AVE	Residential	Single Family	NAIL KIZAVUL
276	B-14-30	MILFORD PROJECT LLC	Signs - Exterior	1/21/2014	20844	1525	BOSTON POST RD	Commercial	Commercial	
277	B-14-31	BE Architectural Classics LP2	New Construction - R	1/21/2014	324	131	FOURTH AVE	Residential	Single Family	
279	B-14-36	CITY OF MILFORD	Municipal Construction	1/21/2014	13435	57	NEW HAVEN AVE	Municipal	Municipal	
280	B-14-29	FOLEY EDWARD R	Res Repair/Altereration (no zoning required)	1/21/2014	5972	18	WESTLAND AVE	Residential	Single Family	CIPRIANI CONSTRUCTION INC
282	B-14-34	WARRINGTON WILLIAM H & GRACE E	Re-Roofing - R	1/21/2014	13698	42	CINDY CIR	Residential	Single Family	ALCRAFT INC
283	B-14-37	CAPECE ANTHONY J	New Construction - R	1/22/2014	4307	12	COOPER AVE	Residential	Single Family	LION PROPERTY MANAGEMENT LLC
288	B-14-50	QUIRK DANIEL J &	Additions/Alterations - Residential	1/24/2014	5911	73	BAYSHORE DR	Residential	Single Family	PASTIR BROTHERS CONSTRUCTION LLC
289	B-14-49	CONNECTICUT POST LTD PARTNERSH	Signs - Interior	1/24/2014	19189	1201-1102	BOSTON POST RD	Commercial	Commercial	MARK A DETULIO
293	TB-14-59	T 2 BROADWAY LLC	Additions/Alterations - Commercial (no exterior lighting)	1/27/2014	2446	2	BROADWAY	Commercial	Commercial	
295	B-14-60	Robert and June Stevens	SANDY - Demolition	1/27/2014	6868	23	PLATT ST	Residential	Single Family	
299	TB-14-62	CONNECTICUT POST LTD PARTNERSH	Tenant fit-out	1/28/2014	19189	1201-2054	BOSTON POST RD	Commercial	Commercial	
303	B-14-69	Donna Nyden	SANDY - Demolition	1/29/2014	12571	127	HILLSIDE AVE	Residential	Single Family	
308	B-14-73	BALANCE ASSET MANAGEMENT LLC	Additions/Alterations - Commercial (no exterior lighting)	1/30/2014	17381	755	BOSTON POST RD	Commercial	Commercial	
311	B-14-43	BALANCE ASSET MANAGEMENT LLC	Tenant fit-out	2/3/2014	17381	755	BOSTON POST RD	Commercial	Commercial	
319	B-14-84	DERUBEIS DAVID J &	Re-Roofing - R	2/10/2014	212	17	WATERVIEW LNDG	Residential	Single Family	BERKLEY EXTERIORS INC
329	B-13-1496	BASSETT DAVID J &	Additions/Alterations - Residential	2/18/2014	1122	8	KIRKSIDE AVE	Residential	Single Family	
331	TB-14-104	HOSP KRISTIN L AKA PINTO KRISTIN L	SANDY - Residential Repair	2/19/2014	6026	40	DEERFIELD AVE	Residential	Single Family	
332	B-13-1347	ZWEIMAN ARI & TIMMER ASHLEY JT TENANTS	Decks	2/19/2014	6431	30	BAYSHORE DR	Residential	Single Family	VIKING CUSTOM CARPENTRY LLC
336	B-14-109	GRAY ZAZU	SANDY - Residential Repair	2/21/2014	5578	15	CAROLINE ST	Residential	Single Family	
337	B-14-91	S 718-720 EAST BROADWAY	SANDY - Residential Repair	2/21/2014	4304	718	EAST BROADWAY	Residential	Multi Homes	
338	TB-14-108	ST MARYS CHURCH CORPORATION	Additions/Alterations - Commercial (no exterior lighting)	2/21/2014	11488	425	BUCKINGHAM AVE	Commercial	Commercial	
340	B-14-24	BE Architectural Classics LP2	Additions/Alterations - Residential	2/21/2014	324	131	FOURTH AVE	Residential	Single Family	
341	B-13-1290	CONNECTICUT POST LTD PARTNERSH	Additions/Alterations - Commercial (no exterior lighting)	2/24/2014	19189	1201-1031	BOSTON POST RD	Commercial	Commercial	HI TECH CARPENTRY & PAINTING
345	B-14-89	BALANCE ASSET MANAGEMENT LLC	Signs - Exterior	2/24/2014	17381	755	BOSTON POST RD	Commercial	Commercial	
346	B-14-6	HELD STEVEN A &	SANDY - New Construction	2/24/2014	12560	159	HILLSIDE AVE	Residential	Single Family	
347	B-13-1305	SEMENTILLI CRAIG & PERRIE & SURV	SANDY - New Construction	2/24/2014	172	24	MILFORD POINT RD	Residential	Single Family	
348	B-14-103	CONNECTICUT POST LTD PARTNERSH	Additions/Alterations - Commercial (no exterior lighting)	2/25/2014	19189	1201-2025	BOSTON POST RD	Commercial	Commercial	MP CONSTRUCTION LLC
350	TB-14-116	YANIK DAVID A	Additions/Alterations - Residential	2/25/2014	14680	185	KINGS HWY	Residential	Single Family	
352	B-14-117	KRAUSS BRIDGET A &	Solar Installation	2/25/2014	724	42	NELLS RD	Residential	Single Family	ENVIRONMENTAL CONTROL INC
353	B-14-12	MASTRO COMPANY LLC	SANDY - New Construction	2/26/2014	528	290	BROADWAY	Residential	Single Family	BAYBROOK REMODELERS INC
354	B-14-123	YOUNG ROBERT R &	Additions/Alterations - Residential	2/26/2014	22365	111	CAPTAINS WALK	Residential	Single Family	
356	B-14-40	OCONNOR EVELYN LIFE USE	Additions/Alterations - Residential	2/26/2014	14780	53	VILLAGE RD	Residential	Single Family	HENRICK HOME CONSTRUCTION LLC
358	B-14-125	HASSENMAYER ASSOCIATES LLC	Window/Door Replacements	2/26/2014	15982	664	NEW HAVEN AVE	Commercial	Commercial	
359	B-14-16	BEARD JAMES R EXECUTOR OF THE ESTATE*	New Construction - R	2/26/2014	5844	596	GULF ST	Residential	Multi Homes	SOUTHERN CONNECTICUT BUILDERS LLC
361	B-14-127	HEBREW CONG OF WOODMONT	Additions/Alterations - Commercial (no exterior lighting)	2/27/2014	14412	15	EDGEFIELD AVE	Commercial	Commercial	
362	B-14-82	BASSETT DAVID J &	Additions/Alterations - Residential	2/27/2014	1122	8	KIRKSIDE AVE	Residential	Single Family	CONNECTICUT GENERAL CONSTRUCTION C
368	B-13-1466	WACKS MICHAEL H	Res Repair/Altereration (no zoning required)	3/3/2014	13811	3	ROBIN LN	Residential	Single Family	ECOSOLAR INSTALLATIONS LLC
373	B-14-68	Thomas Hayes	New Construction - R	3/5/2014	8668	85	OVERHILL RD	Residential	Single Family	
374	B-14-140	WALSH DIANE G	SANDY - Demolition	3/5/2014	5639	20	TREMONT ST	Residential	Single Family	
376	B-13-1408	CONNECTICUT POST LTD PARTNERSH	Tenant fit-out	3/6/2014	19189	1201-2464	BOSTON POST RD	Commercial	Commercial	JOHN AKOURY CONSTRUCTION CO INC
382	B-13-1519	LUNDIN KARL &	SANDY - Residential Repair	3/7/2014	5584	882	EAST BROADWAY	Residential	Single Family	REPUTATION BUILDERS LLC
387	B-14-160	LABOMBARD MICHELE	SANDY - Demolition	3/11/2014	6825	26	MOREHOUSE AVE	Residential	Single Family	

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391	B-14-156	ANDRASKO DANIEL E	Re-Roofing - R	3/12/2014	14453	50	MERWIN AVE	Residential	Two Family	ROBERT W DOOHAN III
398	TB-14-169	REAL LINK HOLDINGS LLC	SANDY - New Construction	3/13/2014	14850	116	BEACH AVE	Residential	Single Family	
399	B-14-168	HELD STEVEN A &	SANDY - Demolition	3/13/2014	12560	159	HILLSIDE AVE	Residential	Single Family	
402	B-14-45	MALLICO JAMES & DONNA & SURV	New Construction - R	3/14/2014	14658	3	MONT ST	Residential	Single Family	BAMF HOMES LIMITED
403	B-14-171	PERSKY ARNOLD I & AMY G & SURV	SANDY - Residential Repair	3/17/2014	5980	26	WESTLAND AVE	Residential	Single Family	THOMAS TODD'S CARPENTRY & REMODELI
408	B-14-88	GJS PROPERTIES LLC	Additions/Alterations - Commercial (no exterior lighting)	3/18/2014	17661	881	BOSTON POST RD	Commercial	Commercial	
410	B-14-188	CONNECTICUT POST LTD PARTNERSH	Mall Sign - Interior	3/19/2014	19189	1201-1031	BOSTON POST RD	Commercial	Commercial	MARC BUZZELLI
412	TB-14-192	HALLMAN DAVID M & MARCIA	SANDY - Residential Repair	3/19/2014	552	259	HOUSATONIC DR	Residential	Single Family	
414	B-13-1498	GELB JOSEPH JR	New Construction - R	3/19/2014	14641	166	KINGS HWY	Residential	Single Family	BAMF HOMES LIMITED
417	B-14-181	CONNECTICUT POST LTD PARTNERSH	Additions/Alterations - Commercial (no exterior lighting)	3/20/2014	19189	1201-1023	BOSTON POST RD	Commercial	Commercial	MP CONSTRUCTION LLC
418	B-14-182	CONNECTICUT POST LTD PARTNERSH	Additions/Alterations - Commercial (no exterior lighting)	3/20/2014	19189	1201-1026	BOSTON POST RD	Commercial	Commercial	MP CONSTRUCTION LLC
422	B-14-196	WHITAKER BONNEY	Re-Roofing - R	3/20/2014	12576	124	HILLSIDE AVE	Residential	Single Family	ROBERT W DOOHAN III
424	B-14-195	CASEY JOHN JR & PATRICIA H & SURV	Additions/Alterations - Residential	3/21/2014	11627	93	WILCOX RD	Residential	Single Family	
425	B-14-78	CONNECTICUT POST LTD PARTNERSH	Tenant fit-out	3/21/2014	19189	1201-1025	BOSTON POST RD	Commercial	Commercial	CARL C TONUCCI JR
429	B-14-200	CONNECTICUT POST LTD PARTNERSH	Signs - Interior	3/21/2014	19189	1201-1012	BOSTON POST RD	Commercial	Commercial	
430	B-13-1341	SHAINIS DANIEL & MARCIA & SURV	SANDY - Residential Repair	3/24/2014	14721	95	MERWIN AVE	Residential	Multi Homes	
437	B-14-211	THEODORSEN THEODORE J &	SANDY - Demolition	3/25/2014	4363	727	EAST BROADWAY	Residential	Single Family	
442	B-14-214	DISTEFANO SAMUEL &	Solar Installation	3/25/2014	1168	2	BERTROSE AVE	Residential	Single Family	ROOF DIAGNOSTICS SOLAR AND ELECTRIC
445	B-14-216	LUCARELLI LINA	SANDY - Demolition	3/25/2014	6469	91	MELBA ST	Residential	Single Family	
446	B-14-217	Molly Rentals	SANDY - Demolition	3/26/2014	6781	22	RICHARD ST	Residential	Single Family	
447	B-14-218	ROWE JOHN D &	SANDY - Residential Repair	3/26/2014	6668	46	POINT BEACH DR	Residential	Single Family	
452	TB-14-225	CONNECTICUT CVS PHARMACY LLC	Additions/Alterations - Commercial (no exterior lighting)	3/27/2014	7454	734	BRIDGEPORT AVE	Commercial	Commercial	
453	B-14-224	SWETT SCOTT ALAN &	Re-Roofing - R	3/27/2014	1202	12	DEVONSHIRE RD	Residential	Single Family	POWER HOME REMODELING GROUP LLC
457	TB-14-227	AGRO RIVER STREET LLC	Tenant fit-out	3/28/2014	13174	58	RIVER ST	Commercial	Commercial	
458	B-14-61	MOLLY LAND COMPANY LLC	SANDY - New Construction	3/28/2014	9293	55	BEACHLAND AVE	Residential	Single Family	FIELD & SON BUILDERS LLC
459	B-14-228	CONNECTICUT POST LTD PARTNERSH	Signs - Interior	3/28/2014	19189	1201-1025	BOSTON POST RD	Commercial	Commercial	
460	B-14-229	CONNECTICUT POST LTD PARTNERSH	Signs - Interior	3/28/2014	19189	1201-1007	BOSTON POST RD	Commercial	Commercial	
465	B-13-1418	CONNECTICUT POST LTD PARTNERSH	Additions/Alterations - Commercial (no exterior lighting)	4/1/2014	19189	1201-S1235	BOSTON POST RD	Commercial	Commercial	MCPHEE ELECTRIC LTD LLC
467	B-14-178	DAIGLE RICHARD J JR &	Detached Garage/Accessory Structure	4/2/2014	21241	61	CHERYL ANN DR	Residential	Single Family	KLOTER FARMS INC
471	TB-14-238	REHOLD MILFORD LLC	Additions/Alterations - Commercial (no exterior lighting)	4/2/2014	22331	1360	EAST TOWN RD	Commercial	Supermarket	
474	B-14-128	ROGERS PATRICIA M EST	New Construction - R	4/2/2014	8024	185T	SEASIDE AVE	Residential	Single Family	TWO NINETY - SIX LLC
478	B-14-244	MARSALA PAUL JOSEPH AKA MARSALA	Solar Installation	4/2/2014	5609	31	MADDOX AVE	Residential	Single Family	SHIPPEE SOLAR AND CONSTRUCTION LLC
479	B-14-175	PERPETUAL REAL ESTATE PARTNERS LP	Add/Alt - Comm (no zoning interest)	4/3/2014	13389	35	FACTORY LN	Commercial	Commercial	
481	TB-14-246	CISOWSKI ALEX	Additions/Alterations - Residential	4/3/2014	1007	217	BROADWAY	Residential	Single Family	INFINITIVE PROPERTY SERVICES LLC
488	TB-14-256	ELIAS MARK T	SANDY - Residential Repair	4/4/2014	5441	79	COOPER AVE	Residential	Single Family	
490	B-14-251	THERRIAULT ALICIA J &	Detached Garage/Accessory Structure	4/7/2014	13686	16	ETTADORE PKWY	Residential	Single Family	KLOTER FARMS INC
491	B-14-80	MOLLOY JOSEPH M & JOAN M	New Construction - R	4/7/2014	46	275t	FIRST AVE	Residential	Single Family	ROMANO BROTHERS BUILDERS LLC
492	TB-14-257	SANFORD REALTY LLC	Additions/Alterations - Commercial (no exterior lighting)	4/7/2014	7456	750	BRIDGEPORT AVE	Commercial	Commercial	
493	B-14-245	BELL PATRICK J & BRZEZICKI LISA J & SURV	Additions/Alterations - Residential	4/7/2014	201	5	WATERVIEW LNDG	Residential	Single Family	VOCCOLA HOME BUILDERS INC
495	TB-14-263	LUCARELLI LINA	New Construction - R	4/8/2014	6469	91	MELBA ST	Residential	Single Family	
505	B-14-275	LUCARELLI LINA	SANDY - New Construction	4/10/2014	6469	91	MELBA ST	Residential	Single Family	
507	B-14-276	HANANIA MARWAN	SANDY - Demolition	4/11/2014	1007	217	BROADWAY	Residential	Single Family	
508	B-14-130	S 16 BRIDGEWATER AVENUE ASSOCIATES LLC	SANDY - New Construction	4/11/2014	1342	16	BRIDGEWATER AVE	Residential	Devel Land	M PUCCI LUXURY HOMES LLC
509	B-14-148	AMMANN MARK &	SANDY - Residential Repair	4/14/2014	5616	10	MADDOX AVE	Residential	Single Family	WILLIAM E MYERS
511	B-14-283	SCHUBERT JUDITH R TRUSTEE UNDER	Res Repair/Altereration (no zoning required)	4/14/2014	14848	112	BEACH AVE	Residential	Single Family	JOSEPH M HANNON JR
513	B-14-282	PITMAN BRUCE R &	Siding	4/14/2014	21235	75	CHRISTINE TER	Residential	Single Family	BAYBROOK REMODELERS INC
514	B-14-286	Brady Garber	Demolition	4/14/2014	12480	47	HILLSIDE AVE	Residential	Single Family	
518	B-14-153	DESROSIERS ALLEN & TERRY & SURV	SANDY - New Construction	4/15/2014	6099	2	LAWRENCE CT	Residential	Single Family	BUSK CUSTOM BUILDERS LLC
528	B-14-297	KUMIEGA CHARMAINE	Res Repair/Altereration (no zoning required)	4/16/2014	16510	44	BREWSTER RD	Residential	Single Family	BAYBROOK REMODELERS INC
529	B-13-1413	SMALLWOOD DONNA & JOHN 1/2 INT	SANDY - New Construction	4/16/2014	5777	119	SHELL AVE	Residential	Single Family	JPA ENTERPRISES LLC
530	B-14-298	CONNECTICUT POST LTD PARTNERSH	Rides/Carnivals	4/16/2014	19189	1201	BOSTON POST RD	Commercial	Commercial	
531	B-14-95	CONNECTICUT POST LTD PARTNERSH	Tenant fit-out	4/16/2014	19189	1201-1007	BOSTON POST RD	Commercial	Commercial	FORTE ENTERPRISES LLC
534	TB-14-307	STEVENS ROBERT A	SANDY - Residential Repair	4/17/2014	6456	49	MELBA ST	Residential	Single Family	
540	B-14-51	GREENSTONE BLAKE ANNE &	Additions/Alterations - Residential	4/17/2014	8821	25	GULF POND LN	Residential	Single Family	
551	TB-14-321	THOMAS JEFFERY D & MONDA JEFFERY & SURV	New Construction - R	4/22/2014	5511	74	SHELL AVE	Residential	Single Family	
555	B-14-318	RIEBEN-KAY CATHY A & KAY	SANDY - Demolition	4/22/2014	4319	54	COOPER AVE	Residential	Single Family	
558	B-14-142	DANA TANYA MERCEDES & SCOTT & SURV	New Construction - R	4/23/2014	6868	23	PLATT ST	Residential	Single Family	
564	B-14-328	GUTTMANN SUSAN M &	Demolition	4/23/2014	6032	31	WESTLAND AVE	Residential	Single Family	
566	B-14-187	RAGOZZINE ROBERT &	SANDY - Residential Repair	4/24/2014	1293	0	BITTERSWEET AVE	Residential	Single Family	
567	B-14-331	HARKNESS PAUL A &	Solar Installation	4/24/2014	11949	14	BAXTER LN	Residential	Single Family	THE BOSTON SOLAR COMPANY OF MASSAC
569	B-14-336	KEANE KENNETH J &	SANDY - Residential Repair	4/24/2014	4368	743	EAST BROADWAY	Residential	Single Family	JASON A DELMONICO
572	TB-14-339	CARTER VALERIE R	SANDY - Residential Repair	4/24/2014	4257	15	CHETWOOD ST	Residential	Single Family	MADISON PROPERTIES LLC

Permits for Properties in SFHA

October 2013 - May 2014

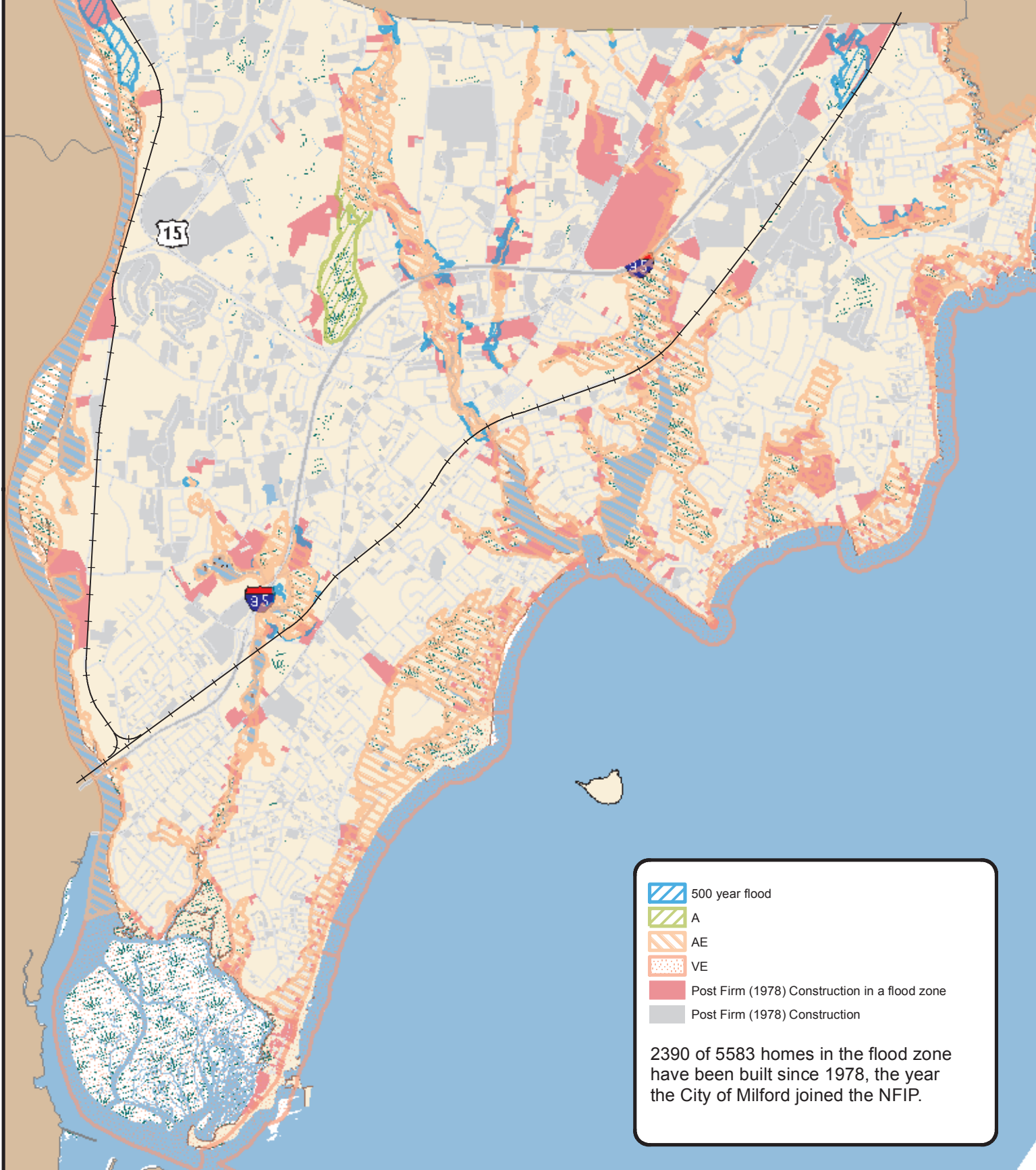
ID	PIN	OWNER	PERMIT_FOR	DATE_ISSUE	PARCEL_ID	HOUSE__	STREET	OCCUPANCY__	BUILDING_T	CONTRACTOR
577	B-14-334	BARRETT JOHN P &	Window/Door Replacements	4/24/2014	6748	43	POINT BEACH DR	Residential	Single Family	RICHARD L WHEELER
587	TB-14-347	CONNECTICUT POST LTD PARTNERSH	Additions/Alterations - Commercial (no exterior lighting)	4/28/2014	19189	1201-1058	BOSTON POST RD	Commercial	Commercial	
589	B-14-348	BARRILLE JANET	Decks	4/28/2014	8916	150	CARMEN RD	Residential	Single Family	DONALD J MOLLEUR
593	TB-14-360	MONK FREDERICK L JR	Additions/Alterations - Residential	4/29/2014	8327	1004	EAST BROADWAY	Residential	Two Family	
594	B-14-66	CONNECTICUT POST LTD PARTNERSH	Tenant fit-out	4/29/2014	19189	1201-2007	BOSTON POST RD	Commercial	Commercial	
600	TB-14-357	CONNECTICUT POST LTD PARTNERSH	Tenant fit-out	4/29/2014	19189	1201-1058	BOSTON POST RD	Commercial	Commercial	
602	TB-14-358	CONNECTICUT POST LTD PARTNERSH	Tenant fit-out	4/29/2014	19189	1201-9207	BOSTON POST RD	Commercial	Commercial	
603	B-14-254	TRIPLE S INVESTMENTS LLC	Additions/Alterations - Commercial (no exterior lighting)	4/30/2014	14044	565-T	NEW HAVEN AVE	Commercial	Commercial	
613	B-14-371	SMALLWOOD DONNA & JOHN 1/2 INT	SANDY - Demolition	5/1/2014	5777	119	SHELL AVE	Residential	Single Family	
615	B-14-342	BRENNAN SEAN & JILL & SURV	Swimming Pools	5/1/2014	18953	45	LINDA ANN DR	Residential	Single Family	NAMCO LLC
618	B-14-313	ONEILL JOHN J & CONWAY ONEILL JOAN	Additions/Alterations - Residential	5/1/2014	6057	25	DEERFIELD AVE	Residential	Single Family	JPA ENTERPRISES LLC
624	B-14-247	NELSON PAMELLA A LIVING TRUST	SANDY - Residential Repair	5/2/2014	5733	62	SURF AVE	Residential	Single Family	DICAMILLO REMODELING LLC
630	B-14-135	HARRIGAN JUDY A	Additions/Alterations - Residential	5/7/2014	6812	27	MOREHOUSE AVE	Residential	Single Family	
632	TB-14-397	J & J MILFORD LLC	Additions/Alterations - Commercial (no exterior lighting)	5/8/2014	5272	580	BRIDGEPORT AVE	Commercial	Commercial	CLARIS CONSTRUCTION INC
633	B-14-394	CREGO BOBBI	Res Repair/Altereration (no zoning required)	5/8/2014	15639	138	NORTH ST	Residential	Single Family	R F AUSTIN LLC
634	B-14-395	CONNECTICUT POST LTD PARTNERSH	Mall Sign - Interior	5/8/2014	19189	1201-2056	BOSTON POST RD	Commercial	Commercial	MARC BUZZELLI
638	B-14-234	CONNECTICUT POST LTD PARTNERSH	Additions/Alterations - Commercial (no exterior lighting)	5/8/2014	19189	1201-2056	BOSTON POST RD	Commercial	Commercial	CLOUTIER BUILDING CORPORATION
641	B-14-400	CAPPELLI LOUIS J TRUSTEE &*	SANDY - Residential Repair	5/9/2014	6438	2	BAYSHORE DR	Residential	Single Family	
642	B-14-389	GALLUP JOHN K &	Swimming Pools	5/9/2014	1129	28	KIRKSIDE AVE	Residential	Single Family	FLORIOS POOL & POOL TABLE INSTALLATIO
648	B-14-406	HELMING G JEROLD	Res Repair/Altereration (no zoning required)	5/13/2014	6767	12	POINT BEACH DR	Residential	Single Family	AFTERGLOW ENERGY CENTER INC
653	B-14-409	OAXACA INGRID M	Res Repair/Altereration (no zoning required)	5/14/2014	100262	280	NORTH ST	Residential	Single Family	J P MAGUIRE ASSOCIATES INC
655	B-14-203	GETTINGER DONALD P	Additions/Alterations - Residential	5/14/2014	5821	128	KNOBB HILL RD	Residential	Single Family	JPA ENTERPRISES LLC
659	B-14-414	PINES CHRISTINE	Window/Door Replacements	5/16/2014	11087	29	ROGERS AVE	Residential	Single Family	RICHARD L WHEELER
665	B-14-273	Molly Rentals	SANDY - New Construction	5/19/2014	6781	22	RICHARD ST	Residential	Single Family	GREEN TURTLE LLC
672	B-14-415	MILFORD CROSSING INVESTORS LLC	Add/Alt - Comm (no zoning interest)	5/20/2014	19187	1349	BOSTON POST RD	Commercial	Commercial	MICHAEL INFANTE LLC
678	B-14-185	GUTTMANN SUSAN M &	SANDY - New Construction	5/21/2014	6032	31	WESTLAND AVE	Residential	Single Family	
679	TB-14-433	CONNECTICUT POST LTD PARTNERSH	Detached Garage/Accessory Structure	5/22/2014	19189	1201	BOSTON POST RD	Commercial	Commercial	
684	B-14-438	DIGENNARO ALICIA	Window/Door Replacements	5/22/2014	6732	47	ELAINE RD	Residential	Single Family	OREGONBOB LLC
685	B-14-193	REHOLD MILFORD LLC	Additions/Alterations - Commercial (no exterior lighting)	5/22/2014	22331	1360	EAST TOWN RD	Commercial	Supermarket	ROBERT S FERS INC
689	B-14-441	BONESSI RAQUEL H	Solar Installation	5/22/2014	14925	83	BEACH AVE	Residential	Single Family	SKYLINE SOLAR LLC
690	B-14-444	CONNECTICUT POST LTD PARTNERSH	Additions/Alterations - Commercial (no exterior lighting)	5/23/2014	19189	1201-2025	BOSTON POST RD	Commercial	Commercial	
693	TB-14-449	FRITZLER RAMEY L & FRITZLER DAVID &	SANDY - Residential Repair	5/27/2014	6669	48	POINT BEACH DR	Residential	Single Family	
701	B-14-265	FIELD & SON BUILDERS LLC	New Construction - R	5/28/2014	6608	51	WESTMOOR RD	Residential	Single Family	FIELD & SON BUILDERS LLC
705	B-14-455	SANFORD REALTY LLC	Signs - Exterior	5/28/2014	7456	750	BRIDGEPORT AVE	Commercial	Commercial	RUSSELL P HASSMANN
708	Number of Permits	707								
709										
710										





Post Firm (1978)
Construction
City of Milford





0 0.25 0.5 0.75 1 Miles





 500 year flood

 A

 AE

 VE

 Post Firm (1978) Construction in a flood zone

 Post Firm (1978) Construction

2390 of 5583 homes in the flood zone have been built since 1978, the year the City of Milford joined the NFIP.

320

Map Information Services

Adopted 2013 Flood Zone and Base Flood Elevation

Location: 43 POINT BEACH DR

Owner: BARRETT JOHN P &

Contact: flood@ci.milford.ct.us

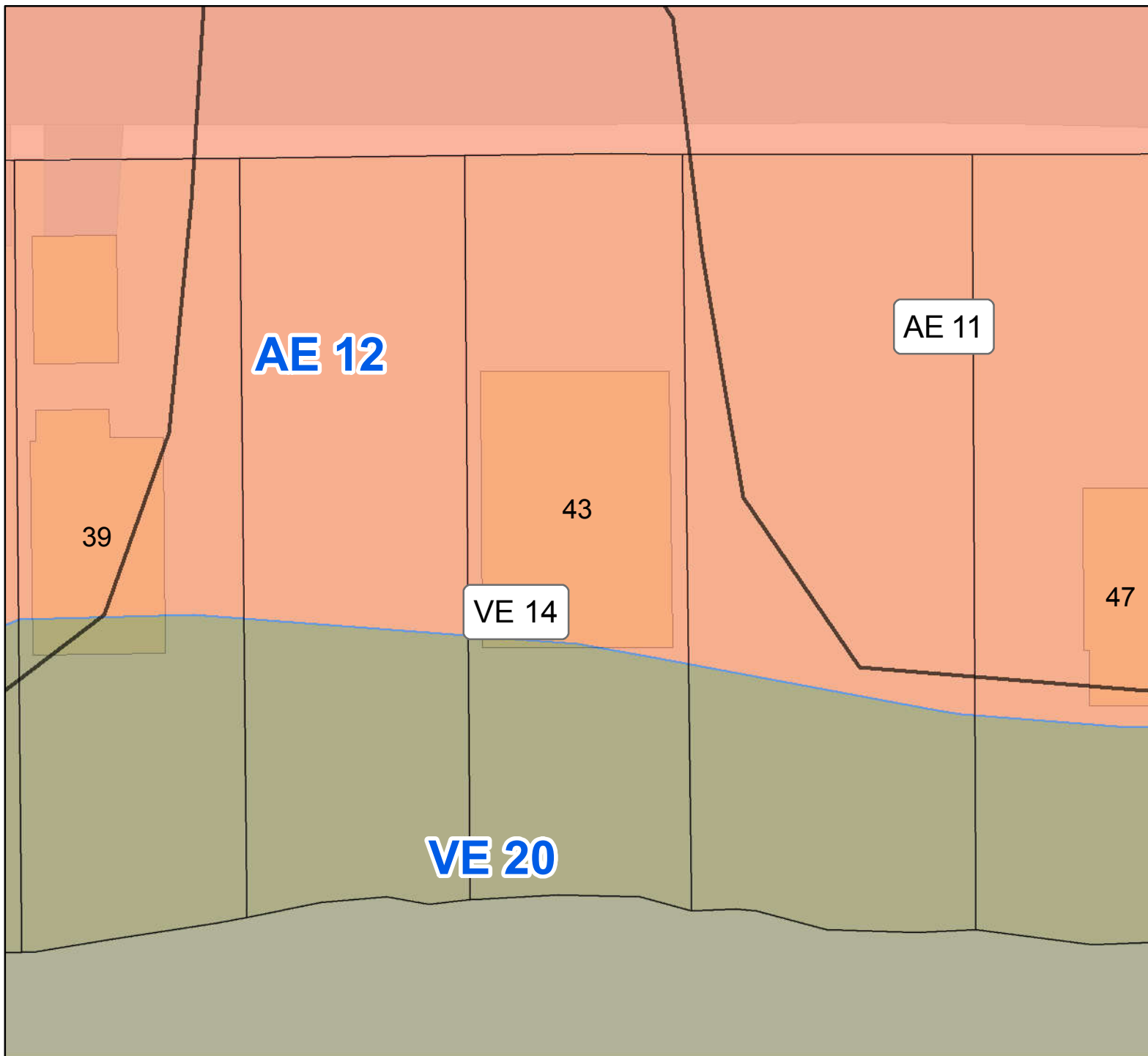
City website: <http://www.ci.milford.ct.us>

Planning & Zoning: 203-783-3245

Flood Insurance Info: www.FloodSmart.gov

For questions on flood policy coverage and rates: 1-800-427-4661

FEMA Map Information eXchange (FMIX) 1-877-FEMA MAP (1-877-336-2627)



Prior Flood Zone
Label



LIMWA



FEMA Flood Zones 2010



Flood Zone Parcels

New! FEMA Flood Zone

.02 Annual Chance Flood Hazard

A



AE



VE



X

Current Flood Zone Label

Adopted 2013 Flood Zone and Base Flood Elevation

Location: 94 BEACH AVE

Owner: ALLSPAUGH PHILIP JOHN &

Contact: flood@ci.milford.ct.us

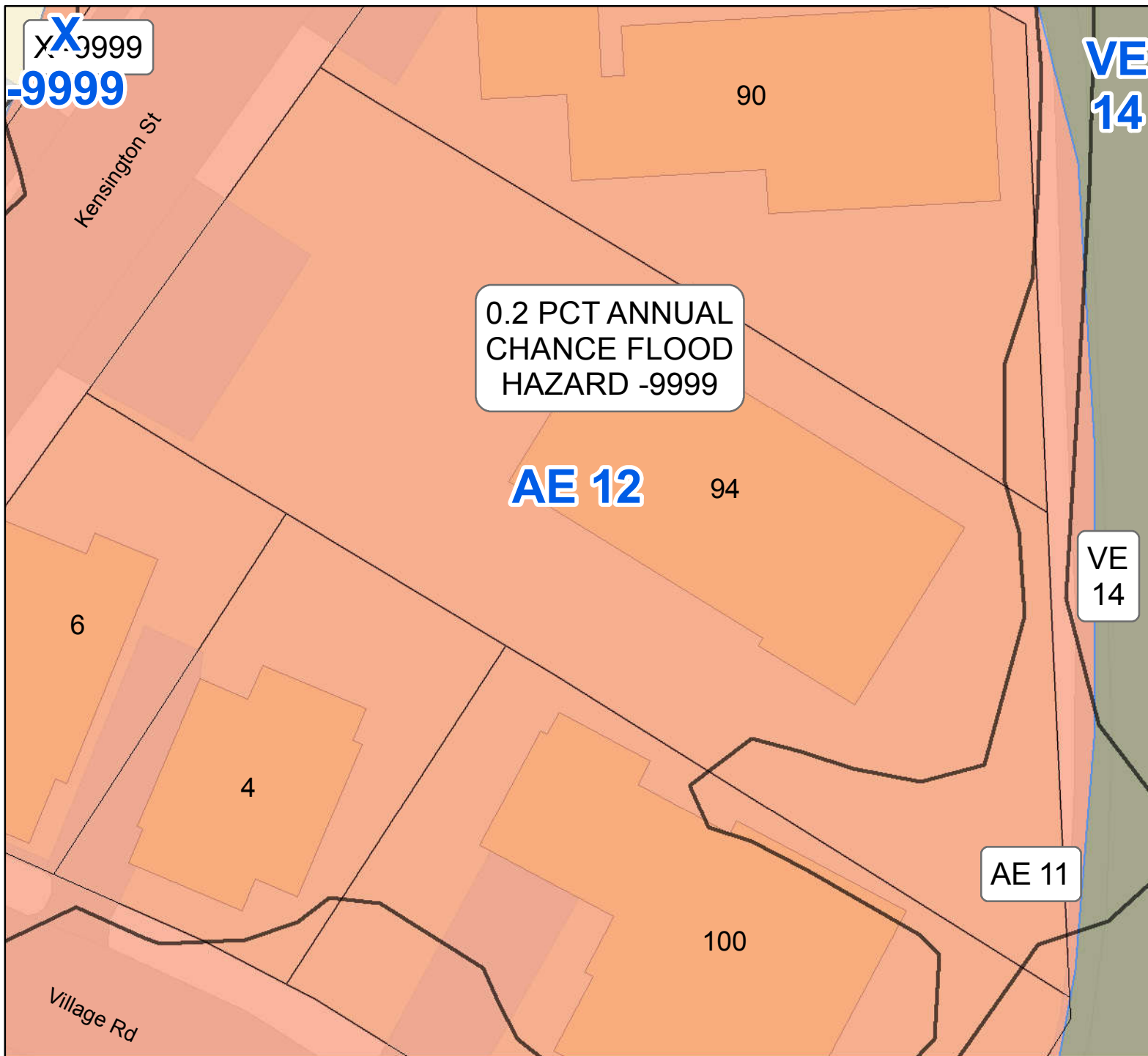
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Prior Flood Zone
Label



LIMWA



FEMA Flood Zones 2010



Flood Zone Parcels

New! FEMA Flood Zone

.02 Annual Chance Flood Hazard

A



AE



VE



X

Current Flood Zone Label

Adopted 2013 Flood Zone and Base Flood Elevation

Location: 115 MELBA ST

Owner: VITELLI MARY LOUISE & ANTHONY P & SURV

Contact: flood@ci.milford.ct.us

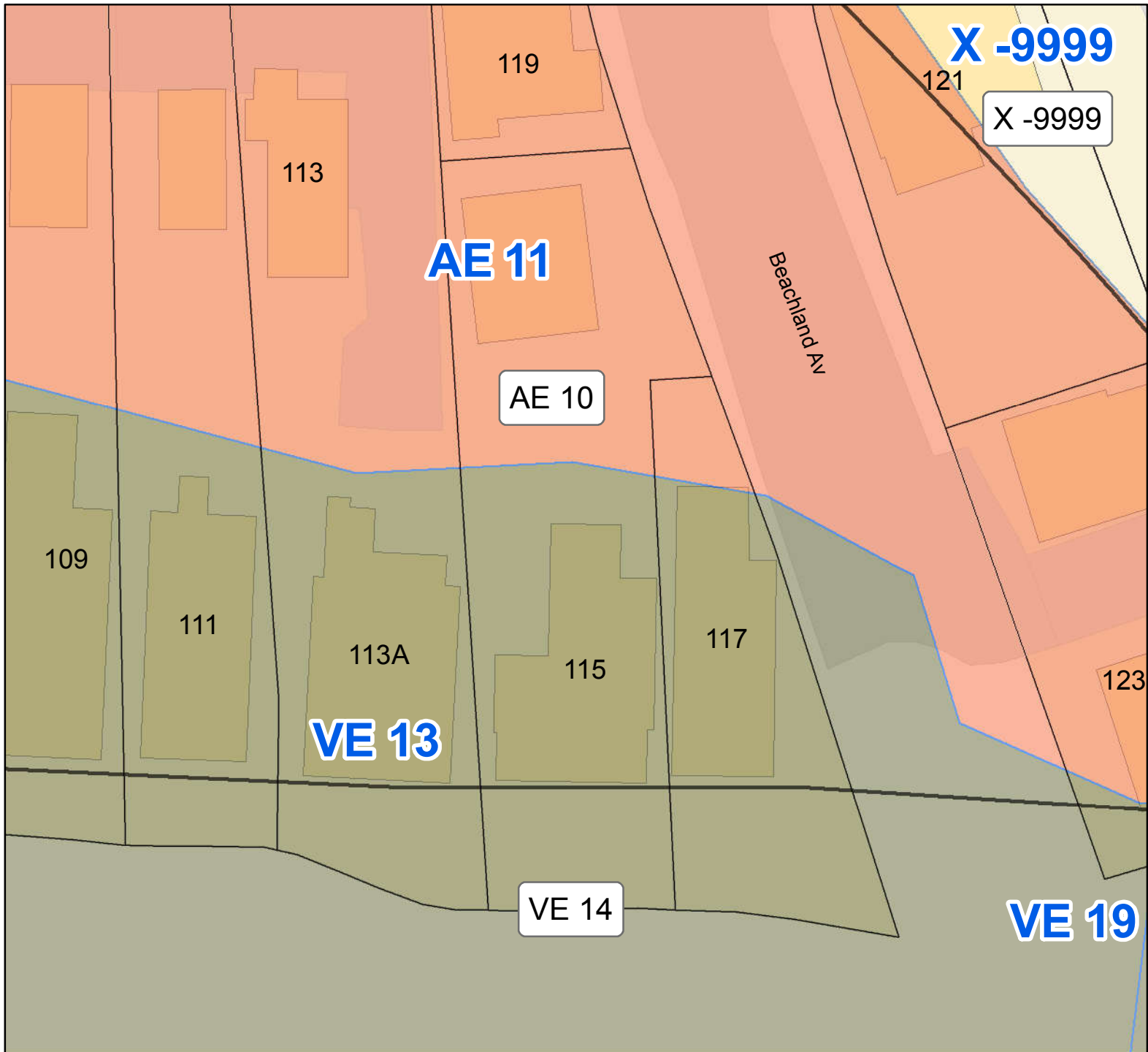
City website: <http://www.ci.milford.ct.us>

Planning & Zoning: 203-783-3245

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Prior Flood Zone
Label



LIMWA



FEMA Flood Zones 2010



Flood Zone Parcels

New! FEMA Flood Zone

.02 Annual Chance Flood Hazard



A



AE



VE



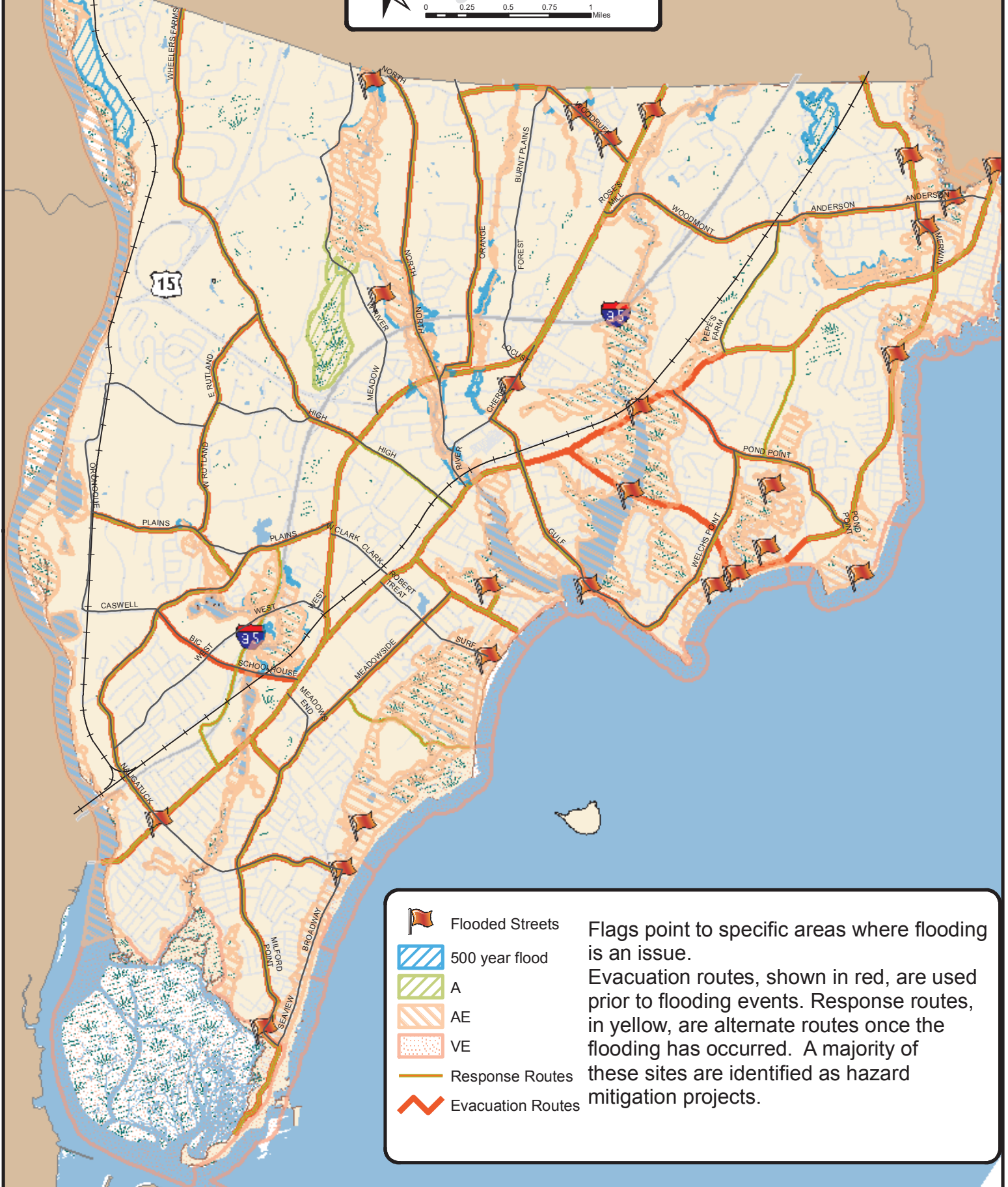
X

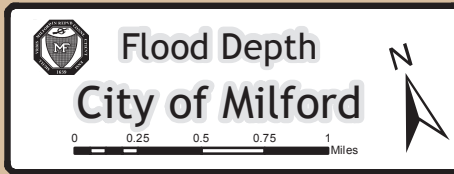
Current Flood Zone Label

Flooded Roadways, Culverts, Bridges City of Milford

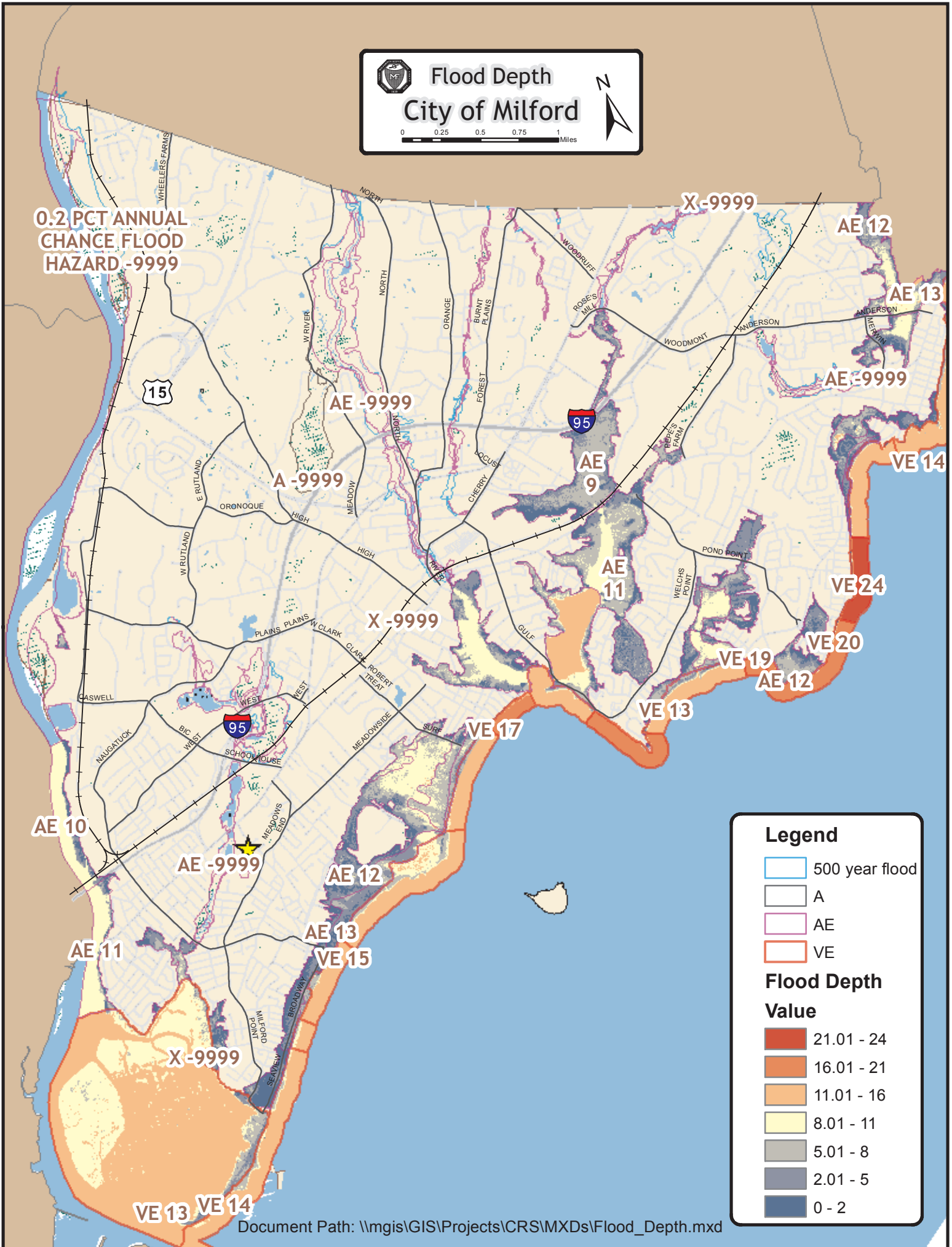


0 0.25 0.5 0.75 1
Miles





0.2 PCT ANNUAL
CHANCE FLOOD
HAZARD -9999



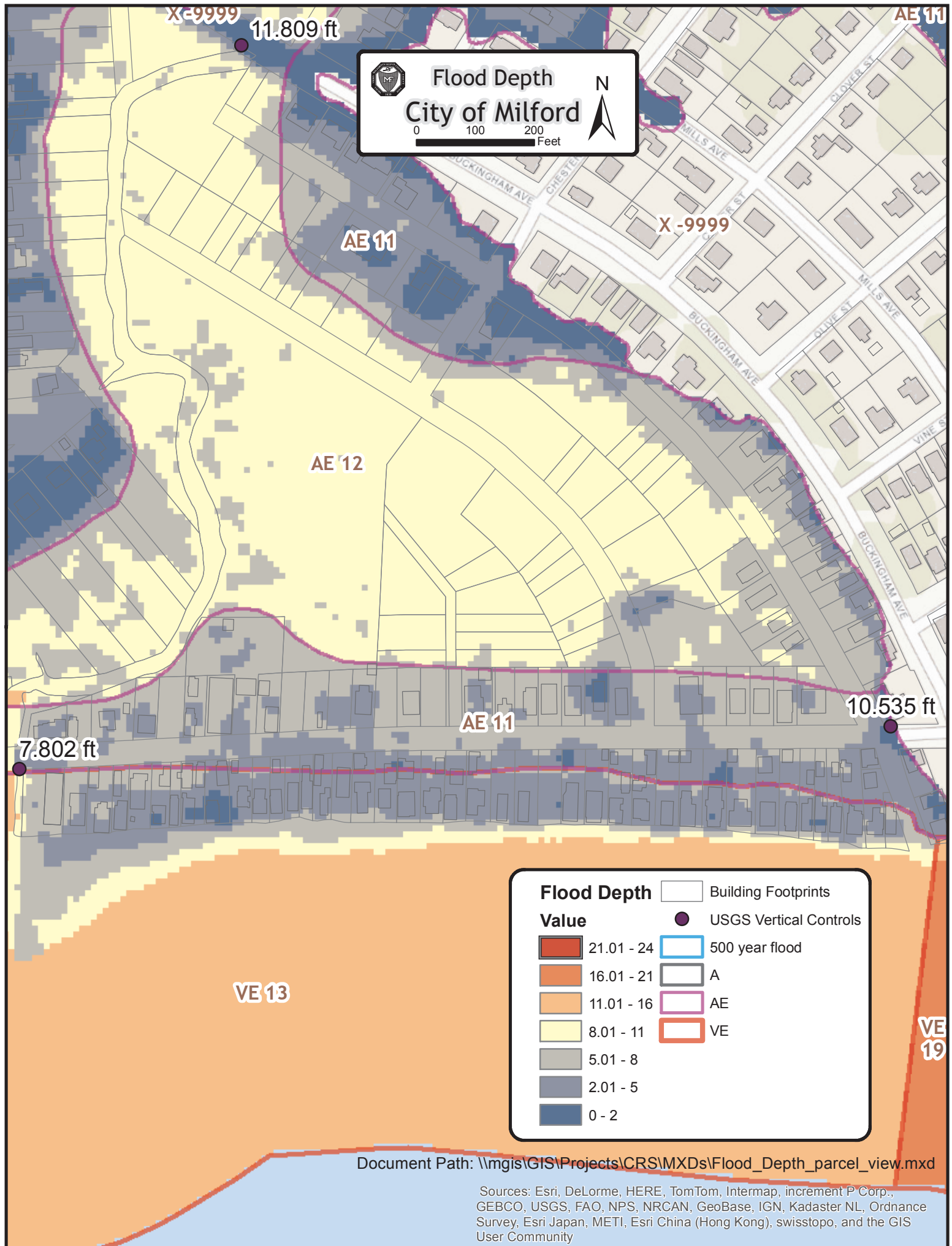
Legend

- 500 year flood
- A
- AE
- VE

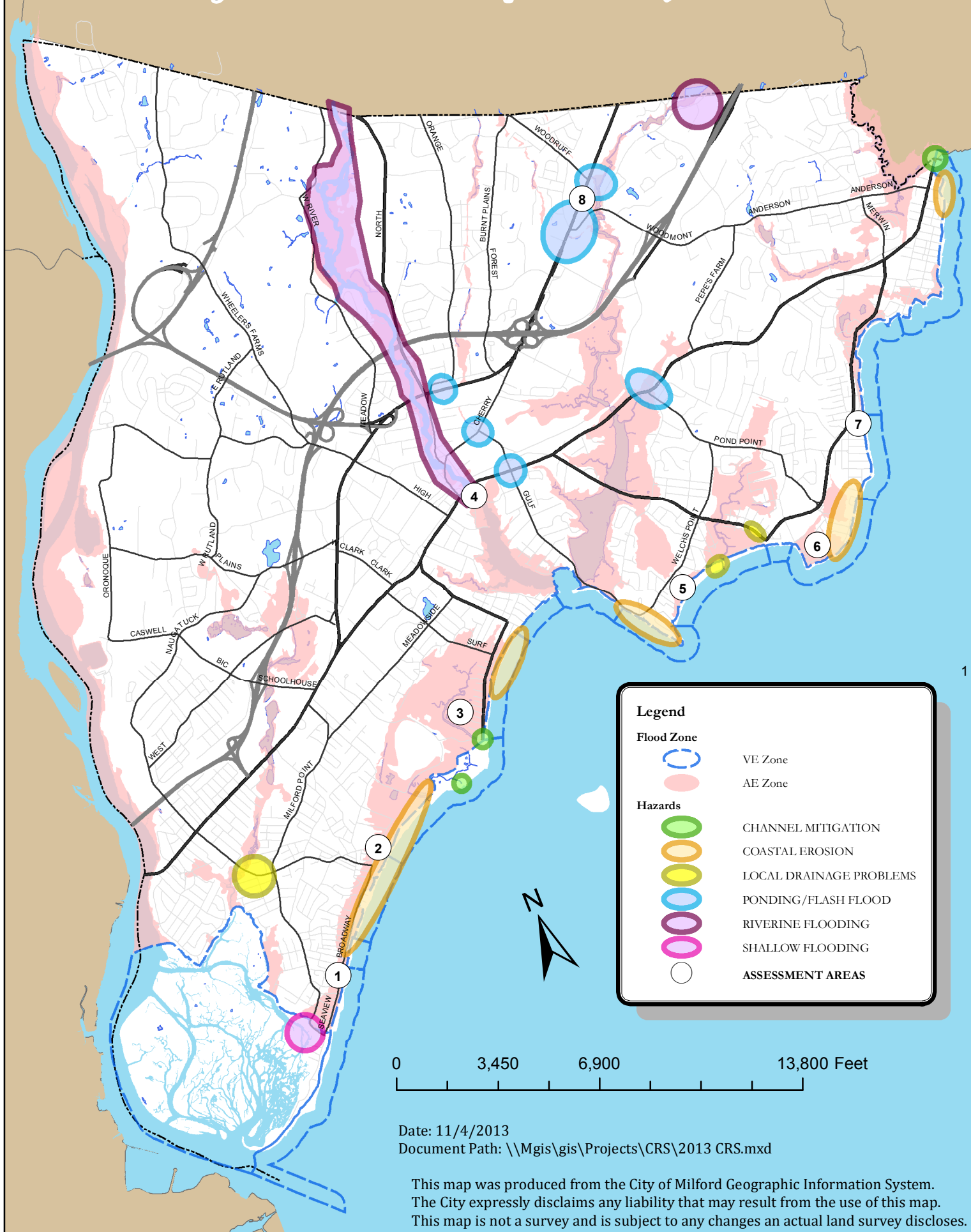
Flood Depth

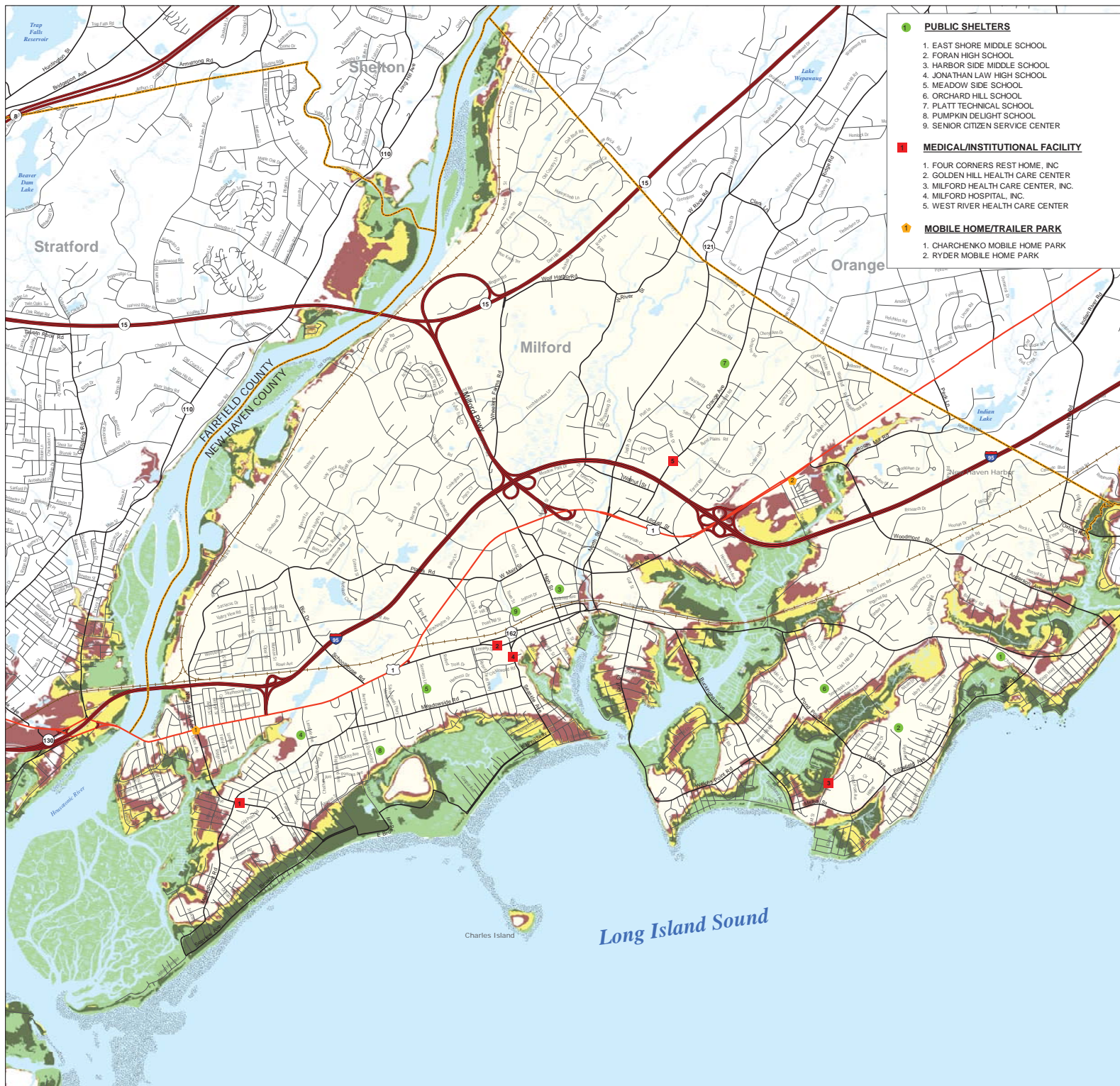
Value

- 21.01 - 24
- 16.01 - 21
- 11.01 - 16
- 8.01 - 11
- 5.01 - 8
- 2.01 - 5
- 0 - 2



CRS Community Self-Assessment Step 3 – Milford, CT Assessment Areas





LEGEND

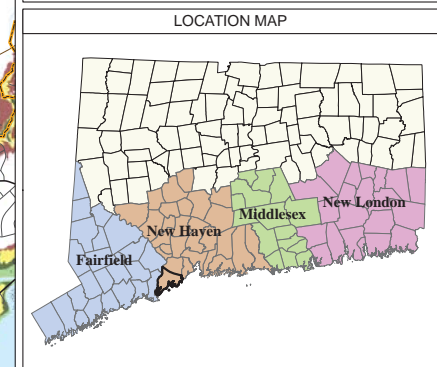
Hurricane Surge Inundation
Category 1
Category 2
Category 3
Category 4

Hydrographic Features
Water
Intermittent Water
Flats
Rocks
Inundated Area
Marsh
Cranberry Bog
Dam
Fish Hatchery
Aqueduct
Sewage Pond
Water Tank

Transportation
Interstate Highway
US Highways
State/Local Highways
Local Road
Railroad
Airport

Political
Town Boundary
State Boundary

Facility Location Key
Public Shelter
Medical/Institutional Facility
Mobile Home/Trailer Park



NOTES & SOURCES

Hurricane surge elevations were determined by the National Hurricane Center using the NY3 and PV2 SLOSH model basins, and assumed peak hurricane surge arriving at mean high water.

The hurricane surge inundation areas shown on this map depict the inundation that can be expected to result from a worst case combination of hurricane landfall location, forward speed, and direction for each hurricane category.

The source of basemap transportation features such as roads and railroads is Tele Atlas 2008. The source of other basemap features is the Connecticut DEEP.

The primary ground elevation data source was LIDAR data created by Terrapoint LLC for FEMA. That data was supplemented where needed by ground surface LIDAR data created by Terrapoint LLC for the State of Connecticut. The vertical accuracy of all LIDAR data is approximately +/- 1 foot, and the horizontal accuracy is approximately +/- 3 feet.

The horizontal projection of this map is Connecticut State Plane NAD83 feet. All elevation data was referenced to the NAVD83 vertical datum.

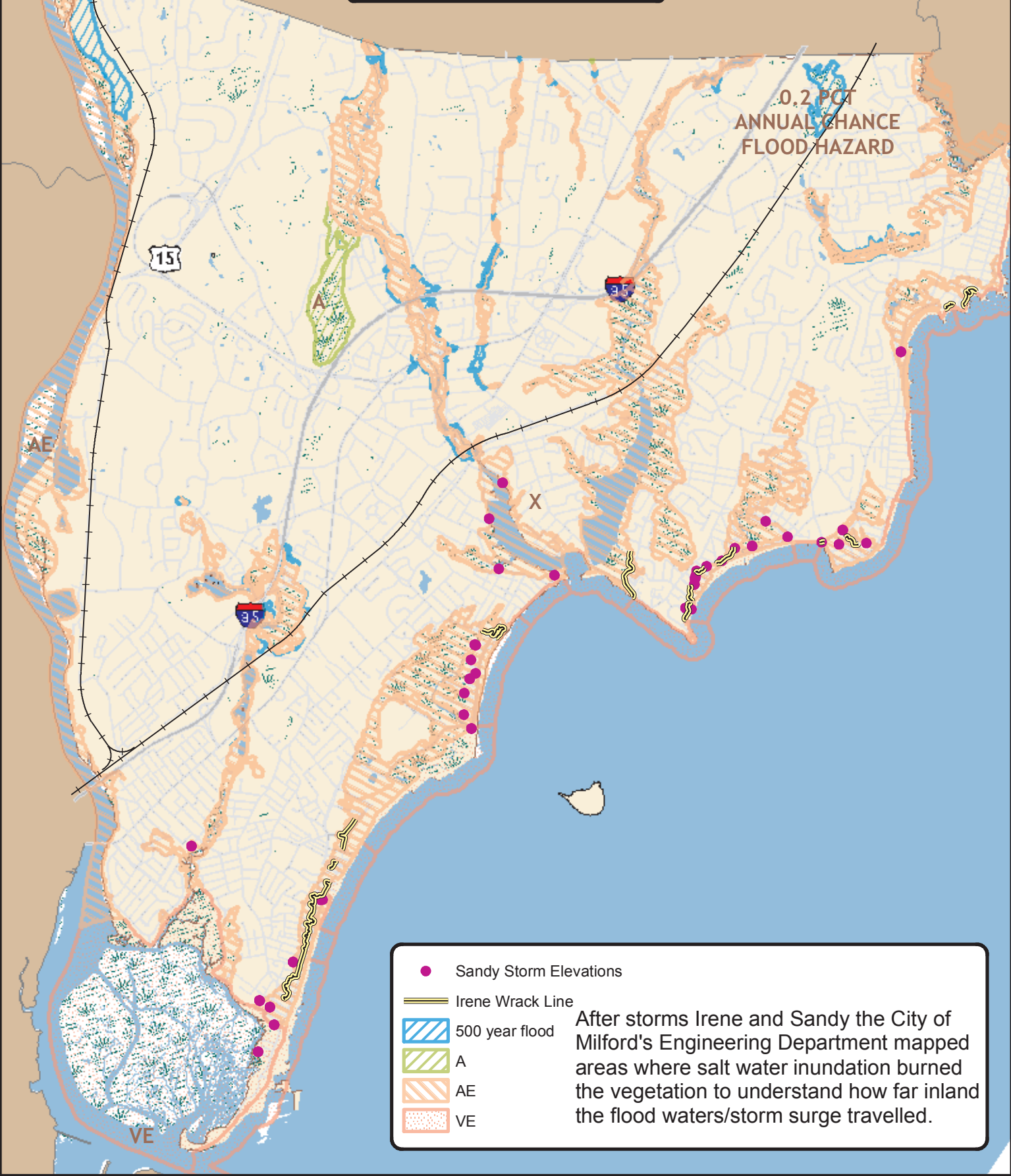
TITLE
Connecticut Hurricane Evacuation Study
Hurricane Surge Inundation Mapping
August 2012
Milford







4,000 2,000 0 4,000 Feet




Irene & Sandy
Inundation
City of Milford








-  Sandy Storm Elevations
-  Irene Wrack Line
-  500 year flood
-  A
-  AE
-  VE


After storms Irene and Sandy the City of Milford's Engineering Department mapped areas where salt water inundation burned the vegetation to understand how far inland the flood waters/storm surge travelled.





Irene & Sandy
Inundation
City of Milford









 Sandy Storm Elevations

 Irene Wrack Line

 500 year flood

 A

 AE

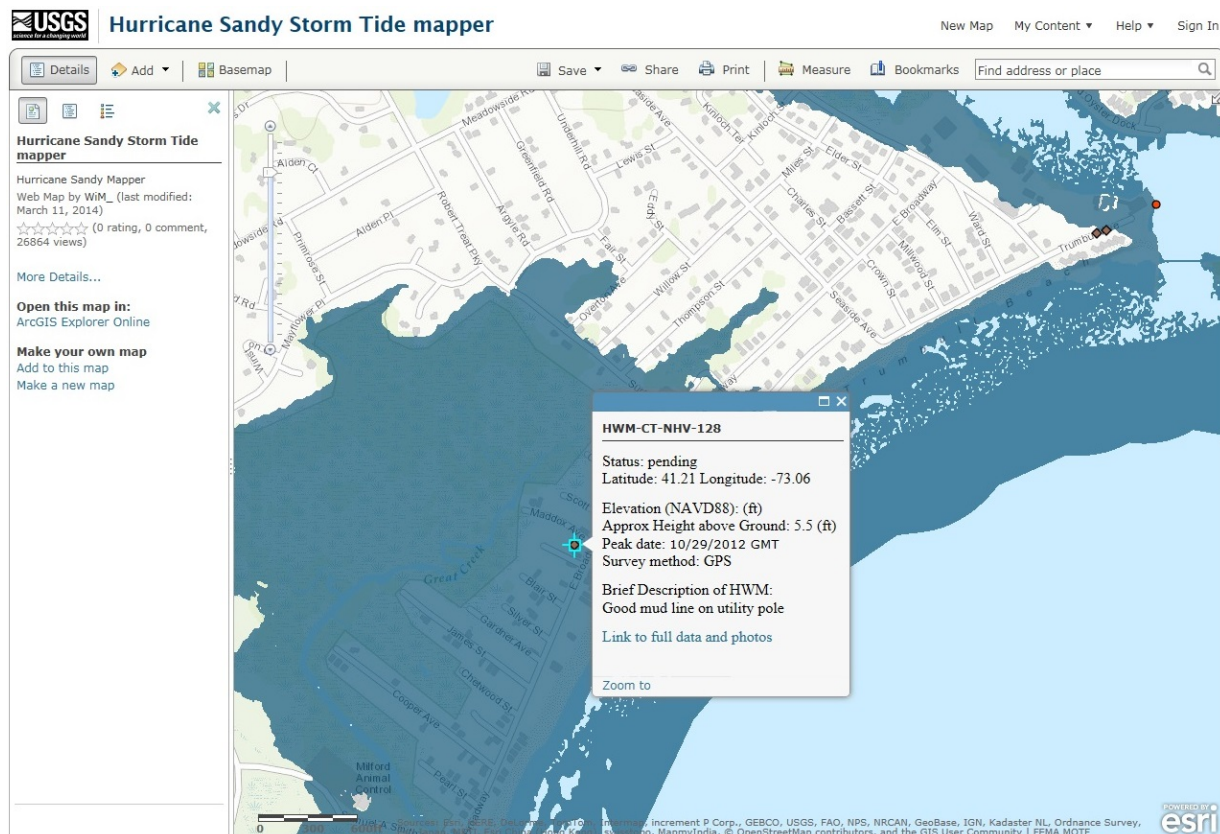
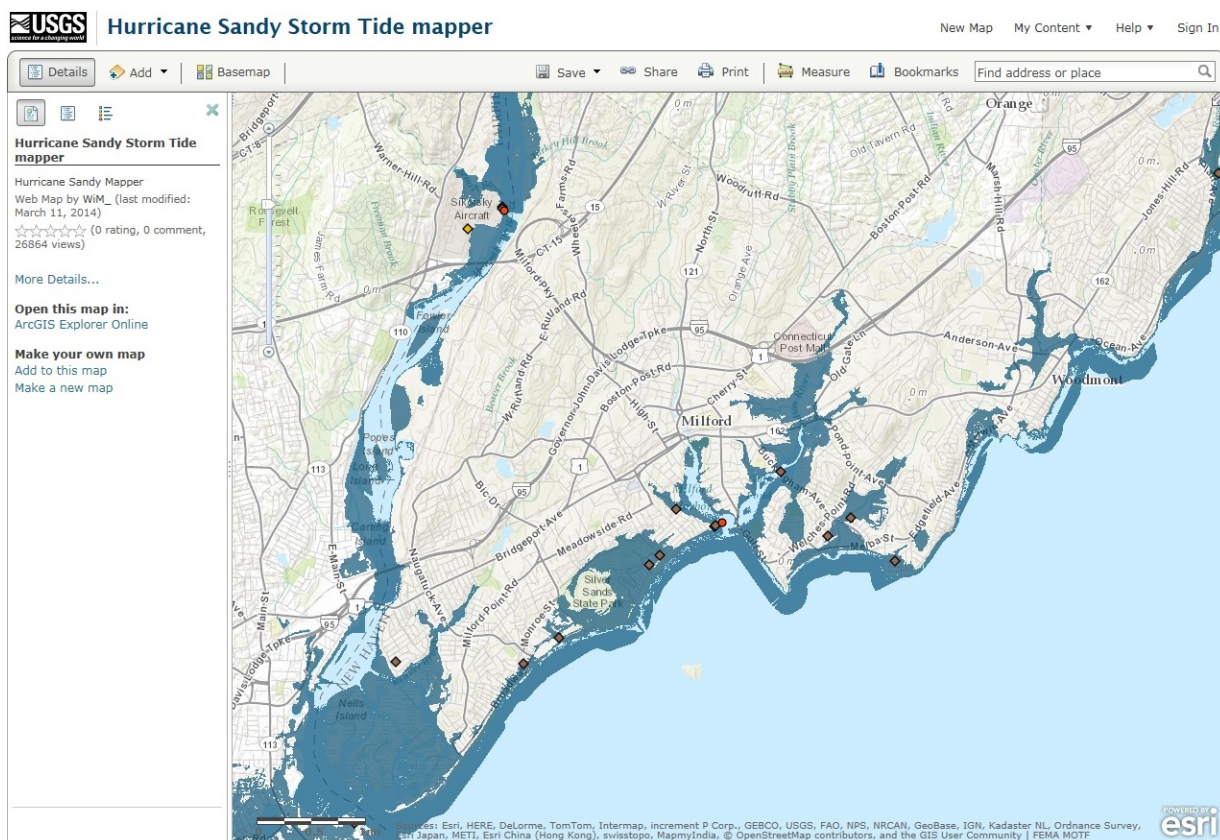
 VE

After storms Irene and Sandy the City of Milford's Engineering Department mapped areas where salt water inundation burned the vegetation to understand how far inland the flood waters/storm surge travelled.

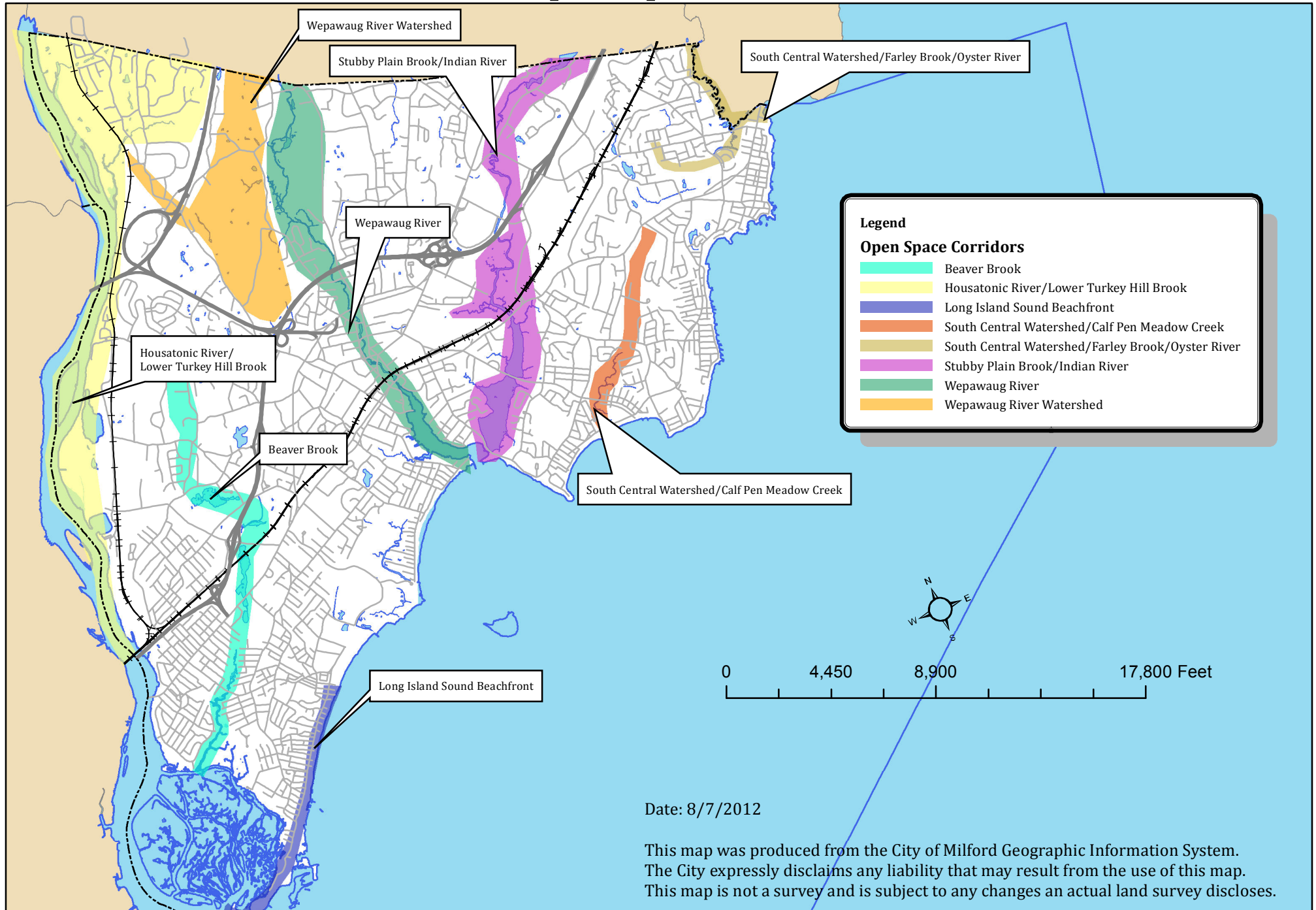
Document Path: \\mgis\GIS\Projects\CRS\MXD\Storm_high_water_parcel_view.mxd

Sources: Esri, DeLorme, HERE, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, and the GIS User Community

The USGS “Hurricane Sandy Storm Tide Mapper” can be accessed at <http://54.243.149.253/home/webmap/viewer.html?webmap=c07fae08c20c4117bdb8e92e3239837e>



Milford Open Space Corridors



Call Inquiry Log

Log example:

The screenshot displays the 'Flood Plain Inquiries' application. On the left, a map of Milford, Connecticut, is visible, showing the 'Parsons Government Center' and the 'Wepawake River'. A scale bar indicates 100 meters and 500 feet. The main window is titled 'Flood Plain Inquiries' and contains an 'Attributes' form. The form has the following fields:

- Date: (with a calendar icon)
- Street:
- Panel: (with a dropdown arrow)
- Zone and BFE: (with a dropdown arrow)
- Insurance: (with a dropdown arrow)
- Coastal or CBRS: (with a dropdown arrow)
- Repetitive Loss Area: (with a dropdown arrow)
- Sensitive Area or Wetlands: (with a dropdown arrow)
- Call Taker:

At the bottom of the form, there are 'Delete' and 'OK' buttons. The map background shows various colored zones and street names like 'W. River St' and 'Parsons Government Center'.

Call log entry result

The screenshot displays a web application titled "Flood Plain Inquiries". The interface includes a map of a flood plain area with various colored overlays (orange, blue, green, red) and labels for streets (e.g., W. River St, Plymouth St, Cherry St) and landmarks (e.g., Parsons Government Center, Milford City Hall). A call log entry is displayed as a modal window over the map, showing details for a call made on 9/3/2014 at 12:00 AM. The entry includes fields for Date, Street, Call Taker, Caller Type, Zone and BFE, Panel, Insurance, Sensitive Area or Wetlands, and Repetitive Loss Area. A "Zoom to" button is located at the bottom of the call log entry.

Field	Value
Date	9/3/2014 12:00 AM
Street	
Call Taker	Barbara Brown
Caller Type	
Zone and BFE	Yes
Panel	Yes
Insurance	No
Sensitive Area or Wetlands	Yes
Repetitive Loss Area	Yes

Zoom to

330

Outreach Projects



Published on *Milford CT* (<http://www.ci.milford.ct.us>)

[Home](#) > [Emergency Preparedness Division](#) > [Floods & Hurricanes](#) > [Floods & Hurricanes](#)

Floods & Hurricanes

- [Shelter Guidelines](#)
- [Food and Water Safety During Floods and Hurricanes](#)
- [Flooded Moldy Homes](#)
- [Flooded Garden Produce](#)
- [Facts about Mold](#)
- [Cleanup of Flood Water](#)
- [Re-entering Your Flooded Home](#)
- [What To Bring to Shelter](#)
- [Power Outages MFD](#)
- [Hurricanes MFD](#)
- [Keeping Foods Safe](#)

The Milford Health Department is working closely on Hurricane Sandy recovery efforts with municipal & community partners. The Health Department urges residents to take note of the following precautions at this time:

- Use extra caution when walking in traffic, particularly in areas where trees and/or debris are blocking sidewalks.~ Avoid unstable buildings and structures
- Beware of electrical and fire hazards. Watch for downed wires, particularly as some downed wires may not have been reported and/or cleared.~ All downed wires should be considered live wires.
- Do not burn candles near flammable items or leave the candle unattended. If possible, use flashlights or other battery-operated lights.
- Beware of scattered hazardous materials and debris. Wear appropriate shoes and clothing to avoid injury from hazardous material. Children should be advised not to pick up and/or touch hazardous material and/or debris.

Sheltering Information:

The City of Milford opened an emergency shelter at Jonathan Law High School on Sunday, October 28, 2012 at 3:00pm. The shelter remained open until Wednesday, October 31, 2012 at 10:00am. Individuals that are looking for sheltering assistance after this time should look into local hotels and motel availability in Milford and surrounding areas. Contact 2-1-1 for further assistance with locating hotels/motels.

Preparing For Floods & Hurricanes

Before the Threat of a Hurricane:

Step One: Build an Emergency Supply Kit

Kit Contents:

- **Water** (One gallon per person per day)
- **Food**
- **Medications and Information**
 - 3 Day Supply of Essential Medication
 - Photocopies of Medical Insurance Cards
 - List of Prescription Medications, including Dosage and Allergies
 - Aspirin, Antacids, Anti-Diarrheal, etc.
 - Extra Eyeglasses, Hearing Aid Batteries, Wheelchair Batteries, Oxygen, etc.
 - List of the Style and Serial Numbers of Medical Devices, i.e. Pacemakers
- **First Aid Kit** (20 Adhesive Bandages, 5" x 9" Sterile Dressing, Conforming Roller Gauze Bandage, 3x3 Sterile Gauze Pads, 4x4 Sterile Gauze Pads, Roll of 3" Cohesive Bandage, Germicidal Hand Wipes or Alcohol Based Hand Sanitizer, Six (6) Antiseptic Wipes, Pair of Large Medical-Grade Non-Latex Gloves, Adhesive Tape, Antibacterial Ointment, Cold Pack, Scissors, Tweezers, CPR Breathing Barrier (Face Shield))
- **Tools and Supplies** (Battery Operated Radio (& Extra Batteries), NOAA Radio, Flashlight, Cash/Travelers Checks, Copy of Disaster Plan, Map of Your City and State, Utility Knife, Non-Electric Can Opener, Small Fire Extinguisher, Pliers and Wrench, Tape, Waterproof Matches, Paper, Pens, Pencils, Needle and Thread, Plastic Sheeting, Aluminum Foil, Eyedropper)
- **Sanitation Supplies** (Toilet Paper, Towelettes, Soap, Liquid Detergent, Feminine Supplies, Personal Hygiene Items, Diapers, Plastic Bucket with Tight Lid, Plastic Garbage Bag, Ties (For Personal Sanitation Uses), Disinfectant, 1 Gallon of Household Chlorine Bleach)
- **Clothing and Bedding** (At Least One Change of Clothing, Gloves, Thermal Underwear, Rain Gear, and Sturdy Pair of Shoes, Blankets, Sleeping Bags, and Rain Gear)
- **Important Family Documents** (Will, Insurance Policies, Contracts, Deeds, Stocks and Bonds, Bank Account Numbers, Credit Card Account Numbers and Companies, Family Records (Birth, Marriage, Death Certificates), Medical Insurance and Medicare Cards)
- **Entertainment** (Deck of Cards, Books, Portable Music Device, Small Toy, Stuffed Animal, Coloring Book (Children))
- **Appropriate Food Items** (Canned Fruits, nuts, crackers, juice boxes, dried fruits, whole grain cereals, protein bars, cereal bars, canned meats, canned beans, etc.)

Emergency Kit Tips:

- Store kit in a convenient location, known to all family members
- Keep a smaller version of this kit in each car

- Individuals with special needs or disabilities should plan to have enough supplies to last up to two weeks (syringes, catheters, etc.)
- Keep copies of important family documents in a waterproof container
- Don't forget to rotate and replace expired items throughout the year

Step Two: Make a Family Emergency Plan

- Include Names of Family Members, Pets, Individual Certifications (i.e. CPR), Location of Emergency Kit, Emergency Contact Numbers, Radio/Television Stations for Updates
- Create a Chart for Each Type of Emergency (Flooding, Earthquake, Fire, etc.) Listing Meeting Place in Home, Evacuation Location, and Who to Contact if Away from Home
- Keep your vehicles fully fuelled.
- Have a certain amount of cash available. If power is lost, ATMs may not be working.

Step Three: Protect Your Property

- Everyone at risk should consider flood insurance protection (ask your insurance agent or visit www.floodsmart.gov for more information).
- Thin and trim trees and shrubs: remove weak and dead trees and limbs from the property
- Keep rain gutters and downspouts clear of debris
- Bring in outdoor items such as lawn furniture, trash barrels, hanging plants, toys and awnings that can be broken or picked up by strong winds and used as a missile.
- Make sure storage sheds, children's playhouses or other outbuildings are securely anchored, either to a permanent foundation or with straps and ground anchors.
- Elevate articles in your basement that could be damaged from even minor flooding.
- If you do not have permanent hurricane shutters:
 - Buy any items needed to board up windows and protect your home
 - Marine Plywood is considered the best
 - Cut the plywood to fit each window and pre-drill holes every 18 inches for screws, well in advance of the threat of a hurricane.
- Make a record of your personal property. Keep an itemized list of your furniture, clothing and valuables to assist adjusters in case of a claim. Back it up with photographs or video.
- Protect your insurance policies and other important documents in a secure place like a safe deposit box or a watertight box. Many people back up important documents online.
- Learn where gas pilots and water mains are located and how to safely shut off all utilities.
- Lock doors and windows to ensure that they are closed tightly to help protect against strong winds and rain.
- Boat owners who plan on taking their vessels out of the water soon should consider doing so this weekend.

Step Four: Stay Informed

Additional Tips Before a Flood or Hurricane:

Anywhere it rains, it can flood. According to the National Flood Insurance Program, a flood is a general and temporary condition where normally dry land is inundated by water or mudflow. Many conditions can result in a flood: hurricanes, broken levees, outdated or clogged drainage systems and rapid accumulation of rainfall.

Just because you haven't experienced a flood in the past, doesn't mean you won't in the future. Flood risk isn't just based on history, it's also based on a number of factors: rainfall, river-flow and tidal-surge data, topography, flood-control measures, and changes due to building and development.

The following links provide information on what you can do before, during, and after a flood and/or a hurricane.

- Obtain appropriate levels of flood insurance to minimize financial losses. Find out about the National Flood Insurance Program at www.floodsmart.gov.
- Find out about some basic steps to take to prepare for the storm by visiting the Centers for Disease Control & Prevention at <http://emergency.cdc.gov/disasters/hurricanes/index.asp>.
- For general information about *How to Prepare for a Hurricane*, [click here](#).
- For information about *How to Prepare for a Power Outage*, [click here](#).
- For information about *Food and Water Safety During Floods and Hurricanes*, [click here](#).
- For information about *How to Keep Foods Safe During an Extended Power Outage*, [click here](#).

After a Flood or Hurricane:

- For information about *Re-Entering a Flooded Home*, [click here](#).
- For information about *Cleaning Up Flood Water*, [click here](#).
- For information about *Mold*, [click here](#).
- For information regarding *Flooded Garden Produce*, [click here](#).

Source URL: <http://www.ci.milford.ct.us/emergency-preparedness-division/pages/floods-hurricanes>



City of Milford, Connecticut

~ Founded 1639 ~

HEALTH DEPARTMENT

A. Dennis McBride, M.D., M.P.H.
Health Director

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CITY OF MILFORD EMERGENCY EVACUATION SHELTER

**Jonathan Law High School
20 Lansdale Avenue
Milford, CT 06460**

SHELTER GUIDELINES

The shelter will have basic necessities for survival including food, water and a place to sleep. However, shelters will not be able to provide the same level of convenience as a family member's home or a hotel. Individuals & families who plan to come to the shelter should remember the following:

- Shelters allow approximately 30 square feet per person. Do not bring anything that is not absolutely necessary for a 24-48 hour stay.
- Clothing & Bedding: One complete change of clothing including footwear; sleeping bag and pillow.
- Medications: Bring all medications clearly marked with your name, dosage, type of medication, & prescribing physician. You must be able to take all medications yourself.
- Food: If you have the need for special foods (i.e. diabetic, low salt, baby food, formula, etc.), please bring these special dietary items with you.
- Personal Items: Bring washcloth, small towel, soap, toothbrush, toothpaste, sanitary napkins, paper towels, toilet paper, etc.
- Important Papers: Bring identification and valuable papers (insurance documents, etc.), the name and address of doctors, and name/address of nearest relative not living in area.
- Pets: There will be an area for your pets at the shelter. Please bring adequate food and water for your pets.
- Miscellaneous: Bring a cell phone if you have one.



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ARE YOU READY?



**Get
Ready**

www.aphagetready.org



How to get ready for hurricanes

Unlike tornadoes, which can strike with little warning, hurricanes are much easier to predict, usually giving residents in high-risk areas time to prepare. But like most disasters, it's best to get prepared while the weather is nice outside and well before a threat occurs.

What's a hurricane?



Photo courtesy iStockphoto—Jim Lopes

Hurricanes are large tropical storms that form over warm ocean waters. A tropical storm becomes a hurricane once its winds reach 74 miles per hour. Once a hurricane forms, officials can estimate the path it will travel and how strong it will become. There are five categories of hurricanes, and a category five is most dangerous. People living in the nation's coastal communities, particularly those along the Atlantic and Gulf Coast regions, are at highest risk. In addition to dangerous winds, hurricanes can cause flooding, storm surges and tornadoes.

Making preparations

Preparing a hurricane emergency supply kit is critical if you live in an at-risk area. While not all hurricanes are accompanied with evacuation orders, the storm can still leave you without power and access to roads.

Make sure your kit includes a three- to five-day supply of water and non-perishable food, with one gallon of water stored for each person per day. For example, if you have four people in your household, you'll need 12 gallons of water for a three-day supply. Enough water is especially important if you lose power during hot summer months. Prepare enough food and water for pets too.

Your supply kit should also include a first aid kit, manual can opener, flashlight, batteries, a battery-operated radio, clothing and bedding, copies of important documents, hygiene supplies and hand sanitizer, water-purifying agents, and needed medical supplies, such as prescriptions or contact lenses. It's also a good idea to prepare a portable emergency supply kit that includes maps and booster cables in case of evacuation. Make sure to check and update



Photo courtesy iStockphoto—Givaga



Photo courtesy iStockphoto—Lisa Young

your stockpile regularly and switch out expired food items.

Learn about your community's hurricane warning system, evacuation routes and nearby hurricane shelters. Some hurricane shelters are equipped to house people with special medical needs, so alert local officials ahead of time if you or a loved one will need assistance staying safe. Also, most shelters won't allow you to bring your pets, so plan accordingly.

To protect your home and reduce the risk of flying debris, cover doors and windows with board or place large strips of heavy tape across windows to prevent them from shattering. Secure any items outside your home that could become flying debris. Fill sinks and bathtubs with water and adjust refrigerators to the coolest temperature. Make sure your vehicles are filled with gas.

Listen to officials

If local officials issue a hurricane watch, it means a hurricane is possible in your area. A hurricane warning is issued if it is expected to hit your community.

While the decision to leave your home can be hard, do not ignore evacuation orders. If you have time before evacuating, turn off the gas, electricity and water. Once you're on the road, follow designated evacuation routes, as they are the safest way to get to shelter. Also, make sure your family emergency plan includes a pre-designated meeting place in case you have to evacuate in a hurry and all family members are not together.

If evacuation orders aren't given and you decide to remain at home, stay inside until officials say it's safe to leave. A calm in the storm can mean that the hurricane's "eye" is passing over and dangerous winds will continue after it's passed. And in case your home is too damaged to stay in after the hurricane is over, be ready to evacuate to a nearby shelter or make contingency plans to stay with friends or relatives.

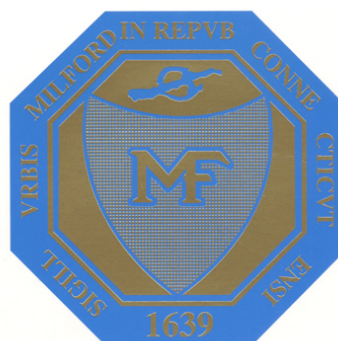
Lastly, be neighborly. Restoring power after a hurricane can take days or even weeks. If you get power back before others in your neighborhood, lend a helping hand.



Photo courtesy iStockphoto—choicegraphix



800 I Street, NW • Washington, DC • 20001-3710
202-777-APHA • www.aphagetready.org • getready@apha.org



Milford Health Department
82 New Haven Avenue
Milford, CT 06460
203-783-3285

ARE YOU READY?



How to get ready for a power outage

Losing electricity in your home temporarily — a few minutes or hours — can often be a pain in the neck. However, a power outage can be life threatening if it lasts longer, especially during cold weather.

Here are a few tips to follow in case you lose power in your home for a long time.



Preparing for a power outage

Store emergency supplies in your home, including a first aid kit, canned food (and a manual opener), bottled water, flashlight, battery-operated radio and any essential prescription drugs. Make sure you know how to shut off gas, water and electric supplies at the source in your house. Keep a fire extinguisher in the house.

Tell the police department and fire department ahead of time if you have a person living in your home who needs special assistance. Locate emergency shelters in your community in case you need assistance during a power outage.



During a power outage

Carbon monoxide can kill you even though you can't see it and you can't smell it. So the best way to protect yourself is to prevent carbon monoxide from building up in the first place. What's the best way to do this during a power outage? Don't use the following inside of your home without ventilation: barbecue or camp grills, gasoline engines, generators, lanterns and gas ranges. Using these indoors could lead to a poisonous buildup of air in the house. If you must use any of these appliances, be sure to open lots of windows first. Also, don't burn any charcoal and wood in your home with the windows shut.

- If power is out for a long time, don't eat any food in your refrigerator that is warmer than 40 degrees (°F) as measured by a food thermometer.
- Drink plenty of water if the weather is hot. But first call your local water company to make sure the water from your faucet is safe to drink while you are waiting for the power to go back on.
- If it's cold outside, wear lots of clothing to keep warm.
- Don't touch any power lines either on the roof of your home or on the ground.

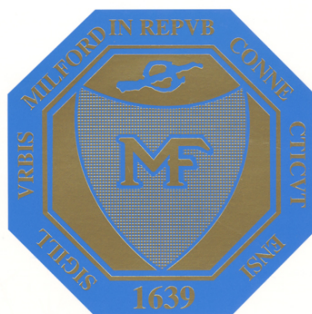
Even if there's no power in your home, there may still be live wires. If someone in your home gets an electrical shock, don't touch them or the source of the shock! Use cardboard, wood or plastic to move the live wire away from the person. Once you have moved the electrical source, check the person's pulse, call 911 and start CPR if necessary. If a person looks weak, lay her or him down and elevate the person's legs.

After the power comes back on

Check with your neighbors and see if they have power turned back on. If not, offer to assist them in any way you can. Make sure that your water is clean before drinking or bathing in it. Also check the temperature of the food in your refrigerator before eating it: When in doubt, throw it out.



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The Milford Health Department

82 New Haven Avenue ♦ Milford, CT 06460 ♦ 203-783-3287 ♦ Fax 203-783-3286

KEEPING FOODS SAFE DURING AN EXTENDED POWER OUTAGE

Keep these tips in mind to ensure the foods in your refrigerator and freezers are safe to consume.

An extended power outage is one that lasts for 4 hours or longer.

- Always keep the refrigerator and freezer doors closed.
- Always keep a thermometer inside the refrigerator and freezer compartments to monitor the internal temperatures.
- Once the power is restored, take the temperature of the food in the refrigerator and freezer.
- *If foods are above 45 degrees, they should be discarded.*
- Foods that have defrosted in the freezer, but have remained under 45 degrees may be refrozen, although they may deteriorate in quality.
- Be especially careful with any potentially hazardous foods (luncheon meats, dairy products, eggs and egg products, defrosted meats, fish, etc) These foods support the rapid growth of bacteria which may cause food-borne illness.
- **Remember.....NEVER** use charcoal grills indoors for heating and cooking, and never use a gas stove as a heat source. Both can lead to severe carbon monoxide poisoning!

If you have any doubt concerning the safety of any food items, discard them immediately.
Remember.....

WHEN IN DOUBT, THROW IT OUT!

Contact The Milford Health Department with any questions



FOODFACTS

From the U.S. Food and Drug Administration

Food and Water Safety During Hurricanes, Power Outages, and Floods

What Consumers Need to Know

Emergencies can happen. When they do, the best strategy is to already have a plan in place. This includes knowing the proper food and water safety precautions to take if hurricanes — or other flooding/power outages — do occur.



Be Prepared for Emergencies

1. Make sure you have **appliance thermometers in your refrigerator and freezer**.
 - Check to ensure that the freezer temperature is at or below **0 °F**, and the refrigerator is at or below **40 °F**.
 - In case of a **power outage**, the appliance thermometers will indicate the temperatures in the refrigerator and freezer to help you determine if the food is safe.
2. **Freeze containers of water** for ice to help keep food cold in the freezer, refrigerator, or coolers in case the power goes out. If your normal water supply is contaminated or unavailable, the melting ice will also supply drinking water.
3. **Freeze refrigerated items** such as leftovers, milk, and fresh meat and poultry that you may not need immediately. This helps keep them at a safe temperature longer.
4. **Group food together** in the freezer. This helps the food stay cold longer.
5. **Have coolers on hand** to keep refrigerated food cold if the power will be out for more than 4 hours.
6. Purchase or make **ice cubes in advance** and store in the freezer for use in the refrigerator or in a cooler. Freeze **gel packs** ahead of time for use in coolers.
7. Check out local sources to know where **dry ice and block ice** can be purchased, just in case.
8. **Store food on shelves** that will be safely out of the way of contaminated water in case of flooding.
9. Make sure to have a **supply of bottled water** stored where it will be as safe as possible from flooding.



Power Outages: During and After

When the Power Goes Out . . .

Here are basic tips for keeping food safe:

- Keep the **refrigerator and freezer doors closed** as much as possible to maintain the cold temperature.
 - The **refrigerator** will keep food **cold for about 4 hours** if it is unopened.
 - A **full freezer** will keep the temperature for approximately **48 hours** (24 hours if it is half full) if the door remains closed.
 - Buy **dry or block ice** to keep the refrigerator as cold as possible if the power is going to be out for a prolonged period of time. Fifty pounds of dry ice should hold an 18 cubic foot, fully-stocked freezer cold for two days.
- If you plan to eat refrigerated or frozen meat, poultry, fish or eggs while it is still at safe temperatures, it's important that each item is **thoroughly cooked to its proper temperature** to assure that any foodborne bacteria that may be present are destroyed. However, if at any point the food was above 40 °F for 2 hours or more — discard it.
- **Wash fruits and vegetables** with water from a safe source before eating.
- For infants, try to use prepared, canned baby formula that requires no added water. When using concentrated or powdered formulas, prepare with bottled water if the local water source is potentially contaminated.



Once Power Is Restored . . .

You'll need to determine the safety of your food. Here's how:

- If an appliance thermometer was kept in the freezer, **check the temperature** when the power comes back on. If the freezer thermometer reads 40 °F or below, the food is safe and may be refrozen.
- If a thermometer has not been kept in the freezer, **check each package** of food to determine its safety. You can't rely on appearance or odor. If the food **still contains ice crystals** or is 40 °F or below, it is safe to refreeze or cook.
- Refrigerated food should be safe as long as the power was out for **no more than 4 hours** and the refrigerator door was kept shut. Discard any perishable food (such as meat, poultry, fish, eggs or leftovers) that has been above 40 °F for two hours or more.



Keep in mind that perishable food such as meat, poultry, seafood, milk, and eggs that are **not kept adequately refrigerated or frozen** may cause illness if consumed, even when they are thoroughly cooked.



When Flooding Occurs — Keep Water Safe

Follow these steps to keep your **WATER SAFE** during – and after – flood conditions.

1. Use **bottled water** that has not been exposed to flood waters if it is available.

2. If you don't have bottled water, you should **boil water** to make it safe. Boiling water will kill most types of disease-causing organisms that may be present.
 - If the water is cloudy, filter it through clean cloths, or allow it to settle and then draw off the clear water for boiling.
 - Boil the water for one minute, let it cool, and store it in clean containers with covers.

3. If you can't boil water, you can **disinfect it using household bleach**. Bleach will kill some, but not all, types of disease-causing organisms that may be in the water.
- If the water is cloudy, filter it through clean cloths, or allow it to settle and then draw off the clear water for disinfection.
 - Add 1/8 teaspoon (or 8 drops) of regular, unscented, liquid household bleach per each gallon of water. Stir it well and let it stand for at least 30 minutes before you use it.
 - Store disinfected water in clean containers with covers.
4. If you have a **well** that has been flooded, the water should be **tested and disinfected** after flood waters recede. If you suspect that your well may be contaminated, contact your local or state health department or agricultural extension agent for specific advice.




When Flooding Occurs — Keep Food Safe

Follow these steps to keep your **FOOD SAFE** during — and after — flood conditions.

1. **Do not eat** any food that may have come into contact with flood water.

2. **Discard any food** that is **not in a waterproof container** if there is *any* chance that it has come into contact with flood water.
 - Food containers that are not waterproof include those with screw-caps, snap lids, pull tops, and crimped caps.
 - Also discard cardboard juice/milk/baby formula boxes and home canned foods if they have come in contact with flood water, because they cannot be effectively cleaned and sanitized.


3. Inspect canned foods and **discard any food in damaged cans**. Can damage is shown by swelling, leakage, punctures, holes, fractures, extensive deep rusting, or crushing/denting severe enough to prevent normal stacking or opening with a manual, wheel-type can opener.
- 
4. Undamaged, commercially prepared foods in **all-metal cans** and **"retort pouches"** (like flexible, shelf-stable juice or seafood pouches) can be saved if you follow this procedure:
 - Remove the labels, if they are the removable kind, since they can harbor dirt and bacteria.
 - Brush or wipe away any dirt or silt.
 - Thoroughly wash the cans or retort pouches with soap and water, using hot water if it is available. Rinse the cans or retort pouches with water that is safe for drinking, if available, since dirt or residual soap will reduce the effectiveness of chlorine sanitation.

5. Sanitize cans and retort pouches by immersion in one of the two following ways:
 - Place in water and allow the water to come to a boil and continue boiling for 2 minutes, or
 - Place in a freshly-made solution consisting of 1 tablespoon of unscented liquid chlorine bleach per gallon of drinking water (or the cleanest, clearest water available) for 15 minutes.

6. Air dry cans or retort pouches for a minimum of 1 hour before opening or storing.

7. If the labels were removable, then re-label your cans or retort pouches, including the expiration date (if available), with a marking pen.

8. Food in reconditioned cans or retort pouches should be used as soon as possible thereafter.

9. Any concentrated baby formula in reconditioned, all-metal containers must be diluted with clean drinking water.
- 
5. Thoroughly wash metal pans, ceramic dishes, and utensils (including can openers) with soap and water, using hot water if available. Rinse, and then sanitize them by boiling in clean water or immersing them for 15 minutes in a solution of 1 tablespoon of unscented, liquid chlorine bleach per gallon of drinking water (or the cleanest, clearest water available).

6. Thoroughly wash countertops with soap and water, using hot water if available. Rinse, and then sanitize by applying a solution of 1 tablespoon of unscented, liquid chlorine bleach per gallon of drinking water (or the cleanest, clearest water available). Allow to air dry.

Everyone can practice safe food handling by following these four simple steps:





Reentering Your Flooded Home

When returning to a home that's been flooded after natural disasters such as hurricanes, tornadoes, and floods, be aware that your house may be contaminated with mold or sewage, which can cause health risks for your family.

When You First Reenter Your Home

- If you have standing water in your home and can turn off the main power from a dry location, then go ahead and turn off the power, even if it delays cleaning. If you must enter standing water to access the main power switch, then call an electrician to turn it off. **NEVER turn power on or off yourself or use an electric tool or appliance while standing in water.**
- Have an electrician check the house's electrical system before turning the power on again.
- If the house has been closed up for several days, enter briefly to open doors and windows to let the house air out for awhile (at least 30 minutes) before you stay for any length of time.
- If your home has been flooded and has been closed up for several days, presume your home has been contaminated with mold. (See "Protect Yourself from Mold" at www.bt.cdc.gov/disasters/mold/protect.asp.)
- If your home has been flooded, it also may be contaminated with sewage. (See "After a Hurricane or Flood: Cleanup of Flood Water" at www.bt.cdc.gov/disasters/floods/cleanupwater.asp.)

Dry Out Your House

If flood or storm water has entered your home, dry it out as soon as possible. Follow these steps:

- If you have electricity and an electrician has determined that it's safe to turn it on, use a "wet-dry" shop vacuum (or the vacuum function of a carpet steam cleaner), an electric-powered water transfer pump, or sump pump to remove standing water. If you are operating equipment in wet areas, be sure to wear rubber boots.
- If you do not have electricity, or it is not safe to turn it on, you can use a portable generator to power equipment to remove standing water. **Note: If you must use a gasoline-powered pump, generator, pressure washer, or any other gasoline-powered tools to clean your home, never operate the gasoline engine inside a home, basement, garage, carport, porch, or other enclosed or partially enclosed structures, even if the windows and doors are open. Such improper use can create dangerously high levels of carbon monoxide and cause carbon monoxide poisoning.**
- If weather permits, open windows and doors of the house to aid in the drying-out process.
- Use fans and dehumidifiers to remove excess moisture. Fans should be placed at a window or door to blow the air outwards rather than inwards, so not to spread the mold.
- Have your home heating, ventilating, and air-conditioning (HVAC) system checked and cleaned by a maintenance or service professional who is experienced in mold clean-up **before you turn it on**. If the HVAC system was flooded with water, turning on the mold-contaminated HVAC will spread mold throughout the house. Professional cleaning will kill the mold and prevent later mold growth. When the service determines that your system is clean and if it is safe to do so, you can turn it on and use it to help remove excess moisture from your home.
- Prevent water outdoors from reentering your home. For example, rain water from gutters or the roof should drain away from the house; the ground around the house should slope away from the house to keep basements and crawl spaces dry.
- Ensure that crawl spaces in basements have proper drainage to limit water seepage. Ventilate to allow the area to dry out.

For more information, visit www.bt.cdc.gov
or call CDC at 800-CDC-INFO (English and Spanish) or 888-232-6348 (TTY).

October 27, 2004

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After The Storm: What To Do When You Go Back To A Flooded, Moldy Home

Do Not Go In

**unless you can be sure that
there are no electrical
hazards.**

Call a qualified electrician if you have questions. Make sure there are no wet power cords, wiring, outlets, or switches.

No electrical appliances should be standing in water.

**Water + Electricity Can
Kill You!**

Do Not Go In

**if you smell natural gas, or
if there is leaking fuel.**

This includes liquid propane (LP), gasoline, home heating oil, or kerosene.

Do Not Smoke. Do Not Use Candles or Oil Lamps, Turn on Light Switches, or Cause a Spark. Call a qualified electrician if you have questions.

**These actions can cause
an explosion!**

If your home has sustained significant water damage after a hurricane, tornado, or tropical storm, the large amounts of water will likely result in mold growth in your home. Mold exposure can trigger asthma attacks and is associated with other breathing symptoms and diseases. Here are some things you should do as soon as it is safe to re-enter your home.

As soon as it is safe to go in, take a look around, assess what needs to be done, and decide what you can do yourself, and what will require help from professionals. Most tasks will fall into one or more of these categories:

Water Removal

Throwing Out

Cleaning

Mold Removal



FACT SHEET

After a Hurricane or Flood: Cleanup of Flood Water

When returning to your home after a hurricane or flood, be aware that flood water may contain sewage. Protect yourself and your family by following these steps:

Inside the Home

- Keep children and pets out of the affected area until cleanup has been completed.
- Wear rubber boots, rubber gloves, and goggles during cleanup of affected area.
- Remove and discard items that cannot be washed and disinfected (such as, mattresses, carpeting, carpet padding, rugs, upholstered furniture, cosmetics, stuffed animals, baby toys, pillows, foam-rubber items, books, wall coverings, and most paper products).
- Remove and discard drywall and insulation that has been contaminated with sewage or flood waters.
- Thoroughly clean all hard surfaces (such as flooring, concrete, molding, wood and metal furniture, countertops, appliances, sinks, and other plumbing fixtures) with hot water and laundry or dish detergent.
- Help the drying process by using fans, air conditioning units, and dehumidifiers.
- After completing the cleanup, wash your hands with soap and water. Use water that has been boiled for 1 minute (allow the water to cool before washing your hands).
 - Or you may use water that has been disinfected for personal hygiene use (solution of $\frac{1}{8}$ teaspoon [~ 0.75 milliliters] of household bleach per 1 gallon of water). Let it stand for 30 minutes. If the water is cloudy, use solution of $\frac{1}{4}$ teaspoon (~ 1.5 milliliters) of household bleach per 1 gallon of water.
- Wash all clothes worn during the cleanup in hot water and detergent. These clothes should be washed separately from uncontaminated clothes and linens.
- Wash clothes contaminated with flood or sewage water in hot water and detergent. It is recommended that a laundromat be used for washing large quantities of clothes and linens until your onsite waste-water system has been professionally inspected and serviced.
- Seek immediate medical attention if you become injured or ill.

Outside the Home

- Keep children and pets out of the affected area until cleanup has been completed.
- Wear rubber boots, rubber gloves, and goggles during cleanup of affected area.
- Have your onsite waste-water system professionally inspected and serviced if you suspect damage.
- Wash all clothes worn during the cleanup in hot water and detergent. These clothes should be washed separately from uncontaminated clothes and linens.
- After completing the cleanup, wash your hands with soap and water. Use water that has been boiled for 1 minute (allow the water to cool before washing your hands).
 - Or you may use water that has been disinfected for personal hygiene use (solution of $\frac{1}{8}$ teaspoon [~ 0.75 milliliters] of household bleach per 1 gallon of water). Let it stand for 30 minutes. If the water is cloudy, use solution of $\frac{1}{4}$ teaspoon (~ 1.5 milliliters) of household bleach per 1 gallon of water.
- Seek immediate medical attention if you become injured or ill.

The information in this fact sheet is general in nature and is not intended to be used as a substitute for professional advice. For more information, please contact your local health department.

For more information, visit emergency.cdc.gov
or call CDC at 800-CDC-INFO (English and Spanish) or 888-232-6348 (TTY).

July 2, 2008

Page 1 of 1

Here Are Some Things That Should Be Done ASAP

Water Removal

The faster you can dry things out, the easier it will be to deal with the mold.

- Remove as much standing water as you can. You can use a wet vac (shop vac), buckets, or hand bilge pump (check sporting goods or marine stores). Turn on your sump pump if you have one.
- Turn on your dehumidifier. Consider buying one if you don't already have one.
- After the water is gone, use fans to dry out the area. Open windows and doors if it is not raining or excessively humid outside.
- If you use towels & such, wash them and either put them in a hot clothes dryer or hang them outside to dry.
- If carpeting has been wet for two days or more, it will most likely have to be thrown out, along with any padding underneath. If you can get it completely dry within a day or two after the flood, you might be able to save it. You will need to hire a water restoration contractor with special equipment to dry it thoroughly.

Throw It Out

- All porous items must be thrown out if they come in contact with sewage.
- Throw out wet furnace or air filters, cardboard boxes, and all porous items that can't be washed clean and thoroughly dried quickly. Throw out moldy wallboard, ceiling tiles, and wet insulation.
- When in doubt, throw it out!

Cleaning

Note: If you have asthma, other breathing problems, cancer, or a weakened immune system, do not do the cleaning yourself. Get someone else to do it.

Cleaning Hard Surfaces

- Put on rubber gloves (like dishwashing gloves) rubber boots, goggles, and a respirator or mask that says on it, "N-95, NIOSH Approved". These are available in most hardware stores. Be sure to use both head straps and pinch the nose clip to fit your face.
- Get two buckets- one for dirty wash water, and one for clean rinse water.
- Use cloths or paper towels with soap and water or detergent and water to scrub dirt and debris off of hard surfaces. Don't forget to scrub down walls and floors. Do not skip this soap/detergent and water step.
- After cleaning with soap/detergent and water, if you want to sanitize the area with a weak bleach solution, you can use household bleach to mix up a solution of 1 part bleach + 9 parts clean water. Do not make the bleach solution stronger. A weak solution will work fine if the area was cleaned with soap and water first. **Never mix bleach with ammonia.** It can form a poisonous gas.

Cleaning Soft (Porous) Items

- Wash bed linens and clothes in hot water and dry in a hot clothes dryer. Alternatively, you can try dry cleaning clothes.
- If a water restoration contractor has been able to salvage your carpet, it will probably need to be cleaned. Hire a commercial carpet cleaning company to steam clean it with hot water. Make sure they can extract all of the water, and it is dry before they leave. If it starts to smell moldy within a few days, it will have to be thrown out.

Upholstered furniture, mattresses and other stuffed items will probably have to be thrown out if they've been wet for two days or more. You can try to steam clean them, extract all of the water and leave them baking in the sun for a few days. However, if they start to smell moldy within a few days, these items will have to be thrown out.

Cleaning, continued

- If flood water gets inside of heating or cooling ducts, have those units professionally cleaned. Throw out filters and duct liners that have gotten wet.

Mold Removal

If you see or smell mold, there is no need to have it tested. It does not matter what kind of mold it is - remove it! For more information, see **Testing Should Not Be The First Move**, on the CT DPH website (<http://www.ct.gov/dph/mold>).

If a small moldy area needs to be cleaned up (less than a 3 ft by 3 ft area), you may choose to do the work yourself if you do not have asthma, cancer, or other conditions that cause a weakened immune system. Please see the CT DPH website for directions about how to do it safely yourself (<http://www.ct.gov/dph/mold>). There is another document on the CT DPH website called **Get The Mold Out**. This document explains how to decide whether to tackle mold removal yourself, or whether to call in a professional. It also tells you how to find and check out a contractor.

Large scale mold removal should be performed by a professional contractor experienced in mold removal. To be sure that the job is done safely, make sure your contractor follows the **Connecticut Guidelines for Mold Abatement Contractors** (<http://www.ct.gov/dph/mold>). Note that there is no state enforcement, but clients can require that these guidelines be followed as a condition of payment.

A Note About Walls

Most walls in North American homes are made with sheet rock (also called wallboard, drywall, or gypsum board). If it has been saturated with water, it will probably need to be removed and thrown out. Most of the time, it is worth hiring a contractor to do the removal and replacement if the area is larger than 3 feet by 3 feet. If the flood left a water line, have the contractor cut out the wet part plus 12- 24 inches above the water line. Sheet rock typically comes in 4 foot by 8 foot sheets. From a practical standpoint, it may be less labor-intensive to use a half or whole sheet than to patch a number of

smaller areas. While the wall is open, remove and replace insulation if it is damp.

Before installing new sheet rock, the wall cavity needs to dry out. The exposed wood framing (studs) should have a moisture content of less than 16 % before attaching new sheet rock. This can be checked with a moisture meter. Attaching new sheet rock to damp studs will result in mold growth behind the wall.

Final Notes

Before beginning any work that includes disturbing or removing building materials, it is important to find out whether the materials contain asbestos. You will need to hire an asbestos consultant who is licensed by the Connecticut Department of Public Health to make this determination.

Lastly, all home improvement contractors must be registered with the Connecticut Department of Consumer Protection (CT DCP). This includes abatement contractors, roofers, driveway pavers, and persons who install fences, siding, gutters, insulation, windows, masonry and underground fuel storage tanks. In addition, plumbers, heating and ventilation workers, sheet metal workers, electricians and many other professionals require a current Connecticut license in order to practice their craft. If you have further questions, go to the CT DCP website: <http://www.ct.gov/dcp> or call 860-713-6110 or 1-800-842-2649.

Contractors should also carry liability insurance and must be able to produce an insurance certificate as proof.

For More Information, call:

- Your Local Health Department
- The Connecticut Department of Public Health, Environmental and Occupational Health Assessment Program
860-509-7740

Visit the CT DPH Website

<http://www.ct.gov/dph/mold>

<http://www.ct.gov/dph/ieq>



Milford Fire Department
Division of Emergency Management
72 New Haven Avenue
Milford, CT 06460

Douglas A. Edo
Fire Chief
Emergency Management Director

Administrative Offices
Tel. (203) 874-6321
Fax (203) 783-3744

RESIDENTS LOCATED IN A REPETITIVE LOSS AREA

You have received this letter because your property is in an area of repetitive flooding. The Federal Emergency Management Agency (FEMA) has confirmed that Milford's flood hazard areas have both increased in neighborhood size and in flood depth as shown by the recently revised Flood Insurance Rate Maps that went into effect on July 8, 2013.

The City of Milford has always been concerned about repetitive flooding and would like to assist you in protecting yourself and your property from future flooding. In addition, we are also in the process of applying for grants to perform additional studies to help the City be better prepared for future coastal flooding events.

Meanwhile, here are some things you can do:

1. Visit the Planning & Zoning Department in the Parson's Government Center at 70 West River Street to review the FEMA flood map for your area to determine your flood risk. Department staff can tell you about the type of flood zone you are located in as well as the flood height expected during a significant storm event. The office phone number is (203) 783-3245.
2. Prepare for flooding by doing the following:
 - Know how to shut off the electricity and gas to your house when a flood is expected.
 - Make a list of emergency numbers and identify a safe place to go to. See FEMA's website: <http://www.ready.gov/make-a-plan> for a copy of the brochure "Family Communication Plan for Family and Kids". Kid-friendly disaster preparedness materials can also be found at FEMA's website at <http://www.ready.gov/kids>
 - Make a household inventory and take photos, especially of basement contents.
 - Put insurance policies, valuable papers, medicine, etc. in a safe place.
 - Collect and put cleaning supplies, camera, waterproof boots, etc. in an easy to access place.

3. Consider some permanent flood protection measures.

- Mark your fuse or breaker box to show the circuits to the flood prone areas. Turning off the power to the basement can reduce property damage and save lives.
- Check your home or structure for water entry points. These can be basement windows, the basement stairwell, doors, and dryer vents. Temporary shields may be a low cost option to prevent flooding in some instances.
- Install a floor drain, plug, standpipe or sewer backup valve to prevent sewer backup flooding.
- More information can be found in the informational brochure “Homeowner’s Guide to Retrofitting: Six Ways to Protect Your House from Flooding”. Copies are available at http://www.fema.gov/media-library-data/20130726-1510-20490-1464/fema_I235_brochure_web.pdf. Note that some flood protection measures may need a permit, others may not be safe for your type of structure; so be sure to talk to the Planning & Zoning Department and/or the Building Department before starting any work. They can also provide information about home elevation and requirements in your flood zone.

4. Talk to the Community Development Department (203)783-3230 for more information about grant programs that assist with flood mitigation.

- If you are interested in elevating your home or structure above the flood level, some Federal grants may be available to cover 75% of the cost.
- Qualified homeowners may be able to defray the cost of elevating a substantially damaged structure through a program called Increased Cost of Compliance (ICC).

5. Get a flood insurance policy.

- Homeowner’s Insurance policies do not cover damage from floods. However, because Milford participates in the National Flood Insurance Program, you can purchase a separate flood insurance policy. This insurance is backed by the Federal government and is available to everyone, even properties that have experienced prior flooding. Because Milford participates in the Community Rating System, you will receive a reduction in the insurance premium.
- Some people purchase flood insurance because it was required by the bank when they got a mortgage or home improvement loan. Usually these policies just cover the building’s structure and not the contents. During the kind of flooding that happens in your area, there is usually more damage to the furniture and contents than there is to the structure. Be sure your policy has contents coverage.

- Don't wait for the next flood to buy insurance protection. In most cases, there is a 30-day waiting period before National Flood Insurance Program coverage takes effect.
- Contact your insurance agent for more information on rates and coverage.

CRS 502

Revised October 15, 2013

Contact: Benjamin G. Blake
Mayor, City of Milford
City Hall
110 River Street
Milford, CT 06460
Phone 203 783-3201
Fax 203 783-3329
E-mail Mayor@ci.milford.ct.us
Web site www.ci.milford.ct.us

City of Milford

PressRelease

The City of Milford Releases Flood Information for National Flood Safety Awareness Week

Milford, CT, March 10, 2014: Each year, the National Weather Service holds Flood Safety Awareness Week in order to increase public awareness of the dangers posed by flooding. In participation of this week, March 17-21st, we encourage the citizens of Milford to take time during this week to review flood threats and flood safety practices. The City of Milford participates in the National Flood Insurance Program (NFIP) Community Rating System as part of the City's activities to inform citizens of the availability of flood information and to ensure that citizens are aware of flood hazards, flood safety, and other pertinent information relating to floods. Milford currently has a level 9 CRS rating which results in a 5% premium discount for all NFIP policies issued for Milford residents.

Following the Irene and Sandy storms of the last few years, now more than ever, Milford residents should understand the flood risks and flood hazards due to the presence of both coastal and riverine floodplains. Flooding is not only caused by Hurricanes and Nor'easters but can also be caused by seasonal heavy rainfall inland that sends water down the rivers that course through the City.

All Milford residents should be concerned about flood hazards and take any and all Flood Watches or Warnings seriously. There are several actions you can take to lessen the flood hazard and risk to yourself and your family, including:

- Know the City's Flood warning procedures.
- Evacuate the flood hazard area in times of impending flood or when advised to do so by the Police or Fire Department warning system.
- Sign up for the Everbridge warning system that can send a text message or voice message to your phone or home.
- Know escape routes to high ground.
- During times of heavy rainfall, monitor the level of water in any adjacent drainage way. Stay tuned to the radio or TV for possible flood warning.
- **DO NOT** attempt to cross a flooding stream on foot or by car.
- If your car stalls in high water, abandon it immediately and seek higher ground.
- Keep children away from floodwaters, ditches, culverts, and storm drains.
- Be especially cautious at night when floodwater depth and speed is difficult to see.

For more information on the above and other flood related material please visit the Planning & Zoning website through the City of Milford at www.ci.milford.ct.us.

Contact:
Emmeline Harrigan, Assistant City Planner, Floodplain Manager 203-783-3245

Contact: Benjamin G. Blake
Mayor, City of Milford
City Hall
110 River Street
Milford, CT 06460
Phone 203 783-3201
Fax 203 783-3329
E-mail Mayor@ci.milford.ct.us
Web site www.ci.milford.ct.us

City of Milford

PressRelease

New FEMA Program Available for Severe Repetitive Loss and Repetitive Loss Properties

Milford, CT, May 9, 2014- The City of Milford announces its intent to apply to the Federal Emergency Management Agency's Flood Mitigation Assistance (FMA) Program for the elevation and/or reconstruction of homes in the coastal flood zone. The FMA is a grant program that provides funds to reduce or eliminate risk of flood damage to buildings insured under the National Flood Insurance Program (NFIP).

Any resident who owns property—including second homes—covered by a current NFIP policy is eligible to apply for funding to elevate their structure. While any NFIP insured property can apply to the program, FEMA has announced that priority will be given to structures listed as Severe Repetitive Loss and Repetitive Loss, respectively. In addition, FEMA will not fund mitigation reconstruction in V zones. This is a competitive grant program, and is not Connecticut specific. Application is not a guarantee of funding.

Although the final grant application must be submitted by the City, the homeowner will be responsible for providing much of the information required to complete the application. Specifically, the homeowner will be required to provide a work schedule and cost estimate for the structure elevation project. In order to assist in this process the Economic and Community Development Department will hold application assistance sessions on Tuesday, May 20, 2014 from 9 am - noon and 5 pm – 8pm.

Completed Homeowner Applications are due at the Community Development Office at 70 West River Street on Tuesday, June 3, 2014 by 5pm. **Failure to submit a complete homeowner application by the June 3rd deadline will result in ineligibility to apply for this grant.**

In order to ascertain the amount of interest in the program, homeowners are encouraged to notify the Community Development Office at 203-783-3230 of their intention to apply as soon as possible.

What is Hazard Mitigation?

Efforts to protect life and property before a natural hazard strikes

Hazards common to Milford:

- Flooding
- Hurricanes/Tropical Storms
 - Winter Storms
 - Sea Level Rise

**The Best Advice is to
Know Your Risk
&**

Be Prepared

- Find out about flood zones
- A car can be carried away in just 2 feet of water
 - Have an evacuation plan
 - Learn about pet safety
 - Prepare a 3 day kit
- Your kit should include 1 gallon of water a day, per person
- Make your home weather-ready
 - Milford's primary shelter is Jonathan Law High School
- You can bring your pets & their food to the emergency shelter with you

**Go to the City of Milford
webpage for information
and link;**

WWW.CI.MILFORD.CT.US



- Over 4,000 Milford properties are in a flood zone
- If you have federally regulated lending such as a mortgage, and you live in a flood zone, purchasing flood insurance is mandated by federal law
- Homeowner's insurance doesn't cover flood damage
- Renters and homeowners should get flood insurance for their contents
- Some properties may be eligible for a discounted Preferred Risk Policy
 - Contact the Planning and Zoning Dept. about flood insurance, construction and permitting within the flood zone 203-783-3245

Sign Up for Emergency Alerts!



Sign up online to be notified in the event of a local emergency

WWW.CI.MILFORD.CT.US

A template for a real estate agents' brochure

Flood Hazard: Check Before You Buy

Most everyone knows that coastal properties are subject to flooding and wind damage from hurricanes. There are maps that show areas predicted to flood. To find out more about flood-prone area maps, check with _____ *[office that administers the map information service credited under Activity 320]*

However, flooding and other surface drainage problems can occur well away from the coast. If you're looking at a property, it's a good idea to check out the possible flood hazard before you buy. Here's why:

- The force of moving water or waves can destroy a building.
- Slow-moving floodwaters can knock people off their feet or float a car.
- Even standing water can float a building, collapse basement walls, or buckle a concrete floor.
- Water-soaked contents, such as carpeting, clothing, upholstered furniture, and mattresses, may have to be thrown away after a flood.
- Some items, such as photographs and heirlooms, may never be restored to their original condition.
- Floodwaters are not clean: floods carry mud, farm chemicals, road oil, and other noxious substances that cause health hazards.
- Flooded buildings breed mold and other problems if they are not repaired quickly and properly.
- The impact of a flood—cleaning up, making repairs, and the personal losses—can cause great stress to you, your family, and your finances.

Floodplain Regulations: _____ *[name of community]* regulates construction and development in the floodplain to ensure that buildings will be protected from flood damage. Filling and similar projects are prohibited in certain areas. Houses substantially damaged by fire, flood, or any other cause must be elevated to or above the regulatory flood level when they are repaired. More information can be obtained from _____ *[name, phone number of permit office]*

Check for a Flood Hazard: Before you commit yourself to buying property, do the following:

- Ask the _____ *[name, phone number of permit office]* if the property is in a floodplain; if it has ever been flooded; what the flood depth, velocity, and warning time are; if it is subject to any other hazards; and what building or zoning regulations are in effect.
- Ask the real estate agent if the property is in a floodplain, if it has ever been flooded, and if it is subject to any other hazards, such as sewer backup or subsidence.
- Ask the seller and the neighbors if the property is in a floodplain, how long they have lived there, if the property has ever been flooded, and if it is subject to any other hazards.

Flood Protection: A building can be protected from most flood hazards, sometimes at a relatively low cost. New buildings and additions can be elevated above flood levels. Existing buildings can be protected from shallow floodwaters by regrading, berms, or floodwalls. There are other retrofitting techniques that can protect a building from surface or subsurface water.

Flood Insurance: Homeowners insurance usually does not include coverage for a flood. One of the best protection measures for a building with a flood problem is a flood insurance policy under the National Flood Insurance Program, which can be purchased through any licensed property insurance agent. If the building is located in a floodplain, flood insurance will be required by most federally backed mortgage lenders. Ask an insurance agent how much a flood insurance policy would cost.


Flood Protection Information

List of Publications filed in the Milford Library, August 2014


Contact Mr. William Richards, Emergency Management Director, for more information

- ☐ Above the Flood: Elevating your Floodprone House, FEMA-347 (2000);
- ☐ Answers to Questions about the National Flood Insurance Program F-084 (2011);
- ☐ Coastal Construction Manual, FEMA-P-55 (2011);
- ☐ Elevated Residential Structures, FEMA-54 (1984);
- ☐ Mandatory Purchase of Flood Insurance Guidelines, F-083 (2007);
- ☐ Protecting Manufactured Homes from Floods and Other Hazards, FEMA P-85 (2009);
- ☐ Mitigation of Flood and Erosion Damage to Residential Buildings in Coastal Areas, FEMA-257 (1994);
- ☐ Protecting Building Utilities from Flood Damage, FEMA-P-348 (1999);
- ☐ Protecting Floodplain Resources, FEMA-268 (1996); and
- ☐ Reducing Damage from Localized Flooding, FEMA-511 (2005).
- ☐ City of Milford Plan of Conservation and Development (2012);
- ☐ City of Milford Hazard Mitigation Plan Update (2013);
- ☐ State of Connecticut Natural Hazard Mitigation Plan Update (2014);
- ☐ Flood Insurance Study, City of Milford (1987) [original FIS];
- ☐ Flood Insurance Study, New Haven County (2010) [accompanies the initial DFIRMs for Milford];
- ☐ Flood Insurance Study, New Haven County (2013) [includes revised coastal mapping for Milford];
- ☐ City of Milford FIRM panels [original];
- ☐ City of Milford DFIRM panels [2013];
- ☐ Great Creek Flood Control Project Environmental Impact Evaluation (1984); and
- ☐ Engineering Investigation Services: Coastal Processes Evaluation for Great Creek Outlet, Silver Sands State Park (2013).

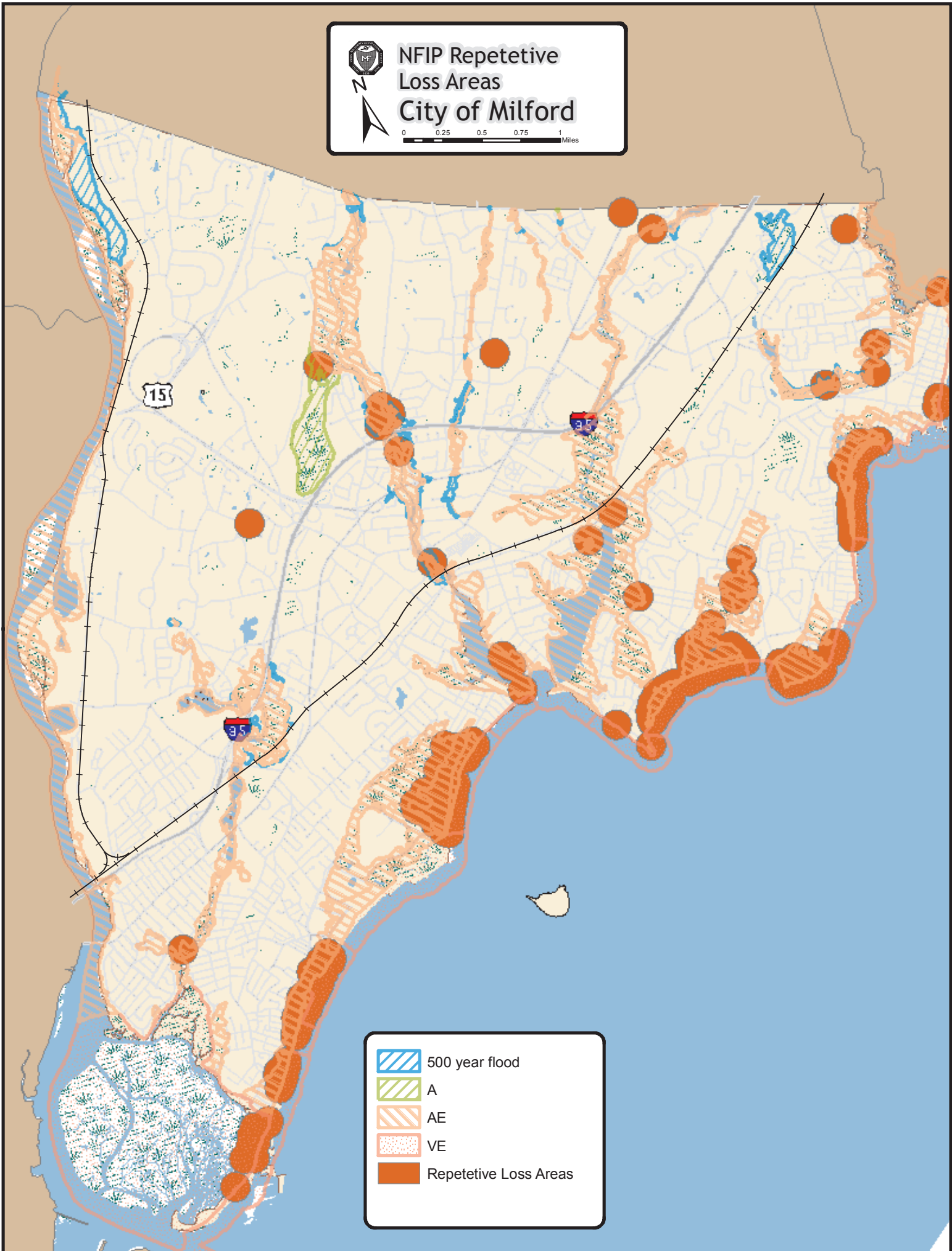
Flood Protection Assistance




NFIP Repetitive
Loss Areas
City of Milford




0 0.25 0.5 0.75 1 Miles







500 year flood




A



AE



VE



Repetitive Loss Areas

420

Open Space Preservation

SFHA Open Space

OWNER	ADDRESS	% SFHA	SFHA Acreage	Parcel Acreage
City	0 Bluff St	0.02	0	0.23
Morningside Association	0 Thompson Hill Rd.	0.29	0.01	2.1
City	0 Edgefield Ave.	0.37	0.01	1.47
City	0 West River St	0.76	0.51	66.79
Miller, Thomas	334 Roses Mill Rd.	0.84	0.01	0.99
City	0 Oronoque Rd.	1.04	0	0.39
State	0 Meadowside Rd	2.12	0.2	9.29
City	0 Melba St.	3.15	0.12	3.84
Central CT Coast YMCA	631 Orange Ave.	3.79	0.51	13.45
City	810 West River St	4.09	0.45	11.08
City	25 River St.	5.48	0	0.03
T336 Bic Drive Realty II, LLC	0 Edgefield Ave.	7.44	0.03	0.35
State	0 Bluff St	8.14	0	0.06
City	0 PARK CIR	9.39	0.84	9
City	0 Orange Avenue	11.37	0.35	3.1
City	0 Woodruff Rd.	11.57	0.23	2.01
City	0 Cheryl Ann Dr.	11.65	0.18	1.53
City	0 West Rutland Rd	11.84	1.03	8.68
City	0 West Main St.	11.9	0.04	0.33
State	0 Bluff St	11.95	0.01	0.11
City	0 Orange Avenue	12.43	0.38	3.03
City	0 Herbert St.	13.1	0.99	7.55
State	0 Wheelers Farm Rd	13.5	1.4	10.4
Laurel Beach Association	0 Deerwood Ave.	14.73	0.01	0.06
City	0 Kay Ave.	14.99	1.54	10.26
Riverbrook LLC	0 Mickel Ln	16.13	2.12	13.16
State	0 Roses Mill Rd.	16.72	0.42	2.49
City	0 Chester Ave.	17.89	0.05	0.27
City BOE	240 Chapel St.	20.08	2.05	10.19
City	0 Anderson Ave.	20.7	0.62	2.99
City	0 Burnt Plains Rd	22.69	1.51	6.65
State	0 Caswell St.	22.79	0.55	2.4
City	0 Silver St.	23.12	0.01	0.05
City	0 Edgemont Rd.	23.17	0.62	2.66
City	0 Bridgeport Avenue	26.53	14.47	54.55
City	42 Watrous Ln.	26.86	2.07	7.71
City	0 Bray Ave.	27.6	0.01	0.04
City	0 Gibson Rd	27.65	1.61	5.81
City	0 Abigail St.	31.23	0.01	0.02
Central CT Coast YMCA	0 Burnt Plains Rd	31.38	1.41	4.5
City BOE	575 Merwin Ave.	31.76	4.1	12.91

OWNER	ADDRESS	% SFHA	SFHA Acreage	Parcel Acreage
City	0 Silver St.	32.01	0.01	0.02
City	0 Settlers Ridge	32.15	3.86	12.01
Wolff Spinnaker Brook, LLC	122 Cherry Street	32.48	0.24	0.73
City	235 Bridgeport Ave.	32.89	0.46	1.39
City	0 Concord Ave	34.34	0.1	0.29
City	780 North St	35.86	48.79	136.07
City BOE	0 Lansdale Ave.	36.99	12.29	33.24
City	57 New Haven Ave	37.65	8.8	23.38
City	0 French Dr.	38.04	3.87	10.18
State	0 Bridgeport Avenue	38.77	1.52	3.91
Laurel Beach Association	0 First Ave.	39.13	0.95	2.43
Central CT Coast YMCA	0 Burnt Plains Rd	40.47	1.92	4.74
City	0 Randolph Farm Rd	40.8	0.93	2.29
State	0 Bridgeport Avenue	41.86	0.06	0.14
Laurel Beach Association	0 Second Ave.	42.46	0.52	1.23
City	0 Park Circle	42.5	0.47	1.1
City	0 Bluff St	43.6	0.05	0.11
City	466 West River St.	45.93	6.77	14.74
State	0 Caswell St.	47.14	1.18	2.5
City	0 Bay St.	49.72	0.26	0.52
City	395 Welches Point Rd	51.57	5.96	11.56
City	0 Grinnell St.	53.84	8.19	15.21
State	0 Caswell St.	55.5	1.66	2.99
City	0 Cherry St.	55.8	0.49	0.88
City	0 Naugatuck Ave	57.67	20.59	35.71
Milford Land Conservation Trust	0 Brewster Rd.	58.93	4.47	7.59
Borough of Woodmont	0 Abigail St.	59.58	0.05	0.09
City	0 Herbert St.	61.14	15	24.54
City	0 KNOLLWOOD RD	64.4	0.02	0.03
City	0 Prospect St.	64.62	0.11	0.17
City	0 Hitching Post Ln.	64.69	0.49	0.76
Errol & Sally Van Hise	0 Amber Lane	64.82	0.57	0.88
City	0 East Broadway	64.85	4.29	6.62
Bayview Improvement Association	184 Welches Point Rd.	64.92	7.85	12.1
City	0 Wheelers Farms Rd	67.76	0.6	0.88
City	0 Fresh Meadow Ln	68.29	10.46	15.32
City	0 Roses Mill Rd.	68.37	1.11	1.62
City	0 Seabreeze Ave.	68.78	0.46	0.66
City	0 North St	69.22	37.35	53.95
State	0 East Broadway	69.92	153.82	220
City	0 Schoolhouse Rd	70.09	2.46	3.51
Milford Land Conservation Trust	0 Holbrook St.	70.72	0.32	0.45

OWNER	ADDRESS	% SFHA	SFHA Acreage	Parcel Acreage
GREAT RIVER LLC	130 Coram LN	70.92	66.85	94.25
City	0 Cambridge Ave.	71.06	0.15	0.21
City	0 Kenmore Ln	71.22	0.05	0.06
City	0 Flax Mill Ln	71.27	0.31	0.44
Kingdom Life Christian Church	553 West Avenue	72.15	41.24	57.15
City	0 Bic Dr.	72.63	1.38	1.9
City	0 WAMPUS LN	73.01	15.95	21.85
City	561 Gulf St.	74.95	3.8	5.07
City	0 Woodland Dr.	75.97	0.12	0.16
City	56 James St.	76.24	0.05	0.06
Milford Land Conservation Trust	0 Ricky Rd.	77.06	0.56	0.72
City	0 Gulf St.	77.76	0.24	0.31
Melo, Tony & Jennifer	177 Seabreeze Ave.	77.91	0.99	1.28
City	0 Fairview St.	78.89	0.1	0.12
City	36 Mathew St.	78.97	1.5	1.9
City	0 Old Field Ln, Lot 2	81.07	0.3	0.38
Point Beach Improvement Association	0 Elaine Rd.	81.34	0.22	0.27
City	0 Bluff St	81.94	0.19	0.23
City	0 Plains Rd	82.79	20.88	25.22
Milford Land Conservation Trust	0 Pond Point Ave.	83.2	18.67	22.44
City	0 Corona Dr	83.43	0.42	0.51
City	15 Scott St.	83.44	0.04	0.05
Laurel Beach Association	0 Seaview Ave.	83.5	2.9	3.48
Milford Land Conservation Trust	0 Deerwood Ave.	83.63	0.05	0.06
City	0 Concord Ave	83.89	0.46	0.55
City	0 Mathew St.	84.89	0.25	0.29
Milford Land Conservation Trust	0 Holbrook St.	85.36	0.44	0.51
City	0 Concord Ave	85.79	0.09	0.11
City	0 Nells Rd.	86.07	1.94	2.25
City	0 Grove St.	86.46	1.68	1.94
City	49 Samuel Smith Lane	86.55	1.59	1.84
City	0 Cherry St.	87.64	1.72	1.97
City	0 Summer Pl.	87.71	0.05	0.06
City	0 Riverside Dr.	88.57	0.96	1.08
City	0 Chetwood St	88.83	0.04	0.05
Milford Land Conservation Trust	0 First Ave.	89.39	2.07	2.31
City	24-26 Silver St.	89.66	0.08	0.09
City	0 Buckingham Ave	89.93	2.04	2.27
City	0 East Broadway	89.99	15.89	17.66
City	0 Beach Ave.	90.13	0.26	0.29

OWNER	ADDRESS	% SFHA	SFHA Acreage	Parcel Acreage
City	53 Hillside Rd.	90.65	0.1	0.11
City	21-27 Underhill Rd	90.8	1.77	1.95
City	235 Edgemont Ave.	90.9	4.18	4.59
City	0 Cheryl Ann Dr.	90.93	0.69	0.76
City	0 Gulf Street	91.64	7.92	8.65
Bayview Improvement Association	0 East Broadway	91.98	0.02	0.02
City	0 Wilcox Rd	92.49	0.05	0.06
City	0 Hillside Rd.	92.98	0.07	0.08
City	0 West River St	93.28	0.86	0.92
State	0 Caswell St.	93.31	1.4	1.5
State	0 Old Gate Lane	93.83	4.44	4.74
City	0 North St.	94.79	1.1	1.16
City	0 Samuel Smith Lane	94.94	1.66	1.74
City	27 River St.	95.43	0.07	0.07
City	0 Klinloch St.	96.22	0.13	0.14
City	0 Daniel St.	96.48	0.83	0.86
City	0 Old Field Ln	96.67	6.15	6.36
City	36 Pearl St.	97.21	0.07	0.07
City	29 Kinloch St.	97.41	0.06	0.06
City	0 West River St	97.41	1.3	1.34
Point Beach Improvement Association	0 Oakdale Ave.	98.08	0.53	0.54
City	0 Trumbull Ave	98.17	0.03	0.03
City	0 East Broadway	98.19	0.04	0.04
City	0 Trumbull Ave	98.7	0.04	0.04
State	0 Milford Point	98.76	3.53	3.57
City	0 Pamela Dr.	98.86	4.82	4.88
City	0 Chester Ave.	98.93	0.07	0.07
State	0 Kay Ave.	98.97	25.27	25.53
City	0 North St.	98.99	1.77	1.79
City	0 Trumbull Ave	99	0.05	0.05
City	38 Old Field Ln	99.13	2.93	2.95
Point Beach Improvement Association	0 Howard Ct.	99.21	1.85	1.86
City	0 Wampus Lane	99.25	1.47	1.48
Milford Land Conservation Trust	0 Davis Dr.	99.29	8.17	8.22
City	703 E. Broadway	99.32	0.09	0.09
City	0 Eisenhower Dr	99.4	6.6	6.64
Milford Land Conservation Trust	0 Loomis St.	99.44	2.53	2.54
City	0 Robin Lane	99.56	3.08	3.1
City	235 Broadway	99.58	0.25	0.26
City	0 West River St	99.6	17.72	17.79

OWNER	ADDRESS	% SFHA	SFHA Acreage	Parcel Acreage
Milford Land Conservation Trust	0 Pond Point Ave.	99.63	1	1.01
City	0 Millard Dr.	99.71	3.15	3.16
City	0 Seabreeze Ave.	99.72	3.43	3.44
City	161 Anderson Ave.	99.72	0.45	0.46
City	0 Trumbull Ave	99.74	0.07	0.07
City	0 Edgemont Rd.	99.79	0.06	0.06
City	0 West River St	99.79	2.37	2.37
City	0 Old Field Ln	99.8	9.57	9.59
Milford Land Conservation Trust	0 Naugatuck Ave	99.81	4.64	4.65
Milford Land Conservation Trust	0 Sylvan CT	99.83	0.26	0.26
State	0 East Broadway	99.91	67.21	67.27
City	0 Dale Dr.	99.91	2.2	2.2
Borough of Woodmont	0 Beach Ave.	99.91	0.2	0.2
City	0 Old Field Ln	99.94	0.35	0.35
Point Beach Improvement Association	0 Richards St.	99.94	0.08	0.08
City	0 Unnamed Passway	99.97	0.08	0.08
City	0 Home Acres Ave.	99.97	1.37	1.37
City	0 Merwin Ave.	99.97	1.34	1.34
Milford Land Conservation Trust	0 New Haven Ave	99.97	4.93	4.93
Point Beach Improvement Association	0 Atwater	99.98	0.14	0.14
State	0 New Haven Ave.	100	0.14	0.14
City	0 Pond Point Ave.	100	11.35	11.35
City	0 East Broadway	100	0.02	0.02
City	0 Coolridge Rd.	100	0.16	0.16
City	0 Elaine Rd.	100	0.14	0.14
City	0 Concord Ave	100	0.12	0.12
City	0 Beachland Ave.	100	0.12	0.12
City	0 Unnamed St. , Rear	100	0.14	0.14
Indian Lake Association, Inc.	0 Peck Ln.	100	0.1	0.1
City	0 Unnamed St. , Rear	100	0.14	0.14
City	0 Soundview	100	0.08	0.08
City	0 Unnamed St. , Rear	100	0.21	0.21
Milford Land Conservation Trust	0 Boston Post Rd.	100	1.39	1.39
City	0 Chester St.	100	0.57	0.57
City	0 Platt St.	100	1.32	1.32
Milford Land Conservation Trust	0 Lincoln Ave.	100	0.57	0.57
State	0 Herbert St.	100	4.61	4.61
City	0 West River St	100	8.67	8.67

OWNER	ADDRESS	% SFHA	SFHA Acreage	Parcel Acreage
City	0 Pamela Dr.	100	0.71	0.71
Milford Land Conservation Trust	0 Carriage Dr	100	8.33	8.33
City	0 Herbert St.	100	1.35	1.35
City	31 Botsford Ave.	100	0.07	0.07
City	0 Beachland Ave.	100	0.07	0.07
City	0 Concord Ave	100	0.04	0.04
City	0 Unnamed St.	100	0.12	0.12
City	0 Unnamed St.	100	0.07	0.07
City	0 Mathew St.	100	0.13	0.13
City	0 Eastmoor Rd.	100	0.56	0.56
City	0 Unnamed St.	100	0.1	0.1
City	0 Anderson Ave.	100	0.94	0.94
City	0 Captains Walk	100	0.12	0.12
Borough of Woodmont	0 Beach Ave.	100	0.06	0.06
City	0 Milford Point Rd.	100	1.33	1.33
City	0 Unnamed St.	100	0.07	0.07
Milford Land Conservation Trust	0 New Haven Ave	100	0.05	0.05
City	0 Maple Rd.	100	0.96	0.96
City	0 Allison Ave.	100	0.08	0.08
City	0 Deerwood Ave.	100	0.11	0.11
Borough of Woodmont	0 Beach Ave.	100	0.18	0.18
City	0 Paul Braun Ct.	100	2.38	2.38
City	0 Melba St.	100	0.25	0.25
City	0 Unnamed Passway	100	0.1	0.1
City	0 Old Gate Lane	100	5.13	5.13
Milford Land Conservation Trust	0 Sylvan CT	100	5.47	5.47
State	0 Buckingham Ave	100	0.01	0.01
City	0 Liberty St.	100	0.13	0.13
City	0 Caswell St.	100	1.78	1.78
Milford Land Conservation Trust	0 Anderson Ave.	100	1.34	1.34
City	0 Nells Island	100	135.92	135.92
City	0 Beach Ave.	100	0.02	0.02
City	0 Old Gate Lane	100	4.67	4.67
Laurel Beach Association	0 Seaview Ave.	100	0.94	0.94
City	0 Overton Ave.	100	0.19	0.19
City	0 Samuel Smith Lane	100	0.23	0.23
City	0 Beachland Ave.	100	0.26	0.26
City	0 Old Field Ln, Lot 1	100	0.31	0.31
City	0 Gardner Ave	100	0.05	0.05
City	0 Oakdale Ave.	100	0.62	0.62
City	0 Old Gate Lane	100	24.73	24.73
City	0 Unnamed St.	100	0.07	0.07

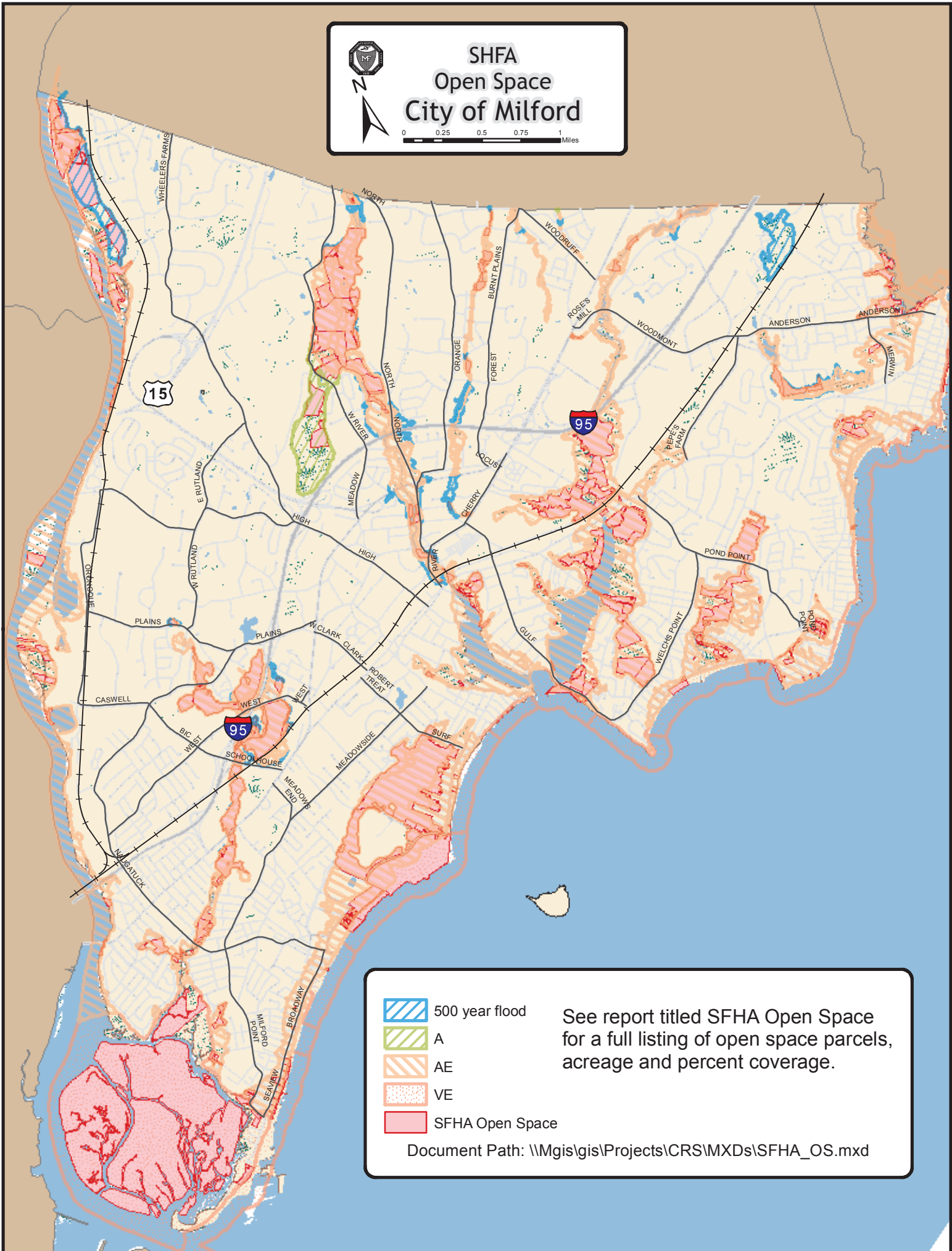
OWNER	ADDRESS	% SFHA	SFHA Acreage	Parcel Acreage
City	34 Maddox St	100	0.02	0.02
City	0 Unnamed St. , Rear	100	0.07	0.07
City	0 Buckingham Ave	100	2.11	2.11
City	0 Beachland Ave.	100	0.07	0.07
State	None	100	401.88	401.88
City	0 Beachland Ave.	100	0.06	0.06
State	2 Oronoque Rd	100	4.6	4.6
City	0 Unnamed St. , BCHLAND	100	0.07	0.07
City	0 Pond Point Ave.	100	17.52	17.52
State	0 Deerwood Ave.	100	0.46	0.46
City	0 Farm Flats Is	100	7.97	7.97
Milford Land Conservation Trust	0 New Haven Ave	100	2.15	2.15
City	0 Beach Ave.	100	0.31	0.31
City	0 Cambridge Ave.	100	0.11	0.11
Colonial Manor Condominium	0 Home Acres Ave.	100	2.94	2.94
City	0 Old Gate Lane	100	3.56	3.56
City	0 Gulfview Ct	100	0.28	0.28
City	0 Maple Rd.	100	0.46	0.46
City	0 Rogers Ave	100	0.26	0.26
City	0 Old Field Ln	100	11.41	11.41
City	0 Beachland Ave.	100	0.54	0.54
City	0 New Haven Ave	100	0.83	0.83
City	0 Unnamed St.	100	0.17	0.17
State	0 Milford Point Rd.	100	0.77	0.77
City	0 Buckingham Pl.	100	0.22	0.22
State	0 Old Gate Lane	100	2.26	2.26
Point Beach Improvement Association	0 Oakdale Ave.	100	0.48	0.48
City	0 Unnamed St.	100	0.71	0.71
City	0 Maple Rd.	100	0.46	0.46
City	0 Beachland Ave.	100	0.07	0.07
City	0 Eastmoor Rd.	100	0.85	0.85
City	0 Beach Ave.	100	0.06	0.06
City	0 Unnamed Passway	100	0.17	0.17
City	0 Unnamed St.	100	0.14	0.14
City	0 Allison Ave.	100	0.08	0.08
Borough of Woodmont	0 Beach Ave.	100	0.19	0.19
City	0 Cambridge Ave.	100	0.15	0.15
Borough of Woodmont	0 Beach Ave.	100	0.2	0.2
Milford Land Conservation Trust	0 Ivy Street	100	0.28	0.28
City	0 Beachland Ave.	100	0.14	0.14
City	54 James St.	100	0.07	0.07

OWNER	ADDRESS	% SFHA	SFHA Acreage	Parcel Acreage
Milford Land Conservation Trust	0 Ivy Street	100	0.07	0.07
City	0 Chester Ave.	100	0.06	0.06
Morningside Association	0 Unnamed St. , Rear	100	0.07	0.07
City	0 Gardner Ave	100	0.05	0.05
City	0 Hanover St.	100	0.05	0.05
City	0 Willow St.	100	0.07	0.07
City	0 East Broadway	100	0.03	0.03
City	0 Scott St.	100	0.17	0.17
City	0 Corona Dr	100	10.66	10.66
City	0 Seabreeze Ave.	100	1.65	1.65
City	0 Bayshore Dr.	100	2.86	2.86
City	0 Chester Ave.	100	0.16	0.16
State	0 Herbert St.	100	2.98	2.98
City	0 Buckingham Ave	100	3.66	3.66
City	0 Herbert Street	100	2.14	2.14
State	0 Caswell St.	100	1.26	1.26
City	0 West River St	100	6.9	6.9
City	80 Carriage Ln.	100	0.93	0.93
City	0 North St	100	7.01	7.01
City	0 Beachland Ave.	100	0.6	0.6
City	0 Unnamed St. , Rear	100	0.21	0.21
City	108 Surf Ave.	100	0.21	0.21
City	0 Bluff St	100	0.69	0.69
State	0 Caswell St.	100	0.88	0.88
City	0 Buckingham Ave	100	0.37	0.37
City	64 James St.	100	0.07	0.07
State	0 Caswell St.	100	0.97	0.97
City	0 Warren St.	100	0.18	0.18
City	0 Unnamed St. , Rear	100	0.07	0.07
City	0 Ivy Street	100	0.18	0.18
City	0 Stowe Ave.	100	0.07	0.07



SHFA Open Space City of Milford




 500 year flood
  A
  AE
  VE
  SFHA Open Space

See report titled SFHA Open Space for a full listing of open space parcels, acreage and percent coverage.

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SFHA

Open Space

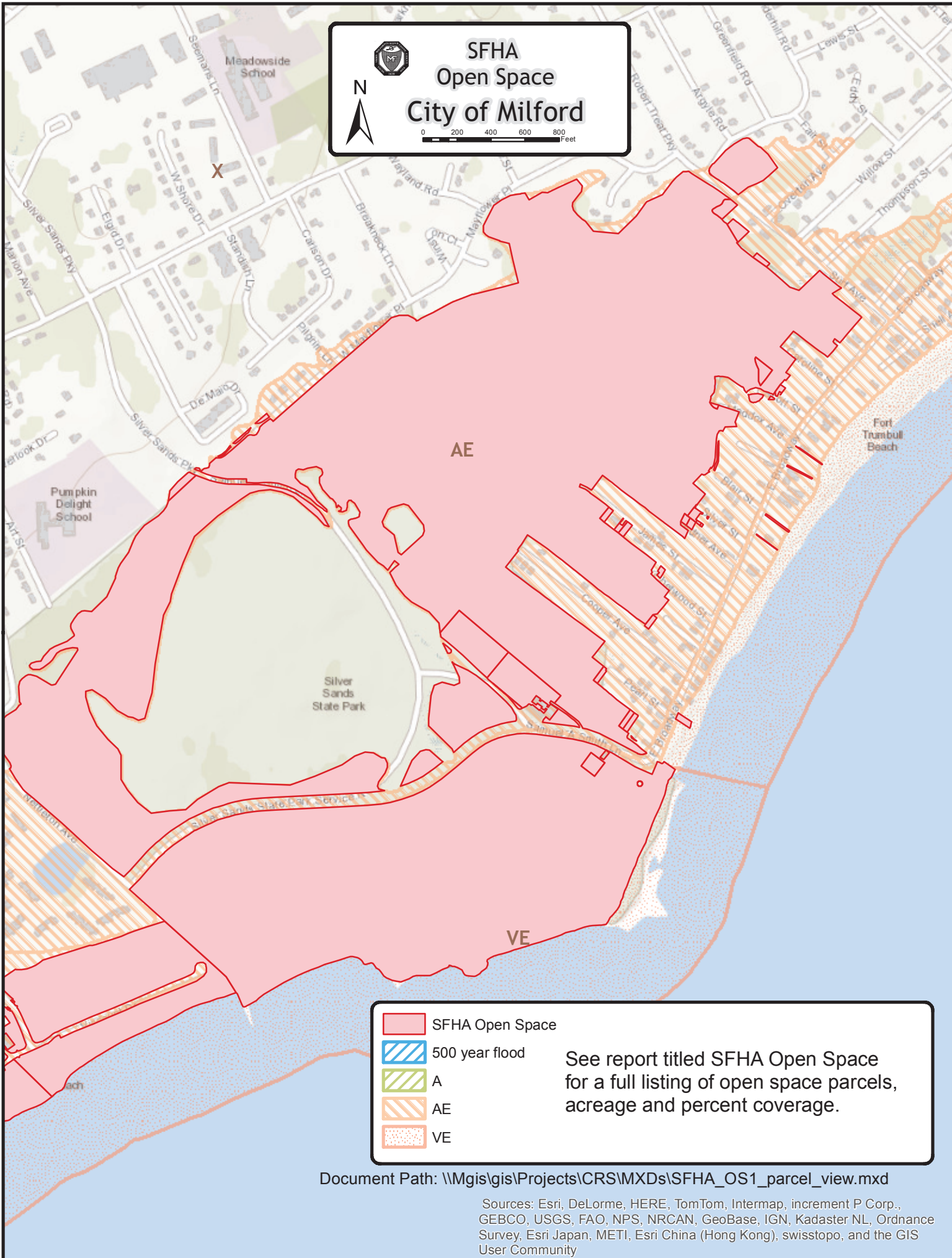
City of Milford






N



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Feet



-  SFHA Open Space
-  500 year flood
-  A
-  AE
-  VE

See report titled SFHA Open Space for a full listing of open space parcels, acreage and percent coverage.

High Regulatory Standards

Section 5.8 Flood Hazard and Flood Damage Prevention Regulations

5.8.6.2 Residential Buildings: Dwellings and other similar buildings designed for human habitation shall be constructed on fill, pilings, interrupted walls, or elevated by other acceptable means so that the lowest floor level is at the regulatory flood protection elevation ~~or higher~~ **plus one foot**. Elevating members of the structure should be properly footed to withstand saturated conditions and located so as to reduce scour effects.

5.8.6.8 Flood and Erosion Control Works (**as defined**): Necessary and appropriate flood and erosion control works may be permitted by the Board provided that:

- (1) Detailed plans, specifications and costs for the proposed work shall be prepared by a registered professional engineer licensed in the State of Connecticut.
- (2) No such works shall damage the subject or adjoining properties.
- (3) All such works shall be designed to provide a degree of protection consistent with the intended use of the subject property.
- (4) Any fill and other materials for protective works shall be adequately protected against erosion by bulkheads, rip-rap, planting suitable vegetation or other protective measures.
- (5) The applicant shall first obtain all necessary State and Federal approvals for the proposed works.

5.8.13.1 Residential Construction: New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated ~~to or~~ above base flood elevation **plus one foot**. Such plans shall be certified by a licensed professional engineer or land surveyor that the provisions of this subsection are satisfied.

5.8.12.1 Anchoring:

- (a) All manufactured homes placed or substantially improved in A and AE Zones, including "mobile" homes and recreational vehicles placed on a site for 180 consecutive days or longer, shall be elevated so that the lowest floor is above the base flood elevation **plus one foot**. This includes manufactured homes located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in

an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing manufactured home park in which a manufactured home has incurred substantial damage as a result of a flood;

5.8.13.3 Manufactured Mobile Homes (VE Zones):

- (3) Manufactured (mobile) homes placed or substantially improved in VE Zones in an existing manufactured (mobile) home park or subdivision shall be elevated so that the bottom of the lowest horizontal structural member is at ~~or above the~~ base flood elevation (BFE) **plus one foot**. The manufactured home must also meet all the construction standards for VE Zones as per Section 5.8.14.

5.8.14.2 Construction Methods:

- (1) Elevation: All buildings or structures shall be elevated so that the bottom of the lowest supporting member is located no lower than the base flood elevation level **plus one foot**, with all space below the lowest supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in Section 5.8.14.2 (4).

5.8.13.3

- (4) Recreational vehicles placed on sites within VE Zones shall either be on the site for fewer than 180 consecutive days, and be fully licensed and ready for highway use, or meet all the general standards of Section ~~5.1~~ **5.8.12. and the VE Zone construction methods of Section 5.8.14.2**. A recreational vehicle is ready for highway use if it is on wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

ADOPTED – TEXT DEFINITION CHANGE - Approved December 18, 2012

Text Definition Change to the Milford Zoning Regulations

ARTICLE XI - DEFINITIONS

The new language is indicated in bold and italics:

SUBSTANTIAL DAMAGE – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before damage occurred. ***“Substantial damage” also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.***

This change becomes effective on January 4, 2013.

~~Strike though text represents text to be removed.~~

Black underlined text represents new text.

Last revised: September 20, 2012

**PROPOSED AMENDMENTS TO THE FLOOD PLAIN MANAGEMENT ORDINANCE
TOWN OF OLD SAYBROOK, CONNECTICUT
FOR ADOPTION AT TOWN MEETING ON OCTOBER 26, 2012**

**SEC. 1 STATUTORY AUTHORIZATION, FINDING OF FACT, PURPOSE AND
OBJECTIVES**

1.1 Statutory Authorization

In Section 7-148 (c)(7) of the General Statutes, the Legislature of the State of Connecticut delegates to local governmental units the responsibility of adopting regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Board of Selectmen of the Town of Old Saybrook, Connecticut, does ordain as follows:

1.2 Findings of Fact

The flood hazard areas of the Town of Old Saybrook are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

1.3 Statement of Purpose

It is the purpose of this Ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- 1.3.1 Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- 1.3.2 Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- 1.3.3 Control the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of flood waters;
- 1.3.4 Control filling, grading, dredging and other development which may increase erosion or flood damage; and
- 1.3.5 Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

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1.4 Objectives

The objectives of this Ordinance are:

- 1.4.1 To protect human life and health;
- 1.4.2 To minimize expenditure of public money for costly flood control projects;
- 1.4.3 To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- 1.4.4 To minimize prolonged business interruptions;
- 1.4.5 To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- 1.4.6 To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas;
- 1.4.7 To insure that potential home buyers are notified that property is in a flood hazard area; and
- 1.4.8 To ensure continued eligibility of owners of property in the Town of Old Saybrook for participation in the National Flood Insurance Program.

1.5 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect; and to this end the provisions of this ordinance are hereby declared to be severable.

SEC. 2 DEFINITIONS

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

- 2.1 "Accessory Structure" means an appurtenant, unfinished structure of less than 401 square feet, the use of which shall be incidental or subordinate to the principal use of the parcel of the principal structure on the parcel, and which shall not be used for human habitation.
- 2.2 "Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.
- 2.3 "Appeal" means either (a) a request for review of the Town Engineer's decision relative to the provisions of this Ordinance or (b) a request for a variance from the requirements of this Ordinance.

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- 2.4 "Base flood" means the flood having one percent chance of being equaled or exceeded in any given year.
- 2.5 "Base Flood Elevation (BFE)" means the elevation of the crest of the base flood (100-year flood). The height in relation to mean sea, level North American Vertical Datum (NAVD) of 1988, expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.
- 2.6 "Basement" means that portion of a building having its floor below ground level on all sides, and which exceeds a depth of forty-eight (48) inches as measured from the underside of the floor joist to the basement floor.
- 2.7 "Breakaway Wall" means a wall that is not part of the structural support of the building, intended through its design and construction to collapse under specific lateral wind and water loading conditions without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.
- 2.8 "Building" means any structure built for support, shelter, or enclosure for any occupancy or storage.
- 2.9 "Coastal AE Zone" means the portion of the Coastal High Hazard Area with wave heights between 1.5 feet and 3.0 feet and bounded by a line labeled the "Limit of Moderate Wave Action" (LiMWA) on a Flood Insurance Rate Map (FIRM). VE Zone floodplain construction standards are applied to development, new construction and substantial improvements in the Coastal AE Zone.

Renumber definitions from this point forward.

- 2.9 "Coastal High Hazard Area" means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal High Hazard Areas are designated as Zone VE and Zone AE bounded by a line labeled "Limit of Moderate Wave Action (LiMWA)" on a Flood Insurance Rate Map (FIRM).
- 2.10 "Cost" as related to substantial improvements, means the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure which shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing components, structural components, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters, labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded: cost of plans and specifications; survey costs; permit fees; outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.
- 2.11 "Crawl Space" for the purpose of this ordinance means that portion of a building below the lowest floor, having its floor below ground level on ~~all~~ up to four sides, and which is forty-eight (48) inches or less in depth as measured from the underside of the floor joist to the crawl space floor.
- 2.12 "Critical Facility" means a development which is critical to the community's public health and safety, is essential to the orderly functioning of a community, stores or produces highly

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volatile, toxic or water-reactive materials, or houses occupants that may be insufficiently mobile to avoid loss of life or injury. Examples of critical facilities include: jails, hospitals, fire stations, police stations, nursing homes, wastewater treatment facilities, drinking water plants, and gas/oil/propane storage facilities.

- 2.13 "Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings, additions, accessory structure or other structures, new construction, substantial improvements, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials or equipment.
- 2.14 "Elevated Building" means a non-basement building to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, posts, piers, shear walls, or breakaway walls, as allowed under applicable standards.
- 2.15 "Federal Emergency Management Agency (FEMA)" means the federal agency that administers the National Flood Insurance Program (NFIP).
- 2.16 "Finished Living Space" means finished living space can include, but is not limited to, a space that is heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace. A fully enclosed area below the base flood elevation (BFE) including the additional one foot of freeboard required by this Ordinance cannot have finished living space and needs to be designed for exposure to flood forces and can only be used for parking, building access or limited storage.
- 2.17 "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from: (a) the overflow of inland or tidal waters; and/or (b) the unusual and rapid accumulation of runoff of surface waters from any source.
- 2.18 "Flood Insurance Rate Map (FIRM)" means the official maps of the Town of Old Saybrook on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the applicable risk premium zones.
- 2.19 "Flood Insurance Study" means the official report, including any supplements thereto, by the Federal Emergency Management Agency. The report contains flood profiles, the water surface elevation of the base flood, and other flood data.
- 2.20 "Floodproofing" means any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- 2.21 "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- 2.22 "Floor" means the top surface of an enclosed area in a building (including basement) i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking of vehicles.
- 2.23 "Functionally Dependent Facility" means a facility which cannot be used for its intended purpose unless it is located in close proximity to water, such as a docking or port facility

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necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, sales, or service facilities.

2.24 "Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

2.25 "Historic Structure" means any structure that is:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(1) By an approved state program as determined by the Secretary of the Interior; or

(2) Directly by the Secretary of the Interior in states without approved programs.

2.26 "Limit of Moderate Wave Action" (LiMWA) means the landward limit of the 1.5 foot breaking wave within a Coastal AE Zone. These areas are bounded by a line labeled "Limit of Moderate Wave Action" on a Flood Insurance Rate Map (FIRM). The LiMWA line delineates that portion of the Special Flood Hazard Area (SFHA) landward of a VE zone in which the principal sources of flooding are astronomical high tides, storm surges, or tsunamis, not riverine sources. These areas may be subject to wave effects, velocity flows, erosion, scour, or combinations of these forces. The floodplain development and construction standards for VE Zones will be applied in the Coastal AE Zone.

2.27 "Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). A crawl space, or an unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor, provided that such an area meets the requirements of Sections 5.3.3 and 5.1.9 hereof.

2.27 "Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. Recreational vehicles and similar transportable structures placed on a site for 180 consecutive days or longer shall be considered manufactured homes for the purpose of this Ordinance.

2.28 "Manufactured Home Park or Subdivision" means a parcel, or contiguous parcels, of land divided into two or more manufactured home lots for rent or sale.

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- 2.29 "Market Value" means that the market value of the structure shall be determined by the property's tax assessment, minus land value; or, an independent appraisal by a professional appraiser.
- 2.30 "Mean Sea Level (MSL)" means the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.
- 2.31 "New Construction" means structures for which the "start of construction" commenced on or after June 26, 1978, and includes any subsequent improvements to such structures.
- 2.32 "Recreational Vehicle" means a vehicle which is (i) built on a single chassis, (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light-duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- 2.33 "Sand Dunes" means naturally occurring accumulations of sand in ridges or mounds landward of the beach.
- 2.34 "Special Flood Hazard Area (SFHA)" means the land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. SFHAs include, but are not necessarily limited to, the land shown as Zones A, AE and the Coastal High Hazard Areas shown as Zone VE **and Zone AE bounded by a line labeled "Limit of Moderate Wave Action (LiMWA)"** on a FIRM. The SFHA is also called the Area of Special Flood Hazard.
- 2.35 "Start of Construction" (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348)), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- 2.36 "Structure" means a walled and roofed building that is principally above ground, a manufactured home or a gas or liquid storage tank.
- 2.37 "Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

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- 2.38 "Substantial Improvement" means any combination of repairs, re-construction, alteration, or improvements to a structure taking place within a ten (10) year period, in which the cumulative cost equals or exceeds fifty percent of the market value of the structure. The market value of the structure should be the appraised value of the structure using the cost approach to value prior to the start of the initial repair or improvement, or (2) in case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any improvement project required to comply with existing health, sanitary or safety code specifications which are solely necessary to assure safe living conditions.
- 2.39 "Variance" is a grant of relief from the requirements of this Ordinance which permits construction in a manner otherwise prohibited by this Ordinance where specific enforcement would result in unnecessary hardship. Such hardship shall be based on the unusual physical characteristics of the property in question which are not shared by adjacent parcels; hardship shall not be based on the structure, nor on economic or personal hardships.
- 2.40 "Violation" means failure of a structure or other development to be fully compliant with the community's floodplain management ordinance. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.
- 2.41 "Water Surface Elevation" means the height, in relation to the-North American Vertical Datum (NAVD) of 1988.

SEC. 3 GENERAL PROVISIONS

3.1 Lands to Which This Ordinance Applies

This Ordinance shall apply to all special flood hazard areas within the jurisdiction of the Town of Old Saybrook.

3.2 Basis for Establishing the Special Flood Hazard Areas

The special flood hazard areas (SFHA) identified by the Federal Emergency Management Agency in its Flood Insurance Study (FIS) for the Town of Old Saybrook, Middlesex County, Connecticut dated ~~August 28, 2008~~ February 6, 2013 with accompanying Flood Insurance Rate Maps (FIRM) dated ~~August 28, 2008~~ February 6, 2013, (Panels 09007C0341J, 09007C0342J, 09007C0343J, 09007C0344J, 09007C0353J, 09007C0361J, 09007C0362J, 09007C0363J, 09007C0364J) and August 28, 2008 (Panels 09007C0333G and 09007C0334G), and other supporting data, and any subsequent revisions thereto, are adopted by reference and declared to be part of this regulation. Since mapping is legally adopted by reference into the regulation it must take precedence when more restrictive until such time as a map amendment is obtained from FEMA.

The SFHA includes any area shown on the FIRM as Zones A, AE and VE, including areas designated as a floodway on a FIRM. The VE Zone and Coastal AE Zone bounded by a line labeled "Limit of Moderate Wave Action" (LiMWA) are also

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identified as the Coastal High Hazard Area on a FIRM. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on a Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFE's published in the FIS for a specific location. Also included in the SFHA are areas of potential, demonstrable or historical flooding, including any area contiguous with, but outside the SFHA identified by FEMA, and where the land surface elevation is lower than the base flood elevation as shown in the Flood Insurance Study, and where the area is not protected from flooding by a natural or man-made feature. The FIRM and FIS are on file in the Building and Land Use Departments, Town Hall, 302 Main Street, Old Saybrook and at the Acton Public Library, 60 Old Boston Post Road, Old Saybrook. Flood Insurance Rate Maps are additionally available on the Town of Old Saybrook website www.oldsaybrookct.org

3.3 Establishment of the Flood Hazard Area Permit

The applicable sections of the Application for Certificate of Zoning Compliance must be completed in conformance with the provisions of this Ordinance prior to the commencement of any development activities.

3.3.1 Permit Expiration

Permits issued under this Ordinance shall expire if actual construction of a permitted structure does not commence within 180 days of the permit approval date, or if for good cause shown, a 180 day extension is granted prior to the expiration of the original permit.

3.4 Compliance

No structure or land shall hereafter be located, extended, converted, modified or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations.

3.5 Abrogation and Greater Restrictions

This Ordinance is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. Where this Ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

3.6 Interpretation

In the interpretation and application of this Ordinance, all provisions shall be: 1) considered as minimum requirements; 2) liberally construed in favor of the governing body, and; 3) deemed neither to limit nor repeal any other powers granted under state statutes.

3.7 Warning and Disclaimer of Liability

The degree of flood protection required by this Ordinance is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from flooding or flood

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damages. This Ordinance shall not create liability on the part of the Town of Old Saybrook or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

SEC. 4 ADMINISTRATION

4.1 Designation of Administrator

The Old Saybrook Town Engineer is hereby appointed to administer and implement the provisions of this Ordinance. The Town Engineer shall have the responsibility and authority to grant or deny permit applications for Development in Special Flood Hazard Areas in accordance with the provisions of this Ordinance. The Board of Selectmen may appoint deputies to assist and act for the Town Engineer.

4.2 Certification

Where required under this Ordinance, a registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Ordinance. Such certification must be provided to the Old Saybrook Town Engineer.

4.3 Permit Procedure

Prior to any development activities, the Flood Hazard Area Permit Section, and other applicable sections of the Application for Certificate of Zoning Compliance shall be completed and submitted to the Zoning Enforcement Officer on forms furnished by him or her. The application shall be accompanied by fees as established by the Board of Selectman. No development activities shall be commenced within any Special Flood Hazard Area until the Application for Certificate of Zoning Compliance is approved.

Such application shall be accompanied by two sets of plans drawn to scale showing, at a minimum, the property lines and location of the parcel; existing and proposed contours; existing or proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing. The following information shall also be required in connection with all applications:

4.3.1 Application Stage

- 4.3.1.1 Elevation in relation to mean sea level of the proposed lowest floor, including basement, crawl space slab, and garage slab, of all structures (Sections 5.3.1-5.3.3);
- 4.3.1.2 Elevation in relation to mean sea level to which any non-residential structure will be flood-proofed (Section 5.3.2.2);
- 4.3.1.3 Description of the extent to which any watercourse will be altered or relocated as a result of proposed development (Section 5.1.8);
- 4.3.1.4 A statement as to whether or not the proposed alterations to an existing structure meet the criteria of the substantial improvement definition (Section 2.32);
- 4.3.1.5 Architectural and structural drawings for any proposed building,

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including floor plans, elevations and typical sections, if requested;

- 4.3.1.6 Plans and details for any proposed breakaway walls, including a Certification that: a) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and b) the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a 1 percent chance of being equaled or exceeded in any given year (100 year mean recurrence interval);
- 4.3.1.7 Certification as to use of floodproofing for non-residential structures, as required by Section 5.3.2.2;
- 4.3.1.8 Certification as to the provisions of Section 5.3.3 governing fully-enclosed areas below base flood elevation, if the minimum design criteria in Sections 5.3.3.1.1 - 5.3.3.1.3 is not used;
- 4.3.1.9 Certification of Compliance with the floodway standards contained in Sections 5.2.2 and 5.3.5; and
- 4.3.1.10 ~~Certification of Compliance with the Coastal High Hazard Area Standards contained in Section 5.3.4.~~ Completed elevation certificate on the most current available FEMA form.

4.3.2 Construction Stage

Upon completion of the applicable portion of construction, the applicant shall provide verification to the Town Engineer of the following as is applicable:

- a) For a structure in Zones A and AE, provide the elevation of the top of the lowest floor (including basement). An elevation certificate prepared by a Connecticut licensed land surveyor, engineer or architect must be provided; or
- b) For a structure in Zone VE or a Coastal AE that is bounded by a line labeled "Limit of Moderate Wave Action (LiMWA), provide the elevation of the lowest horizontal structural member (excluding pilings or columns). An elevation certificate prepared by a Connecticut licensed land surveyor, engineer or architect must be provided; or
- c) For a non-residential structure that has been dry flood-proofed provide the elevation to which the flood-proofing is effective (BFE plus one foot for insurance purposes). A FEMA Floodproofing Certificate (FEMA Form 81-65) prepared by a Connecticut licensed engineer or architect retained by the applicant must be provided.

4.3.3 Compliance

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Deficiencies in the lowest floor elevations and any other requirements of the Ordinance or other conditions of approval shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to make corrections required hereby shall be cause for issuance a stop-work order.

4.4 Duties and Responsibilities of the Old Saybrook Town Engineer

In the administration of this Ordinance, the Old Saybrook Town Engineer shall perform the following duties, among others:

4.4.1 Application Stage

- 4.4.1.1 Review all development permits to assure that the requirements of this Ordinance have been satisfied;
- 4.4.1.2 Advise permittee that additional Federal or State permits may be required, and if specific Federal or State permit requirements are known, require that copies of such permits be provided and maintained on file with the Application for Certificate of Zoning Compliance. Such additional permit requirements may include, but not be limited to: Coastal Area Management Permit, Water Diversion Permit, Dam Safety Permit, Corps of Engineers 401 & 404 Permits;
- 4.4.1.3 Notify adjacent communities and the Department of Environmental Protection, Inland Water Resources Management Division prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency;
- 4.4.1.4 Require, as a condition of any approval, that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained;
- 4.4.1.5 Make the necessary interpretation, where needed, as to the exact location of boundaries of the special flood hazard areas. Any person contesting the interpretation of the location of a boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article;
- 4.4.1.6 Require the applicant to provide base flood elevation data for all proposed development, including manufactured home parks and subdivisions, which are five acres or fifty lots, which ever occurs first, and are located in Zone A; and
- 4.4.1.7 Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, including data developed pursuant to Section 4.4.1.6 of this Ordinance, in order to administer the provisions of Section 5.3, when base flood elevation data or floodway have not been provided in accordance with Sections 3.2.

4.4.2 Construction Stage

- 4.4.2.1 Obtain, record and maintain the as-built elevation in relation to mean sea level of the lowest floor, including basement, of all new construction, or

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substantial improvement or repair to a structure that has sustained substantial damage. The Town Engineer shall require and maintain Elevation Certificates provided by the applicant and prepared by a Connecticut licensed land surveyor, engineer or architect containing this information;

- 4.4.2.2 Obtain, record and maintain the elevation in relation to mean sea level to which all new construction, substantial improvements or repair to a structure that has sustained substantial damage has been flood-proofed. The Town Engineer shall require and maintain FEMA Floodproofing Certificates for Non-Residential Structures (FEMA Form 81-65). A Floodproofing Certificate shall be provided by the applicant and prepared by a Connecticut licensed engineer or architect containing this information;
- 4.4.2.3 In coastal high hazard areas, obtain certification from a Registered Professional Engineer or Architect that the standard of Sections 5.3.4.2 and 5.3.4.3 have been met; and
- 4.4.2.4 Maintain all records pertaining to the provisions of this Ordinance.

SEC. 5 PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1 General Standards

In all special flood hazard areas the following provisions shall apply:

- 5.1.1 New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- 5.1.2 New construction and substantial improvements shall be constructed with materials resistant to flood damage;
- 5.1.3 New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- 5.1.4 Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- 5.1.5 New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- 5.1.6 New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters;
- 5.1.7 On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and
- 5.1.8 In any portion of a watercourse which is altered or relocated, the flood carrying

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capacity shall be maintained.

5.1.9 Accessory Structures

5.1.9.1 In Zones A and AE, the requirement of Sections 5.3.2.1 and 5.3.2.2 shall not apply to the following:

- a) A one-story attached garage, provided said garage is not an integral part of a residential structure, and that any upper loft floors shall neither be accessible, nor reasonably modified to be accessible, from the residential structure. In addition, the use of any such upper loft floor shall be limited solely for storage purposes;
- b) Accessory buildings, which are less than 401 square feet in floor area and are accessory to a residential structure; and
- c) One-story row garages located on a lot in a residential district containing multiple dwelling units.

5.1.9.2 Accessory buildings and attached garages as defined in Section 5.1.9.1 shall conform to the following:

- a) Shall not be used for human habitation;
- b) Shall be designed to have low flood damage potential and constructed with flood resistance materials below the base flood elevation;
- c) Shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
- d) Shall be firmly anchored to prevent flotation which may result in damage to their structures;
- e) Shall have all service facilities, such as electrical and heating equipment, designed and/or located so as to prevent water from entering or accumulating within components during conditions of flooding or elevated above base flood elevation; and
- f) There shall be no basement or excavated area below any accessory building or garage.

5.1.10 Manufactured Homes

Manufactured homes are prohibited in all special flood hazard areas.

5.1.11 Aboveground Oil Tanks

Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated one foot above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended one foot above the BFE, and have a screw fill cap that does not allow for the

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infiltration of flood water.

5.1.12 Portion of Structure in Flood Zone

If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.

5.1.13 Structures in Two Flood Zones

If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., VE zone is more restrictive than AE zone; structure must be built to one foot above the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)

5.1.14 Equal Conveyance

Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood storage or flood velocity.

5.1.15 Compensatory Storage

The water holding capacity of the floodplain, except those areas that are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction, or substantial improvements involving an increase in footprint to the structure shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.

5.2 Standards for Stream without Established Base Flood Elevations, Floodways and/or Flood Mapping

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- 5.2.1 The Town Engineer shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, including data developed pursuant to Section 4.4.1.6 or Section 6.4 of this Ordinance as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Community's FIRM meet the standards in Section 5.3.
- 5.2.2 In A zones where base flood elevations have been determined, but before a floodway is designated, no new construction, substantial improvement, or other development, including fill, shall be permitted which will increase base flood elevations more than one foot at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.
- 5.2.3 The Town Engineer may request floodway data of an applicant for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source, in response to the Town's Engineer request or not, the Town of Old Saybrook shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one foot at any point along the watercourse.
- 5.2.4 The Town Engineer shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, as criteria for requiring that new construction, substantial improvements, or other development in any area of potential, demonstrable or historical flooding within the community meet the standards in Section 5.3.

5.3 Specific Standards

In all special flood hazard areas A and AE, where base flood elevation data has been provided, the following provisions shall apply in addition to all general standards contained in Section 5. 1.

5.3.1 Residential construction

New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at least ~~to~~ one foot above the base flood elevation.

5.3.2 Non-Residential Construction

5.3.2.1 New construction or substantial improvement of any commercial, industrial, or non-residential structure located in Zone A or AE, shall have the lowest floor, including basement, elevated at least ~~to~~ one foot above the base flood elevation; or

5.3.2.2 Non-residential structures located in all A and AE zones may be **dry** flood-proofed **at least one foot above the base flood elevation** in lieu of being elevated provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation

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are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection. Such certification shall be provided to the Old Saybrook Town Engineer.

5.3.3 Fully-Enclosed Areas Below Base Flood Elevation

New construction or substantial improvements of buildings in A and AE Zones that include fully enclosed areas formed by foundation and other exterior walls located below the base flood elevation, excluding basements, shall be designed to preclude finished living space and designed to allow for the automatic entry and exit of flood waters to equalize hydrostatic flood forces on exterior walls. An enclosed area below the base flood elevation that meets the design criteria specified below is not considered the lowest floor of the structure. The lowest floor must be elevated one foot above the base flood elevation.

5.3.3.1 Designs for complying with this requirement must ~~either be certified by a professional engineer or architect or~~ meet the following minimum criteria:

5.3.3.1.1 Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

5.3.3.1.2 The bottom of all openings shall be not higher than one foot above the slab elevation and set at or above the exterior ground elevation so as to permit free drainage away from the structure;

5.3.3.1.3 Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions. Other coverings must be designed and certified by an engineer and approved by the Old Saybrook Town Engineer.

5.3.3.2 Electrical, plumbing, HVAC (including duct work) and other utilities, including fuel oil tanks, are prohibited below the base flood elevation; and

5.3.3.3 Use of the enclosed area shall be the minimum necessary to allow for parking of vehicles or limited storage of maintenance equipment used in connection with the premises or entry to the living area via a stairway or elevator.

5.3.4 Coastal High Hazard Areas

The following additional standards are applicable to development, including new construction and substantial improvement, in the Zone VE **and Zone AE**

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bounded by a line labeled “Limit of Moderate Wave Action (LiMWA)” portion of Special Flood Hazard Areas:

- 5.3.4.1 ~~All buildings and structures shall be located landward of the reach of mean high water;~~ All buildings and structures shall be located landward of the reach of the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.
- 5.3.4.2 All buildings or structures shall be elevated so that the lowest supporting horizontal member is located no lower than one foot above the base flood elevation and with all space below the lowest supporting horizontal member open so as not to impede the flow of water, except for breakaway walls as defined in Section 2.7 and provided for in Section 5.3.4.5;
- 5.3.4.3 All buildings and structures shall be securely anchored on pilings or columns. Pilings and columns and the attached structures shall be anchored to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. The anchoring and support system shall be designed with wind and water loading values which equal or exceed the 100 year mean recurrence interval (1 percent annual chance floods and wind). There shall be no fill used for structural support;
- 5.3.4.4 Compliance with the provision of Sections 5.3.4.2 and 5.3.4.3 shall be certified by a registered professional engineer or architect, as designed in accordance with ASCE24 Flood Resistant Design and Construction, which certification shall be provided to the Town Engineer as set forth in Section 4.3.1.10;
- 5.3.4.5 Space Below Lowest Floor: The following are applicable to any construction or substantial improvements and to any alteration, repair, reconstruction or improvement to a structure started after June 26, 1978:
- a) There shall be no enclosure of the space below the lowest floor unless breakaway walls are used;
 - b) Breakaway walls are allowed below the base flood elevation provided that they are not a part of the structural support of the building and are designed with a safe loading resistance of not less than ten (10) and not more than twenty (20) pounds per square foot, so as to breakaway, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used;
 - c) If breakaway walls are utilized, such enclosed space shall not be used for human habitation, but shall be designed to be used for parking of vehicles, or limited storage of maintenance equipment used in connection with the premises; and
 - d) Prior to construction, plans for any structure that will have breakaway walls must be submitted to the Town Engineer for approval.

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5.3.4.6 Alteration of sand dunes in Zone **VE** is prohibited.

5.3.5 Manufactured (Mobile) Homes and Recreational Vehicles

5.3.5.1 Manufactured (Mobile) Homes are prohibited in all Special Flood Hazard Areas (SFHAs). This includes SFHAs in a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood.

5.3.5.2 Recreation vehicles placed on a site in a SFHA for one hundred and eighty (180) consecutive days or longer and intended to be improved property are prohibited. Recreational vehicles placed onsite in a SFHA for fewer than 180 consecutive days must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheel or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

5.3.6 Floodways

Located within special flood hazard areas established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris and potential projectiles and have erosion potential, no encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless certification, along with supporting technical data provided by a registered professional engineer is submitted demonstrating that encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge. Fences located in the floodway must be aligned with the flow and be of an open design.

5.3.6.1 A permit may be given which allows encroachments resulting in increases in base flood elevations provided the community first obtains a conditional floodway revision by meeting the requirement of C.F.R. 44, Chapter 1, Subsection 65.12.

5.3.7 Critical Facilities

5.3.7.1 New construction of critical facilities shall be elevated or dry flood proofed to one foot above the base flood elevation (100-year flood elevation).

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SEC. 6 STANDARDS FOR SUBDIVISION PROPOSALS

In all special flood hazard areas the following requirements shall apply:

- 6.1 All subdivision proposals shall be consistent with the need to minimize flood damage;
- 6.2 All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- 6.3 All subdivision proposals shall provide adequate drainage to reduce exposure to flood hazards;
- 6.4 All subdivision proposals shall provide the boundary of the SFHA, the floodway boundary, and the base flood elevation; and
- 6.5 Base flood elevation data shall be provided for all subdivision proposals and other proposed development, including manufactured home parks and subdivisions, which are five acres or fifty lots, whichever ever occurs first, and are located in Zone A.

SEC. 7 VARIANCE PROCEDURES

- 7.1 The Town of Old Saybrook Zoning Board of Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- 7.2 The Zoning Board of Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the Town Engineer in the enforcement or administration of this Ordinance.
- 7.3 Any person aggrieved by the decision of the Zoning Board of Appeals or any person owning land which abuts or is within a radius of one hundred feet (100) of the land in question may appeal within 15 days after such decision to the State Superior Court of the Middletown Judicial District as provided in Section 8-8 of the General Statutes of Connecticut.
- 7.4 A variance issued under this Ordinance shall become effective as such time as is fixed by the Zoning Board of Appeals, provided a copy thereof shall be filed in the Office of the Old Saybrook Town Clerk and in the land records of the Town of Old Saybrook in the same manner as required for filing of variances from zoning regulations.

7.5 Specific Situation Variances

7.5.1 Buildings on an Historic Register

Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this section, and provided the proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historical designation.

7.5.2 Pre-Existing, Small Lot Location

Variances may be issued by a community for new construction and substantial

**PROPOSED REVISION
SCHEDULED FOR TOWN MEETING
OCTOBER 26, 2012**

improvements to be erected on a lot of one-half acre or less in size which is contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with Sections 7.7.1 - 7.7.4.

7.5.3 Functionally-Dependent Uses

Variances may be issued for new construction and substantial improvement and other development necessary for the conduct of a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage, creates no additional threat to safety and meets the requirements of Sections 7.7.1 - 7.7.4.

7.5.4 Floodway Prohibition

Variances shall not be issued within and designated floodway if any increase in flood levels during the base flood discharge would result.

7.6 Considerations for Granting of Variances

In passing upon such applications for variance, the Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance and the items listed below as 7.6.1 - 7.6.11. Upon consideration of these factors and the purposes of this Ordinance, the Zoning Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.

7.6.1 The danger that materials may be swept onto other lands to the injury of others;

7.6.2 The danger to life and property due to flooding or other erosion damage;

7.6.3 The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

7.6.4 The importance of the services provided by the proposed facility to the community;

7.6.5 The necessity of the facility to waterfront location, in the case of a functionally dependent facility;

7.6.6 The availability of alternative locations which are not subject to flooding or erosion damage for the proposed use;

7.6.7 The compatibility of the proposed use with existing and anticipated development;

7.6.8 The relationship of the proposed use to the comprehensive plan of development and the floodplain management program for that area;

7.6.9 The safety of access to the property in times of flood for ordinary and emergency vehicles;

7.6.10 The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

**PROPOSED REVISION
SCHEDULED FOR TOWN MEETING
OCTOBER 26, 2012**

- 7.6.11 The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

7.7 Criteria for Variances

- 7.7.1 Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary as not to destroy the historic character and result in the loss of historic designation of the building.
- 7.7.2 Variances may only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship, and; (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances. Only hardships which are based on unusual physical characteristics of the property in question, characteristics which are not shared by adjacent parcels, shall qualify to meet subsection (ii) above. Claims of hardship based on structure, on economic or on personal circumstances are not sufficient cause for the granting of a variance under this Ordinance.
- 7.7.3 Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation up to amounts as high as \$25.00 for each \$100.00 of insurance coverage.
- 7.7.4 The Town Engineer shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency **(FEMA) in its biennial report.**

SEC. 8 PENALTIES FOR VIOLATION

Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$250.00 per day if proven to be done willfully and \$100.00 per day if not, or imprisoned for not more than 10 days for each day of violation, or both, and in addition, shall pay all costs and reasonable legal fees involved in the case. Nothing herein contained shall prevent the Town of Old Saybrook from taking such other lawful action as is necessary to prevent or remedy any violation.

Adopted on: _____

By: _____


**PROPOSED REVISION
SCHEDULED FOR TOWN MEETING
OCTOBER 26, 2012**

Old Saybrook Board of Selectmen


Certified by: _____

Date: _____

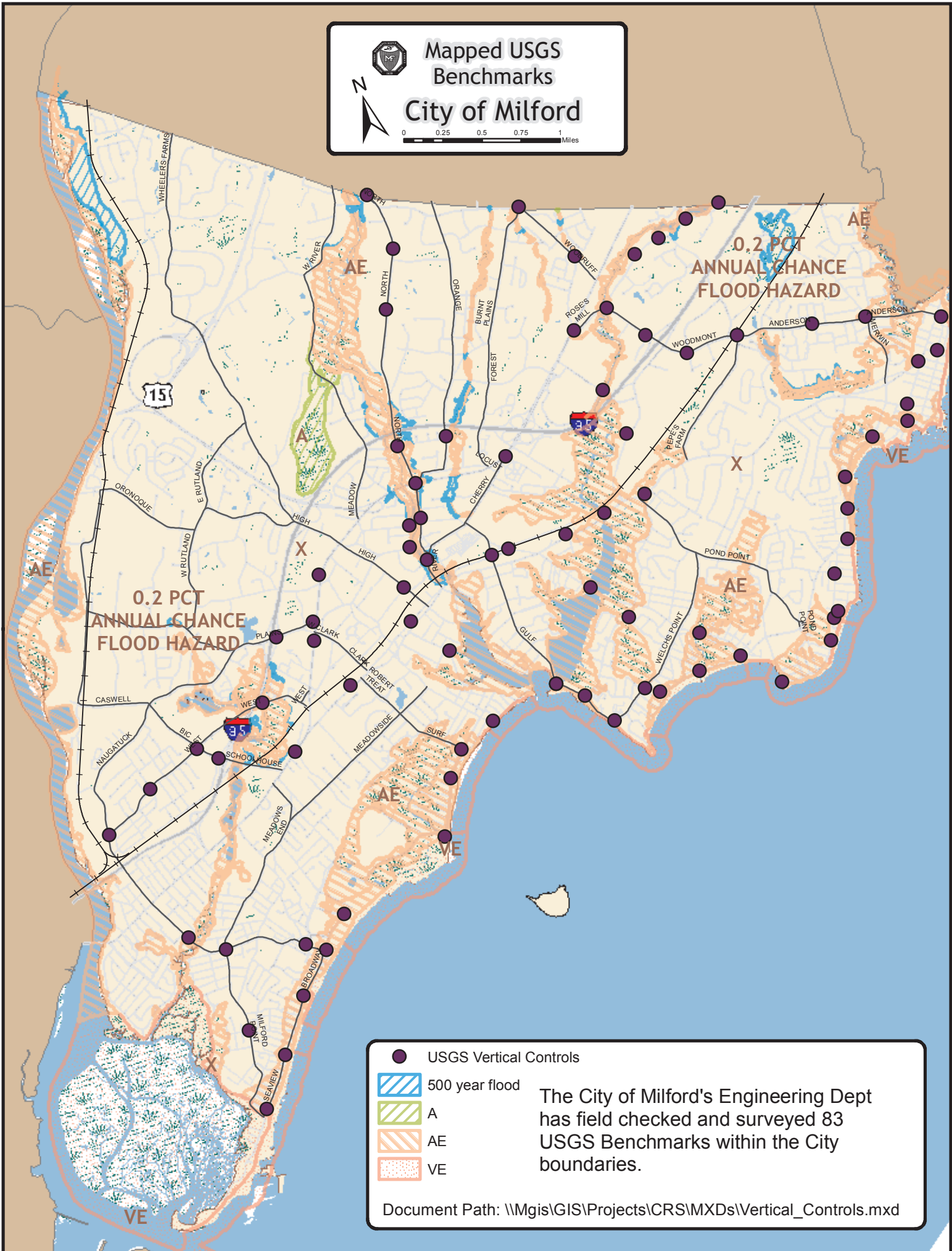
Flood Data Maintenance



Mapped USGS
Benchmarks
City of Milford



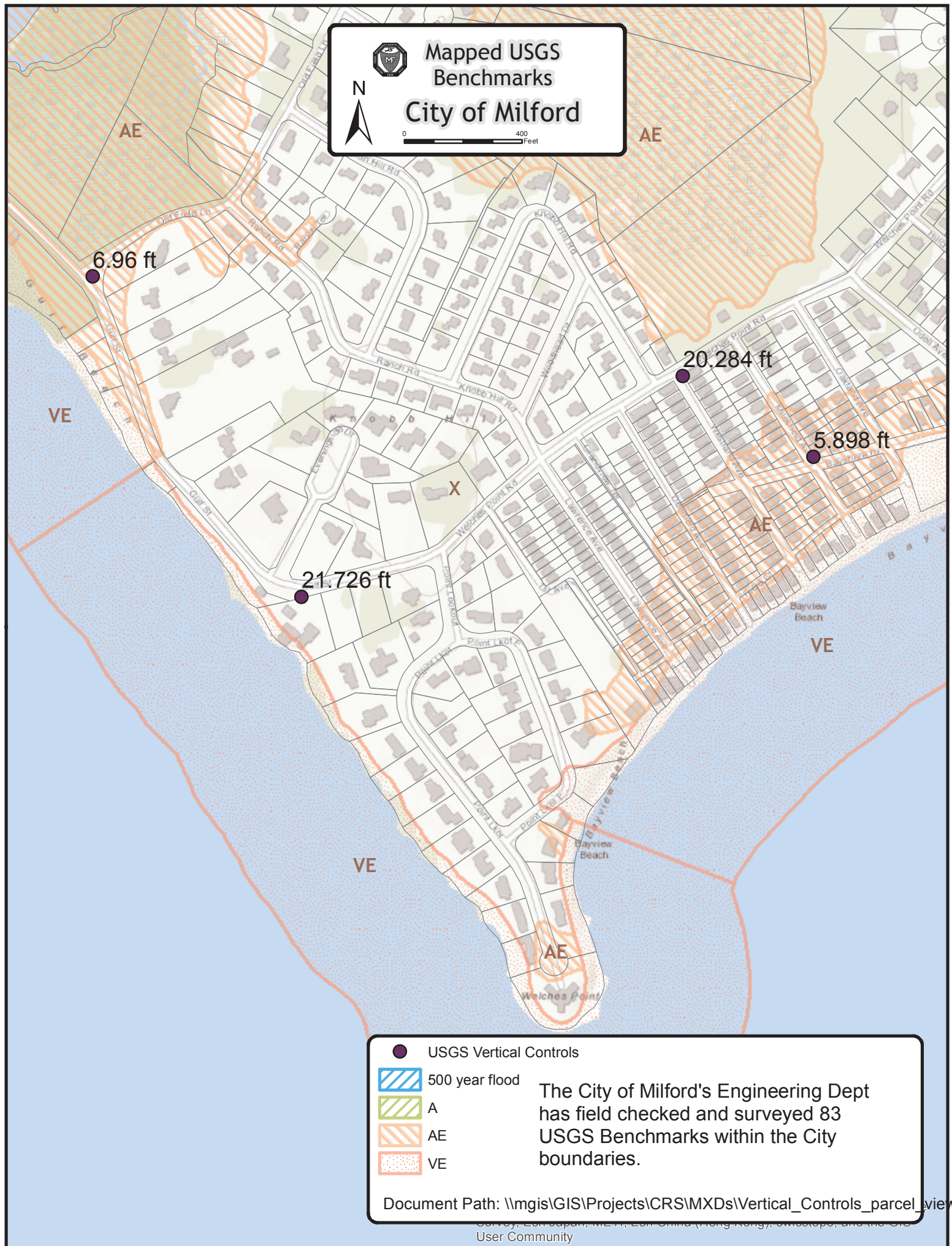
0 0.25 0.5 0.75 1 Miles



- USGS Vertical Controls
- 500 year flood
- A
- AE
- VE

The City of Milford's Engineering Dept has field checked and surveyed 83 USGS Benchmarks within the City boundaries.

Document Path: \\Mgis\GIS\Projects\CRS\MXD\Vertical_Controls.mxd



450

Stormwater Management

**CITY OF MILFORD – ENGINEERING BUREAU
ENGINEERING GUIDELINES FOR PREPARATION OF SITE PLANS, PLOT PLANS, AND
OTHER PROPOSED PROPERTY DEVELOPMENT PLANS**

GENERAL PLAN REQUIREMENTS

All plans shall be twenty-four inches by thirty-six inches (24" x 36") or eighteen inches by twenty-four inches (18" x 24") in size.

Plans shall be based upon a current A-2 Survey, a copy of which shall be provided, affixed with the original seal and signature of a currently licensed Connecticut Land Surveyor.

The scale of the plan is to be one inch equals ten feet, twenty feet, or forty feet (1" = 10', 20', or 40'), as may be appropriate to adequately show the detail of the proposal.

EXISTING SITE PLANS – AS-BUILT PLANS

Plans submitted to show the existing size and location of a structure and its position on a lot in relation to any property line or street line or to show existing elevations of any utility, sewer, ground surface contour, or building floor level are to be affixed with the original seal and signature of a currently licensed Connecticut Land Surveyor.

PROPOSED SITE DEVELOPMENT PLANS

Plans submitted to show proposed buildings, additions, alteration of existing site grades, storm sewer systems, culverts, sanitary sewers, roads, parking facilities, and other similar site improvements are to be affixed with the original seal and signature of a currently licensed Connecticut Professional Engineer.

The as-built site plan shall indicate the type of semi-permanent marker used to mark the property corners or angle points. Where required by A-2 Survey standards, at least two corners shall be identified by Connecticut State Geodetic System Coordinates in NAD 83. (Available coordinate points are on file in the Engineering Bureau.) Two coordinated reference points, into which the survey has been tied, shall be noted on the plan.

All plans shall show existing or proposed concrete curbs and sidewalks. Where appropriate, suitable arrangements may be made for their future installation.

Front, side and rear yard setback lines and dimensions are to be shown.

Dimensions of proposed structures and proposed distances to property lines shall be indicated.

Location and dimensions of off-street parking spaces shall be depicted.

Existing and proposed elevations shown on the plan shall be based upon NAVD, 1988 Datum, where available. Datum used is to be noted on the plan. Existing elevations should be based on actual field measurements. Proposed elevations are to be shown for proposed first-floor and garage floor, as well as at building corners and property corners.

In general, the proposed residential garage or, where no garage is proposed, the dwelling shall have a floor elevation of a minimum of one and one-half (1½') feet higher than the abutting centerline of road elevation. Existing centerline and gutter elevations at the roadway shall be shown on the plan at twenty-five (25') foot intervals, in front of the property corners and at the proposed driveway.

SITE GRADING

The area behind the curb of a street is to be graded in accordance with the current "Typical Cross-Section of Minor Residential Streets Detail" available from the Engineering Bureau. This will result in a proposed grade at the street line 0.5' above the existing or proposed centerline of street elevation.

Where site grades in the area of proposed construction are more than eight (8%) percent, the plan shall show existing contours at two (2') foot intervals and proposed contours at one (1') foot intervals.

Driveway entrances are to be constructed in accordance with the current detail of the "Concrete Driveway Approach Standard" available from the Engineering Bureau. The grade of proposed on-site driveways should not exceed ten (10%) percent.

Where proposed grading includes the requirement for construction of retaining walls, retaining wall details are to be shown on the plan.

STORM WATER MANAGEMENT

In the design of site improvements, particular attention shall be given to surface stormwater runoff so as to minimize adverse effects to abutting and downstream properties. On single-family residential properties, installation of drywells or other suitable remedies to mitigate potential drainage problems may be required prior to site approval required to obtain certificates of Zoning compliance and occupancy. For two-family or single-family attached parcels and for small residential subdivisions, on-site storage of storm water runoff is to be provided equivalent to one standard drywell for each dwelling unit.

On industrial, commercial, multi-family, and major residential subdivision proposals, the plan is to be accompanied by drainage calculations, affixed with the original seal and signature of a currently licensed Connecticut Professional Engineer. The plan showing the proposed drainage installation must also bear the original seal and signature of the Professional Engineer in addition to the original seal and signature of the Licensed Land Surveyor.

The drainage plan shall provide on-site storage for any increase in storm water runoff, which is expected to occur due to the proposed development when analyzed for a twenty-five (25) year storm condition. The design rainfall is to be 4.1 inches of rain over a six (6) hour period.

Overflows from the on-site storage facilities may be connected to existing City storm drainage structures, subject to the approval of the City Engineer and subject to executing a Storm Drainage Agreement.

Facilities for on-site storage of excess stormwater runoff are to be included in the design of proposed property development except where discharge of stormwater is proposed through adequately sized culverts from the development directly to the Housatonic River, Long Island Sound, Milford Harbor, or major tidal wetland areas with unrestricted outlets.

SANITARY SEWERS

All proposals for residential subdivisions, residential buildings to house three or more families, or for commercial, retail, or industrial use must receive connection approval from the City of Milford Sewer Commission. Information on the availability of sanitary sewers and applications for "Sanitary Sewer Connection Permits" may be obtained from the Engineering Bureau.

For industrial and commercial uses, eight (8") inch (minimum) diameter sewers shall be installed and an eight (8") inch diameter sanitary sewer sampling and inspection access facility is to be provided. Construction is to be in accordance with requirements of the City Engineer. In the event that food preparation facilities are planned with a three-bay sink required by the Health Department, a one thousand (1,000) gallon (minimum) exterior grease trap is to be installed to separate grease from kitchen waste.

For condominium complexes, a minimum size six (6") inch diameter separate sewer is to be installed to the eight (8") inch main for each individual unit situated on a ground floor. Units situated entirely on an upper level may be served by a common eight (8") inch diameter sewer. Units on each separate upper level floor are to be served by a separate eight (8") inch sewer connected to the sewer main.

Plans for main line extensions of sanitary sewers must be prepared by a currently licensed Connecticut Professional Engineer, and said plans must bear the Engineer's original seal and signature. Proposed extensions of Municipal sewers must be submitted to the DEP for approval, as are sewers proposed to serve condominium complexes.

Minimum size for main line sewers and for new connections between the main line and the required sanitary sewer sampling and inspection access facility for non-residential use shall be eight (8") inch diameter. Minimum size sewer pipe for industrial, commercial, or multi-family connections is eight (8") inch diameter.

Minimum size of pipe for sanitary sewer connections for single-family residential is six (6") inch inside diameter, installed at a minimum slope of $\frac{1}{4}$ " per foot. Each residential connection is required to provide an inspection riser in the vicinity of the street line, in accordance with current standards.

SUB-SURFACE SEWER DISPOSAL SYSTEMS

Designs for sub-surface sewer disposal systems are to be submitted to the City of Milford Health Department for approval.

October 1991
(Retyped April 2001)

Floodplain Management Planning

HAZARD MITIGATION PLAN UPDATE 2013



MILFORD, CONNECTICUT

Revised August 12, 2013

AT THE REGULAR MEETING OF THE BOARD OF ALDERMEN HELD ON SEPTEMBER 9, 2013
THE FOLLOWING RESOLUTION WAS APPROVED.

**A RESOLUTION ADOPTING THE CITY OF MILFORD'S HAZARD MITIGATION
PLAN UPDATE 2013**

WHEREAS, the City of Milford has historically experienced severe damage from natural hazards and it continues to be vulnerable to the effects of flooding, thunderstorm, high wind, winter storms, earthquakes, and dam failure, resulting in loss of property and life, economic hardship, and threats to public health and safety; and

WHEREAS, the City of Milford, has developed and received conditional approval from the Federal Emergency Management Agency (FEMA) for its Hazard Mitigation Plan Update 2013 under the requirements of 44 CFR 201.6; and

WHEREAS, public and committee meetings were held between December 2011 and July 2013 regarding the development and review of the Hazard Mitigation Plan Update 2013; and

WHEREAS, the Plan specifically addresses hazard mitigation strategies and Plan maintenance procedure for the City of Milford; and

WHEREAS, the Plan recommends several hazard mitigation actions/projects that will provide mitigation for specific natural hazards that impact the City of Milford, with the effect of protecting people and property from loss associated with those hazards; and

WHEREAS, adoption of this Plan will make the City of Milford eligible for funding to alleviate the impacts of future hazards; now therefore be it

RESOLVED by the Board of Aldermen:

1. The Plan is hereby adopted as an official plan of the City of Milford;
2. The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them;
3. Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as a part of this resolution for a period of five (5) years from the date of this resolution;
4. An annual report on the progress of the implementation elements of the Plan shall be presented to the Board of Aldermen by The Hazard Mitigation Plan Committee.

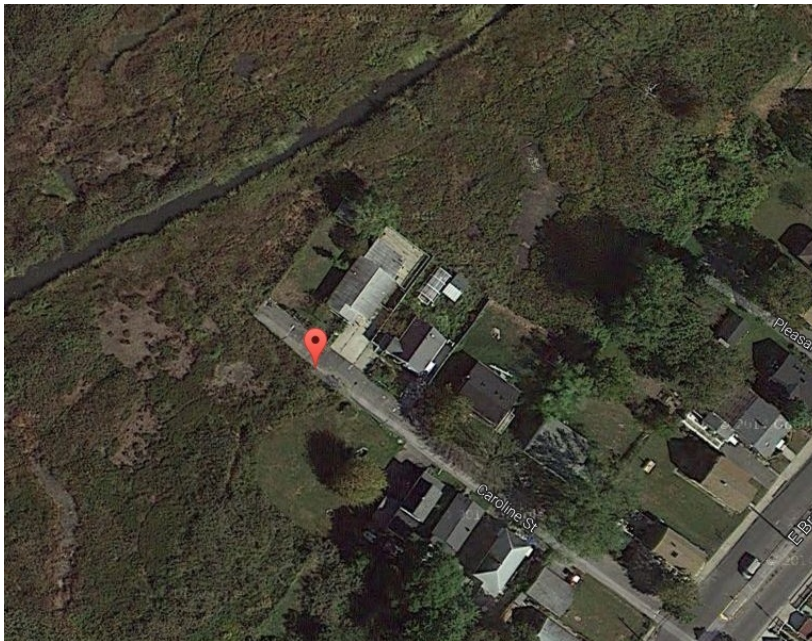
IN WITNESS WHEREOF, the undersigned has affixed his/her signature and the corporate seal of the City of Milford this 10TH day of September, 2013.

DATED AT MILFORD, CT THIS 10TH DAY OF SEPTEMBER 2013.
ATTEST: LINDA STOCK, CITY CLERK, CCTC

520

Acquisition and Relocation

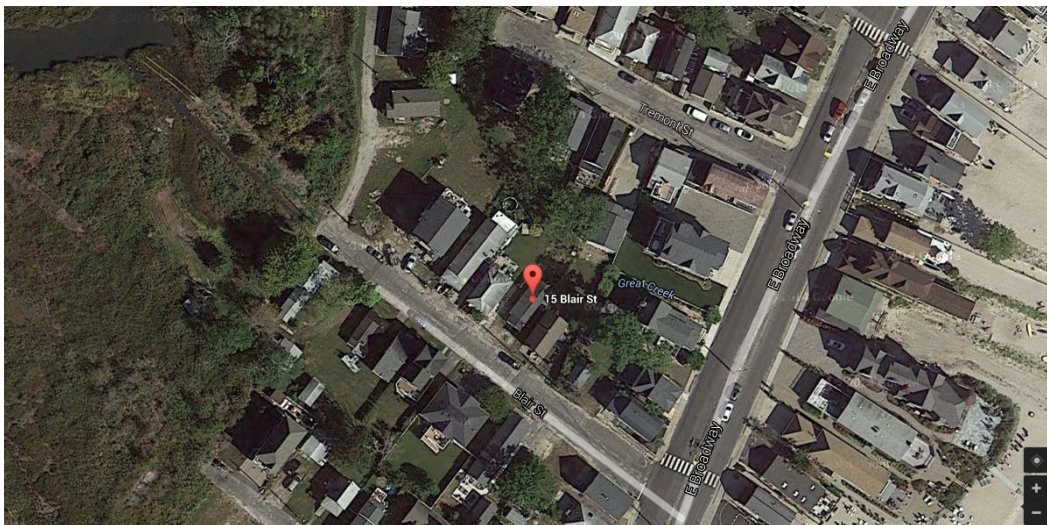
Pending acquisition at 23 Caroline Street



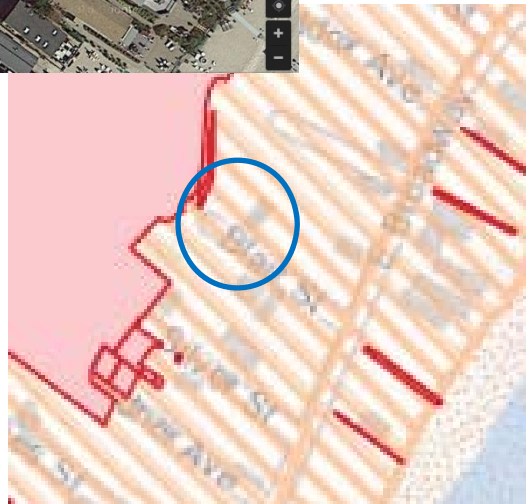
Parcel is adjacent to
existing open space on
three sides



Pending acquisition at 15 Blair Street



Parcel is near existing
open space



530

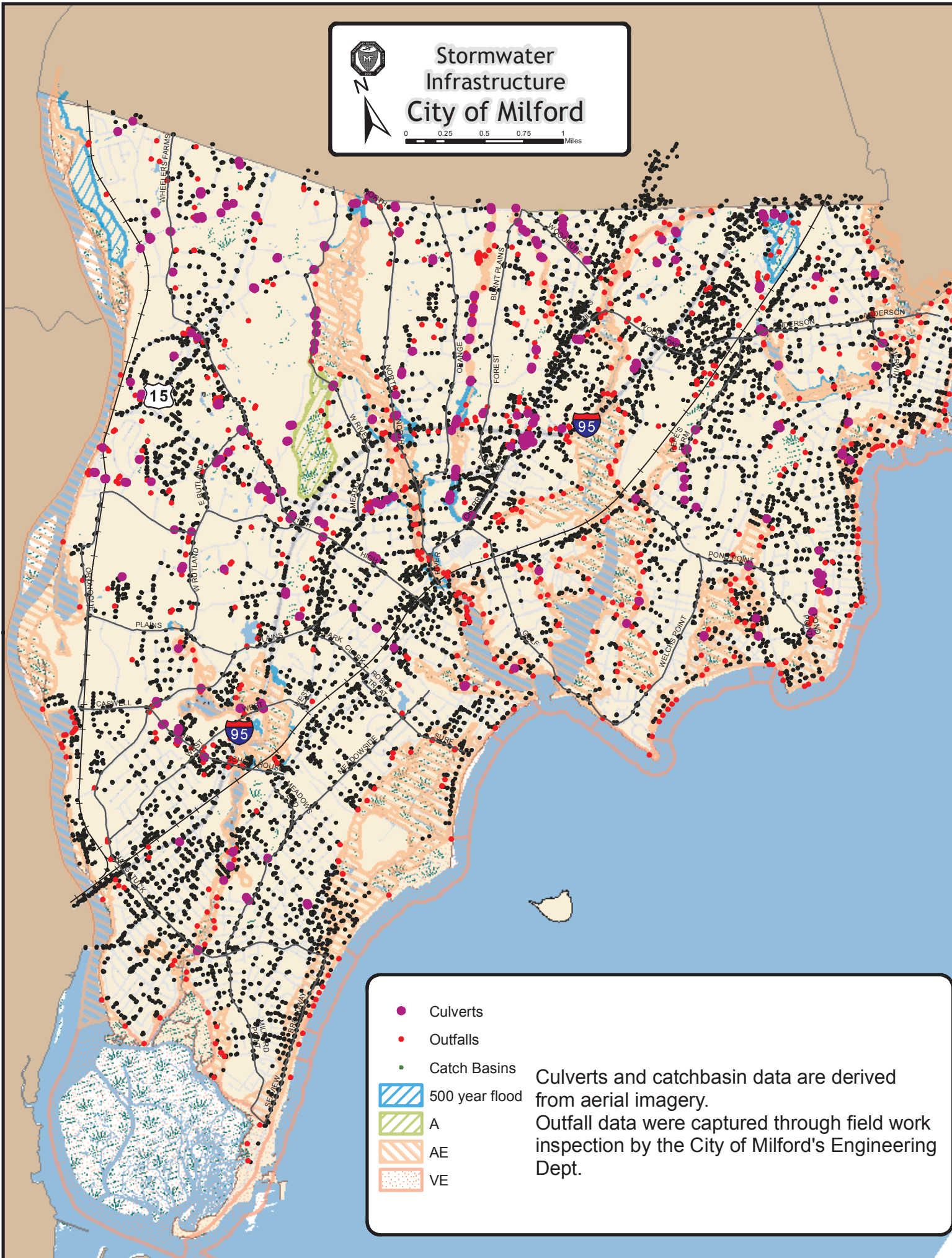
Flood Protection

Drainage System Maintenance







Stormwater Infrastructure City of Milford

0 0.25 0.5 0.75 1 Miles



- Culverts
- Outfalls
- Catch Basins

-  500 year flood
-  A
-  AE
-  VE

Culverts and catchbasin data are derived from aerial imagery. Outfall data were captured through field work inspection by the City of Milford's Engineering Dept.

CITY OF MILFORD STORM WATER PROJECTS

1. BAYVIEW BEACH AREA

- a. ENGINEERING STUDY AND DESIGN TO REPLACE EXISTING PIPE NETWORK AND CATCH BASINS BETWEEN FIRST AVENUE AND OAKLAND AVE INCLUDING BAYSHORE DRIVE FROM FIELD COURT TO LONG ISLAND SOUND.
 - i. THIS WORK SHOULD INCLUDE TYING IN A CATCH BASIN/DRYWELL ON CREELAND AVE.

2. POINT BEACH

- a. DESIGN TO ALLEVIATE FLOODING AT HIGH TIDE.

3. CALF PEN MEADOW CREEK AND BEACHLAND AVE AREA

- a. DESIGN FOR RELIEF FROM STORM SURGE.

4. MILFORD POINT ROAD IN THE VICINITY OF FIRST AVENUE

- a. DESIGN TO ALLEVIATE FLOODING AT HIGH TIDE.

5. MERWIN AVENUE

- a. ENGINEERING STUDY AND DESIGN TO REPLACE CULVERT NEAR 610 MERWIN AVENUE.

6. WOODRUFF ROAD TO BURNT PLAINS ROAD GREEN MEADOW ROAD TO ALEXANDER ROAD.

- a. DESIGN FOR FLOODING ON WOODRUFF RD NORTH OF BURNT PLAINS ROAD AND PIPE CROSSING NEAR #99 GREEN MEADOW AND ALEXANDER ROAD.

7. RED BUSH LANE TO WOODRUFF RD TO BOSTON POST RD

- a. DESIGN FOR PIPE FROM RED BUSH LANE TO WOODRUFF RD TO ALLEVIATE FLOODING.

8. ROCK STREET

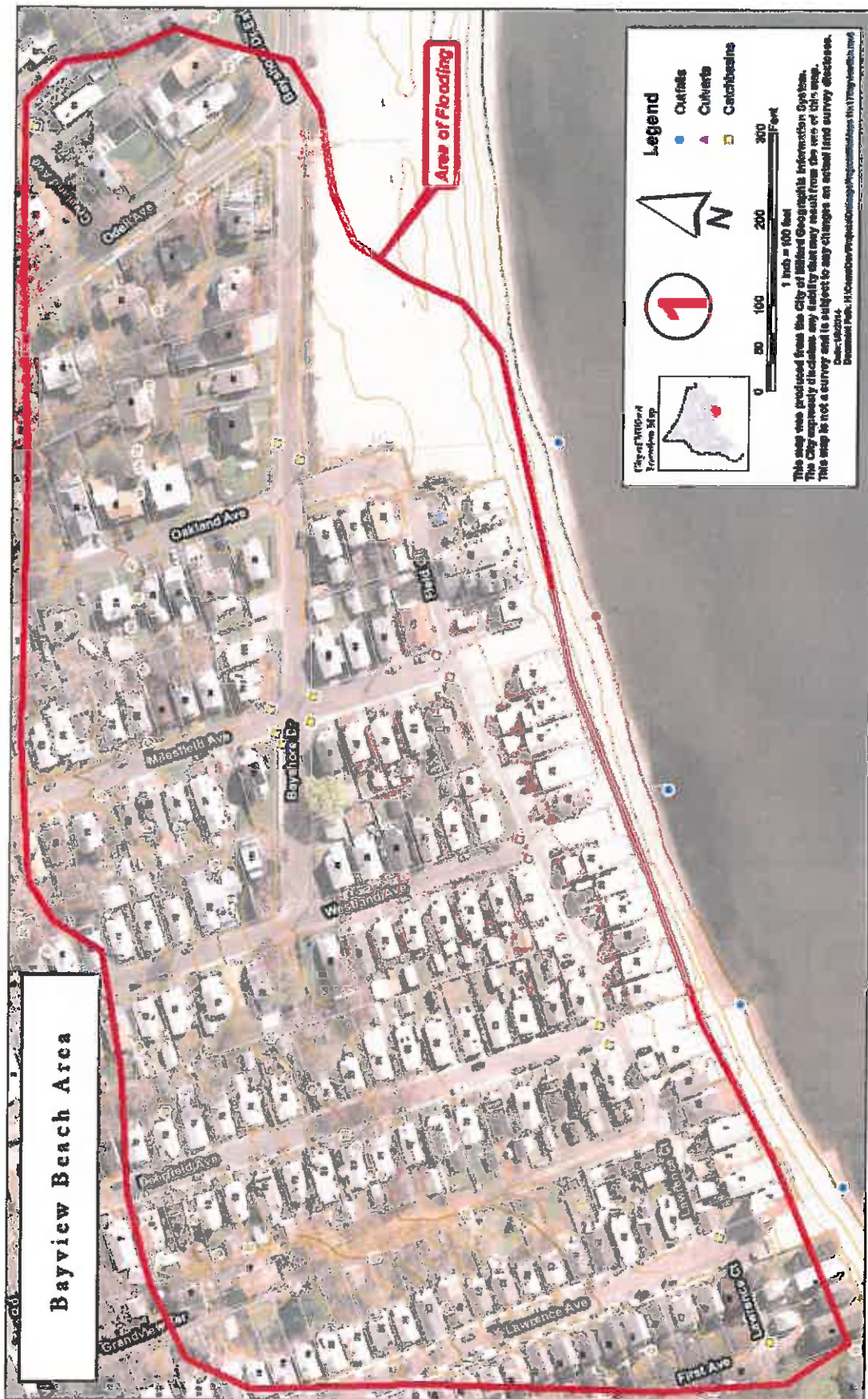
- a. DESIGN TO ALLEVIATE FLOODING AT HIGH TIDE.

9. CARMEN ROAD NORTH AND SOUTH

- a. DESIGN TO PREVENT HIGH TIDES AND STORM SURGE FROM ENTERING THE DRAINAGE OUTLET TO CALF PEN MEADOW MARSH.

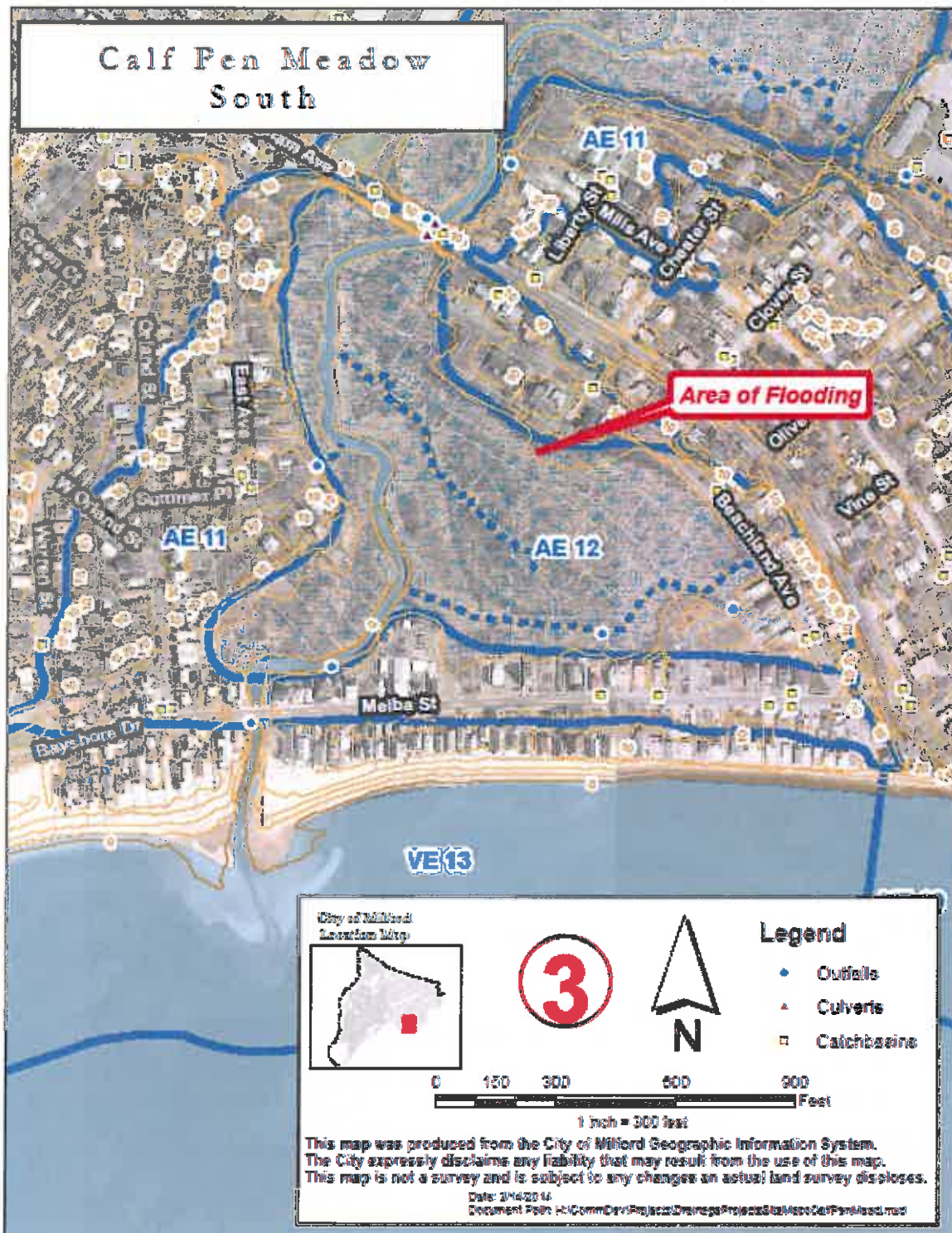
10. PASCAL DRIVE-GOLF COURSE

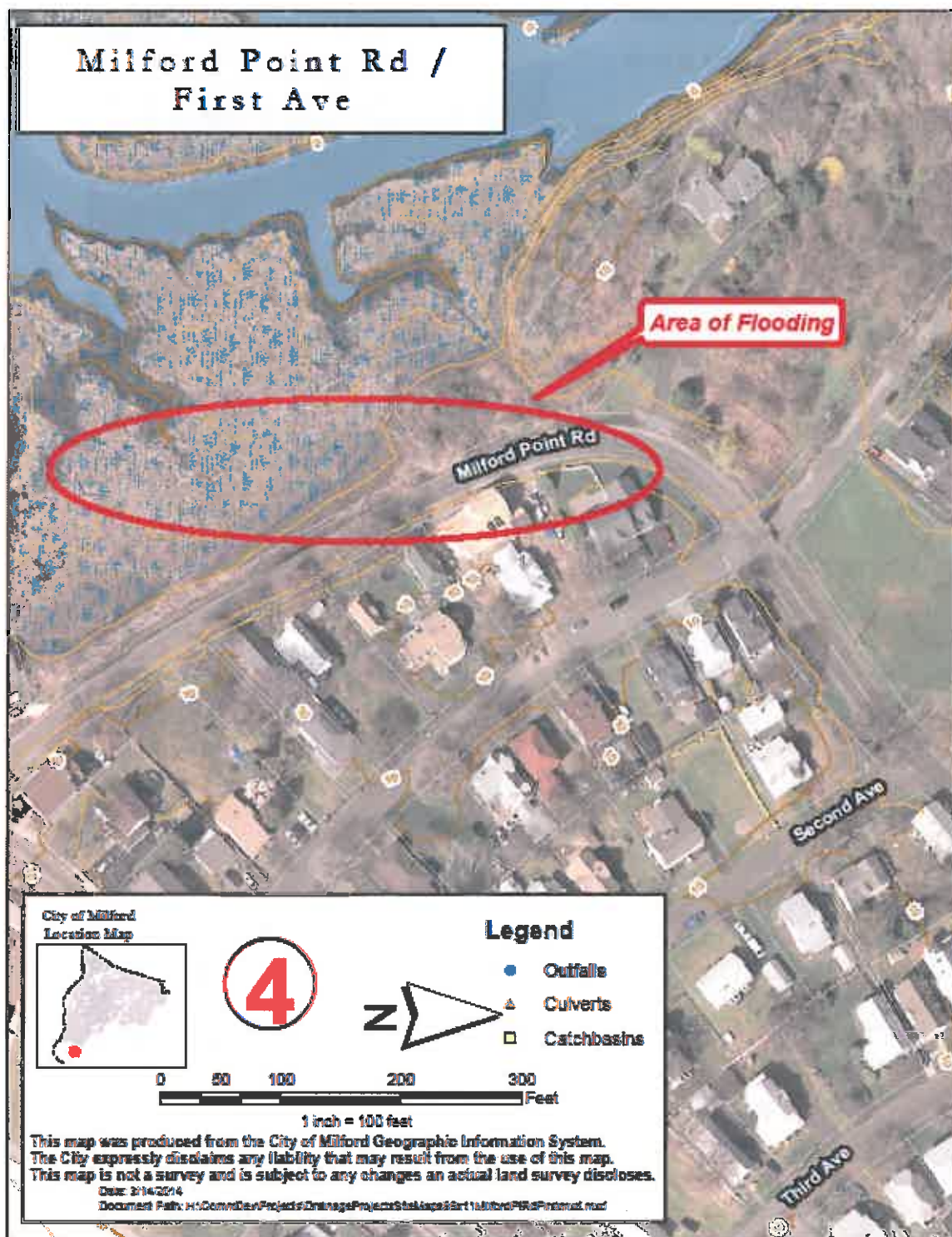
DESIGN TO ALLEVIATE RUNOFF FROM GOLF COURSE FROM FLOODING THE REAR OF #73 PASCAL DRIVE

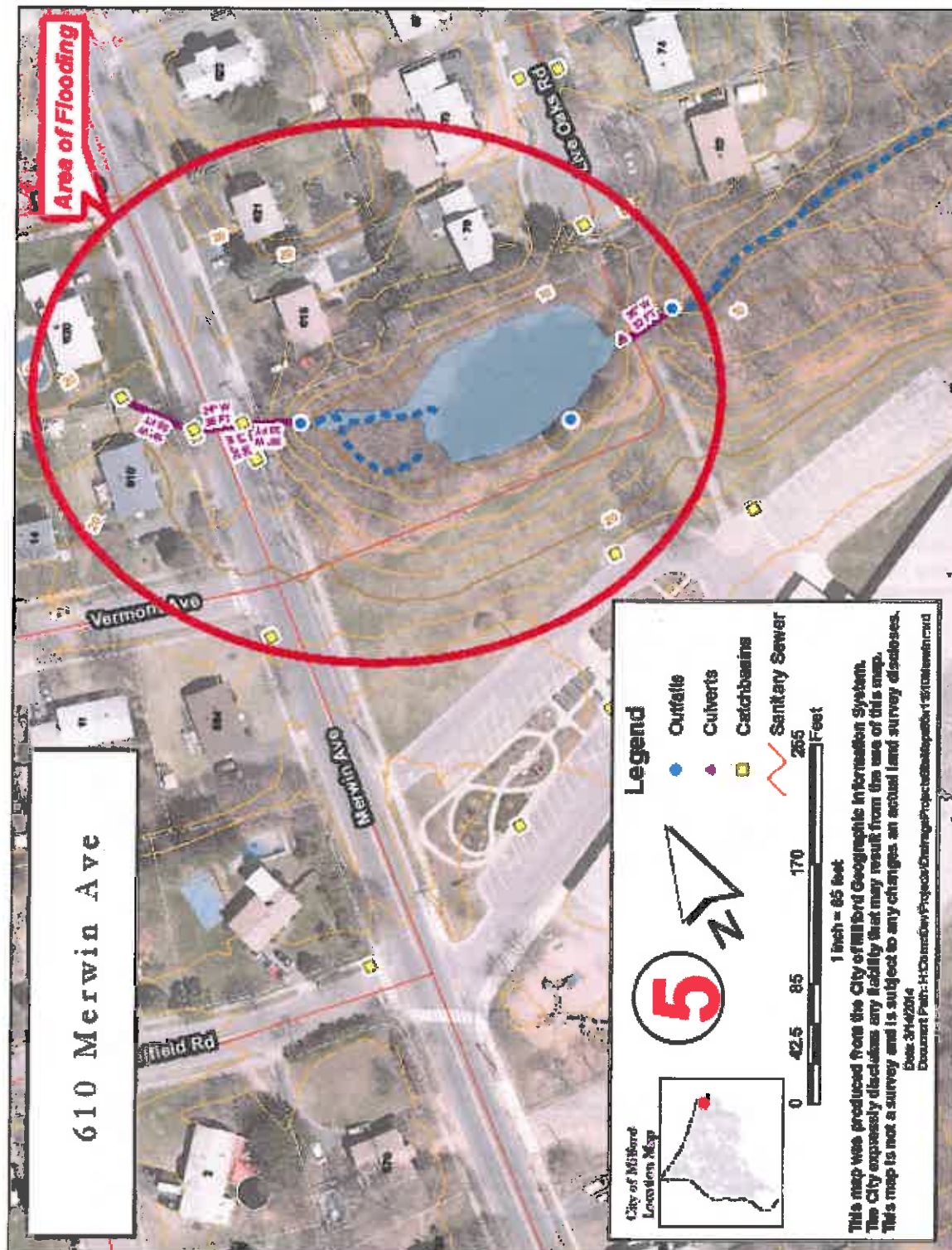


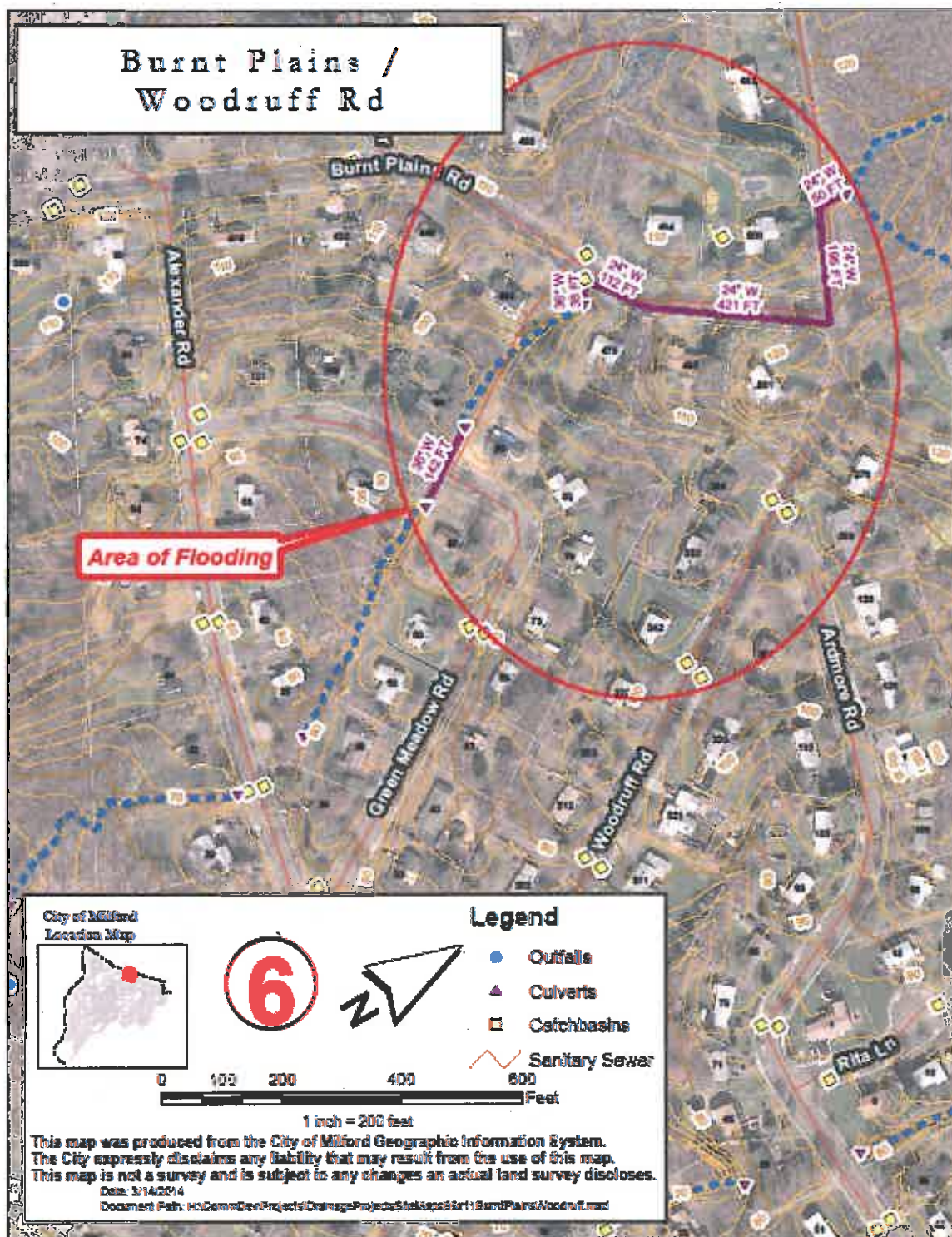


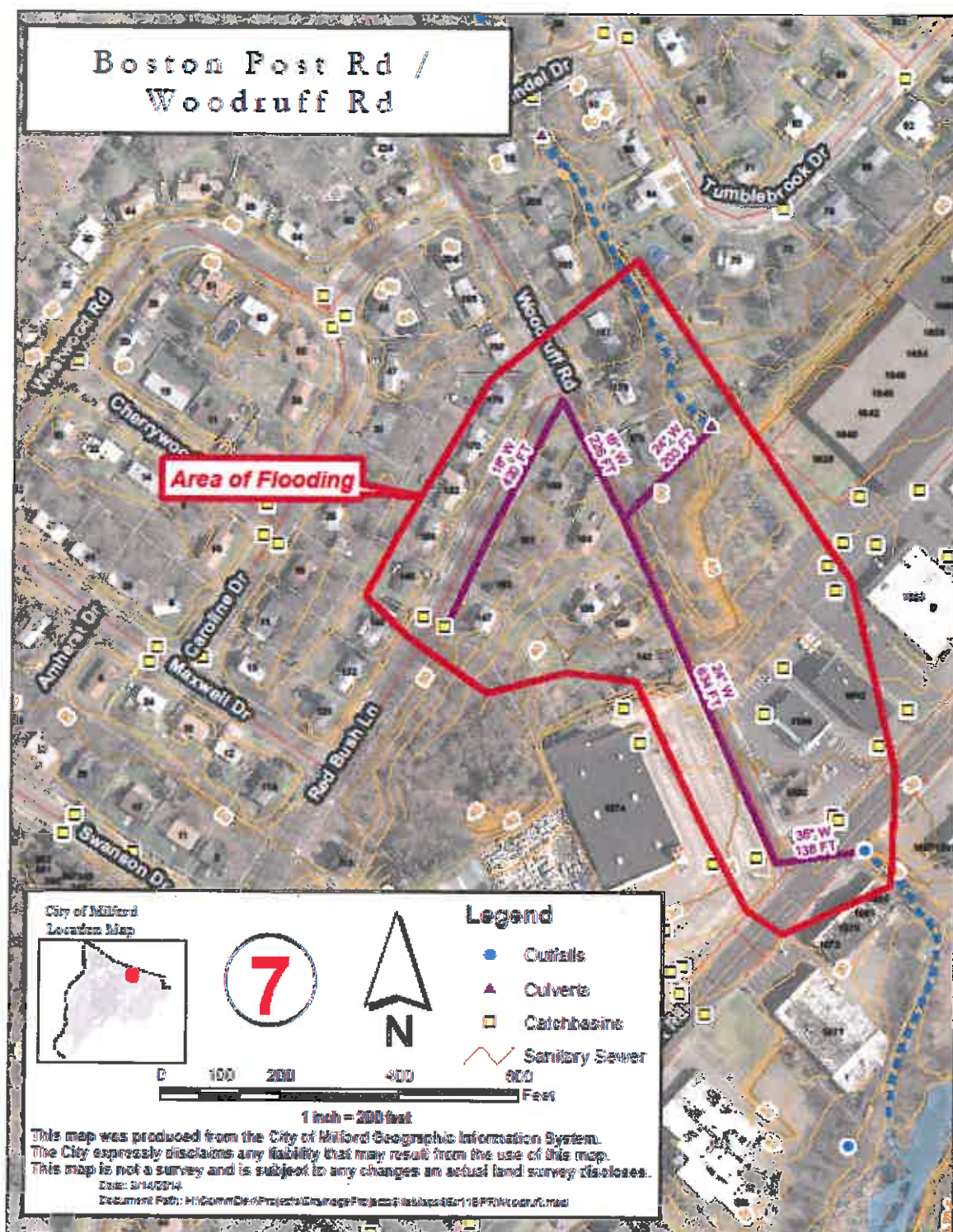
Calf Pen Meadow South

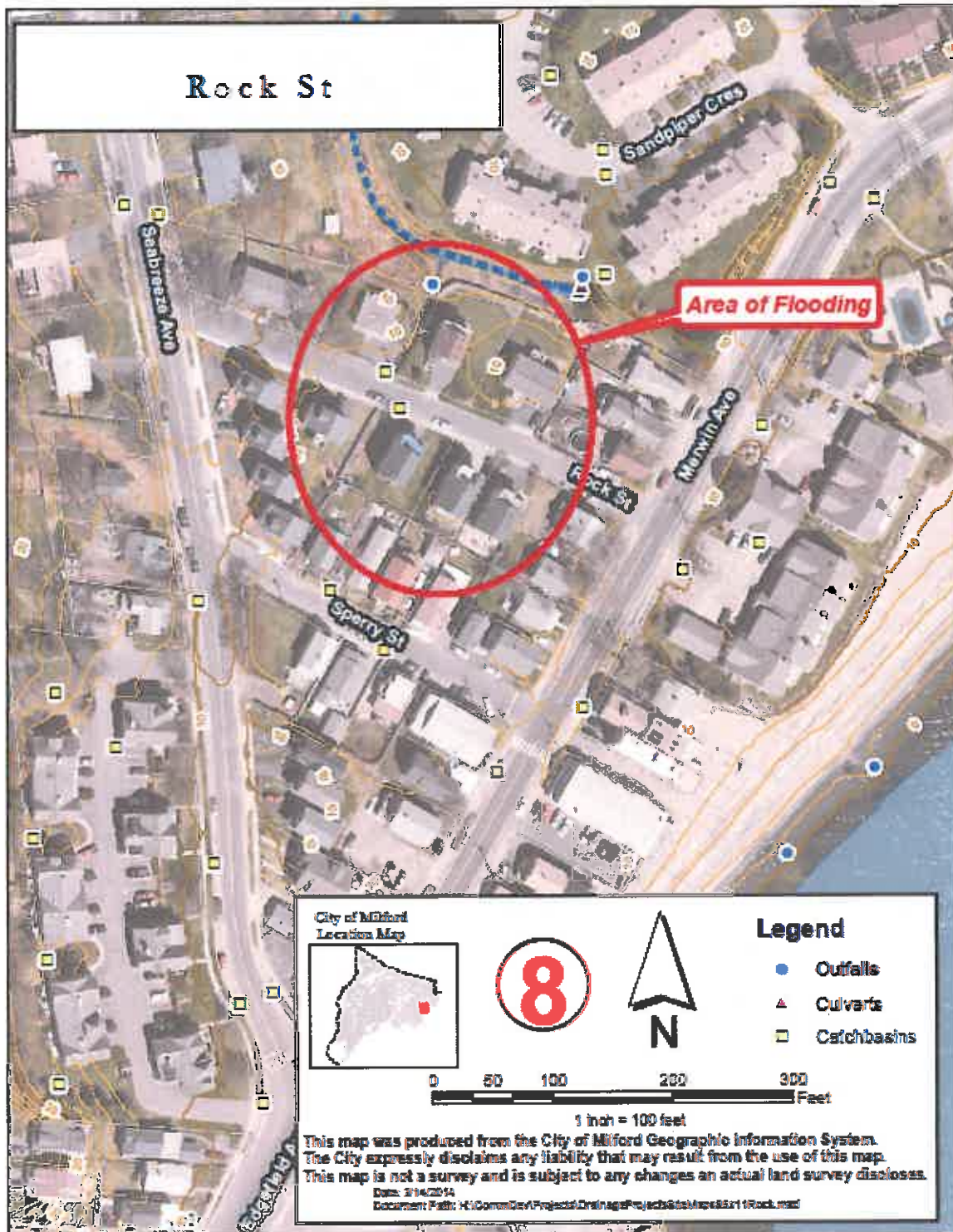


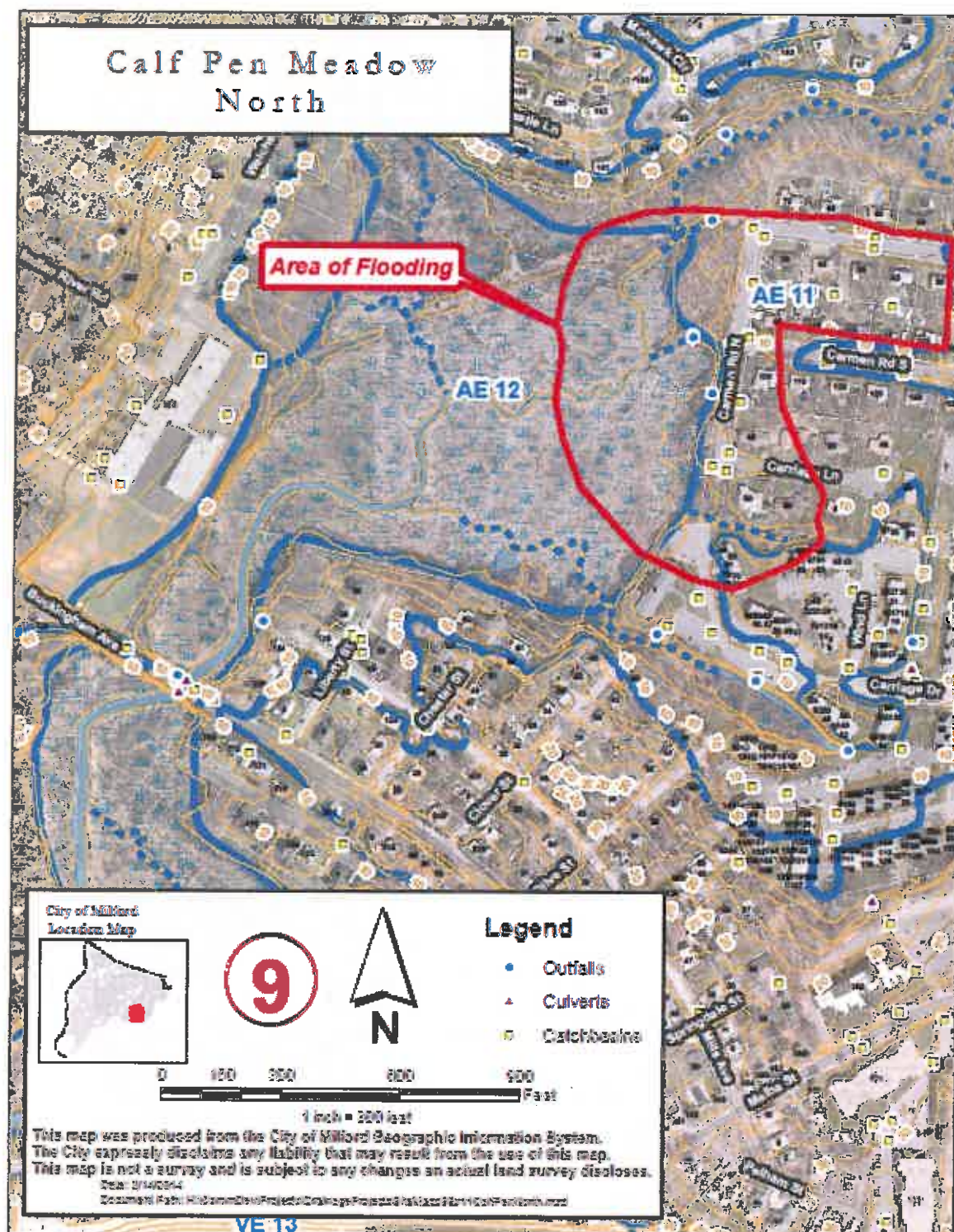












Paschal Drive and Golf Course

Area of Flooding

City of Milford
Location Map



10



Legend

- Outfalls
- Culverts
- Catchbasins

0 50 100 200 300 Feet

1 inch = 100 feet

This map was produced from the City of Milford Geographic Information System.
The City expressly disclaims any liability that may result from the use of this map.
This map is not a survey and is subject to any changes an actual land survey discloses.
Date: 2/14/2014
Document Path: H:\CommDev\Projects\Drainage\Projects\Belknap\Bart\Paschal.mxd

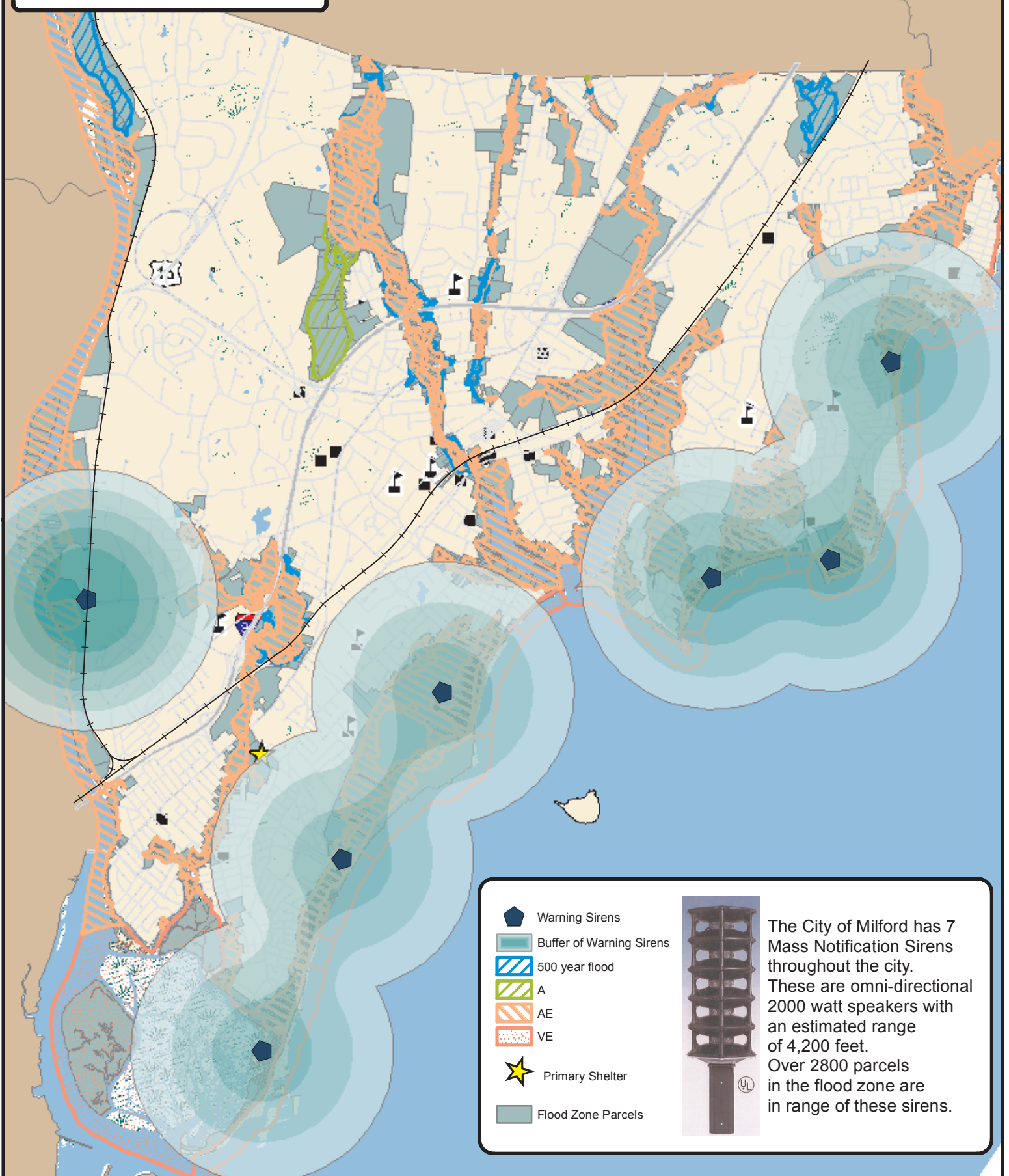
610

Flood Warning and Response



Flood Warning Siren Impact Area City of Milford

0 0.25 0.5 0.75 1 Miles



- Warning Sirens
- Buffer of Warning Sirens
- 500 year flood
- A
- AE
- VE
- Primary Shelter
- Flood Zone Parcels



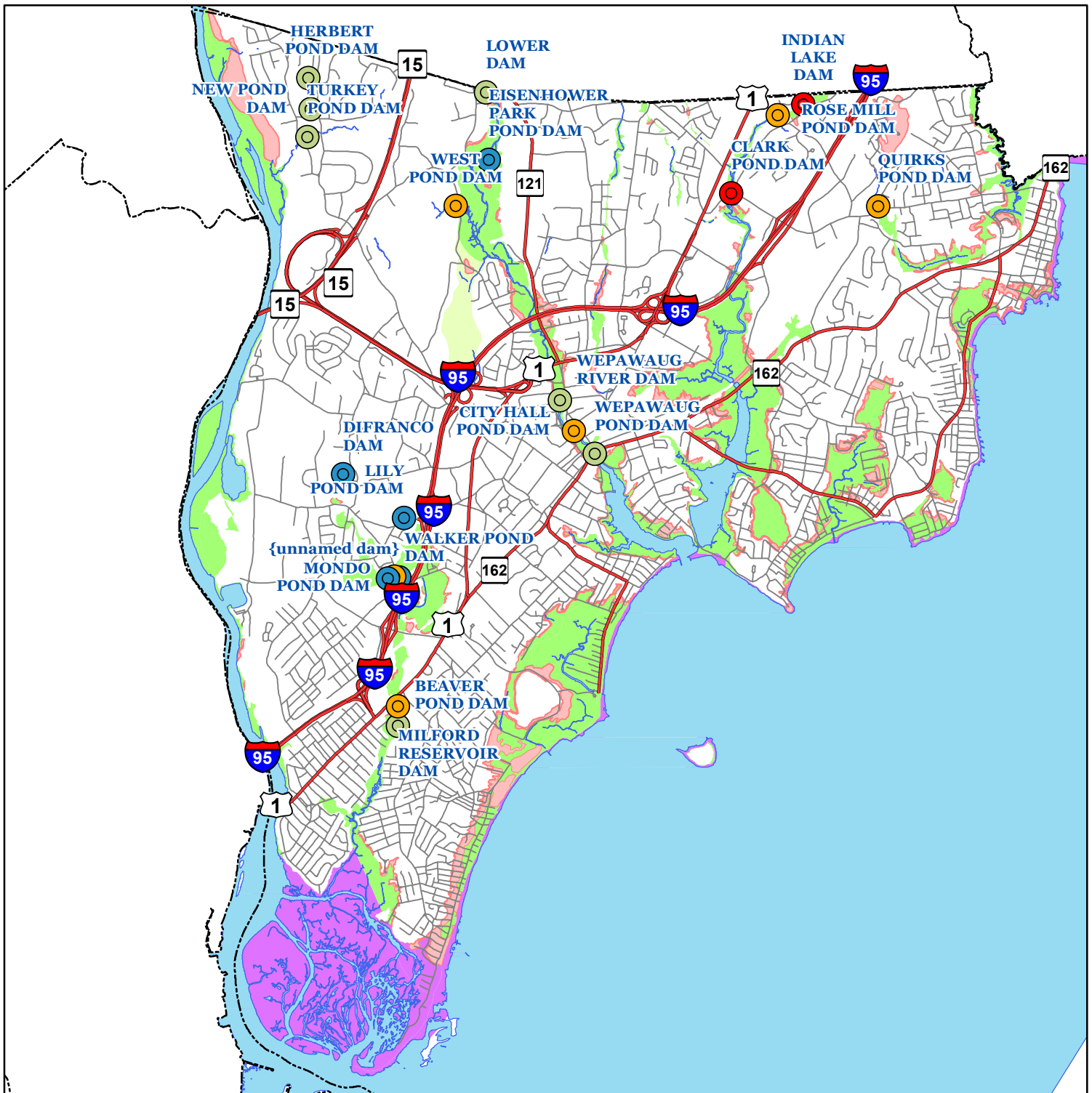
The City of Milford has 7 Mass Notification Sirens throughout the city. These are omni-directional 2000 watt speakers with an estimated range of 4,200 feet. Over 2800 parcels in the flood zone are in range of these sirens.

630

Dams

milford dams

FID	DAM	DAM_NAME	QUAD_NO	SBAS_NO
0	A	HERBERT POND DAM	94	6000
1	A	NEW POND DAM	94	6000
2	A	TURKEY POND DAM	94	6000
3	A	LOWER DAM	94	5307
4		EISENHOWER PARK POND DAM	94	5307
5	BB	WEST POND DAM	94	5307
6	B	INDIAN LAKE DAM	110	5306
7	BB	ROSE MILL POND DAM	110	5306
8	B	CLARK POND DAM	110	5306
9	BB	QUIRKS POND DAM	110	5000
10		DIFRANCO DAM	110	6000
11	A	WEPAWAUG RIVER DAM	110	5307
12	BB	CITY HALL POND DAM	110	5307
13		LILY POND DAM	110	6000
14	A	WEPAWAUG POND DAM	110	5307
15		NIGS POND DAM	110	6000
16	BB	MONDO POND DAM	110	6000
17		{unnamed dam}	110	6000
18	BB	MILFORD RESERVOIR DAM	110	6000
19	A	BEAVER POND DAM	110	6000



CT DEEP DAM HAZARD RISK

MILFORD NATURAL HAZARD MITIGATION PLAN

MILFORD, CONNECTICUT

0 2,500 5,000 10,000 15,000 Feet

1 inch = 5,000 feet

This map was produced from the City of Milford Geographic Information System. The City expressly disclaims any liability that may result from the use of this map. This map is not a survey and is subject to any changes an actual land survey discloses.

City of Milford, CT - MIS Department

Date: 1/29/2013

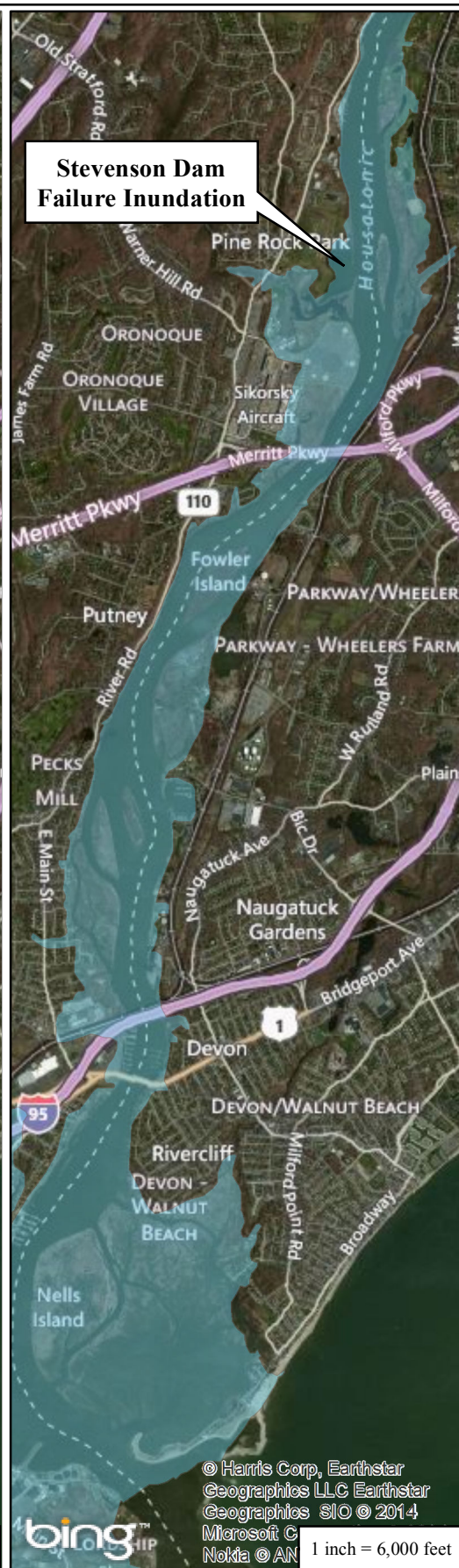
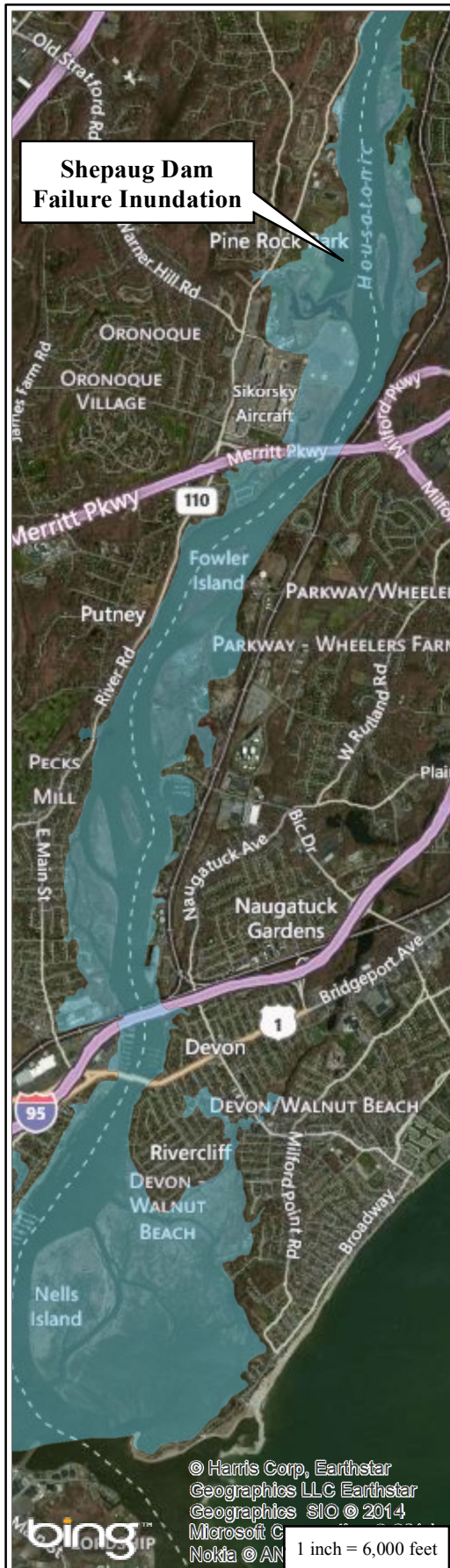
Path: \\Mgis\gis\Projects\HazardMitigationPlan\Projects\Natural Hazard Mitigation Plan_Dams.mxd



Legend

- Unclassified
- A - Low Potential Hazard
- BB - Moderate Hazard Potential
- B - High Potential Hazard

FEMA Floodzones

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- VE



SOURCE(S): Dam Failure Areas from Connecticut DEEP (2013)	Dam Failure Inundation Areas		LOCATION: Milford, CT
	Coastal Resilience through CRS		<div> Map By: scottb MMI#: 2625-23 Original: 8/13/2014 Revision: 8/13/2014 Scale: As Noted </div> <div>  MILONE & MACBROOM 99 Realty Drive Cheshire, CT 06410 (203) 271-1773 Fax: (203) 272-9733 www.miloneandmacbroom.com </div>

APPENDIX C
Program for Public Information

**CITY OF MILFORD
COMMUNITY RATING SYSTEM (CRS)
PROGRAM FOR PUBLIC INFORMATION**

Adopted January 14, 2015

MMI # 2625-23

Prepared for the:



CITY OF MILFORD, CONNECTICUT
70 West River Street
Milford, CT 06460
(203) 783-3200
<http://www.ci.milford.ct.us>

Prepared by:

MILONE & MACBROOM, INC.
99 Realty Drive
Cheshire, Connecticut 06410
(203) 271-1773
www.miloneandmacbroom.com

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Appendix

Record of Adoption – Flood and Erosion Control Meeting Minutes, January 14, 2015

1.0 Background

Standard residential homeowners and commercial property insurance policies do not cover flood losses. To meet the need for this vital coverage, the Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP). The NFIP offers flood insurance in communities that comply with minimum standards for floodplain management and mitigation. The program enables property owners in participating communities to purchase insurance protection from the government against losses from flooding. This insurance is designed to provide an alternative to disaster assistance to meet the escalating costs of repairing damage to structures and their contents caused by flooding.

The Community Rating System (CRS) recognizes community efforts beyond those minimum standards by reducing flood insurance premiums for the community's property owners. There are 3 primary goals of the CRS program; reduce flood damage to insurable property; strengthen and support the insurance aspects of the NFIP, and encourage a comprehensive approach to floodplain management and mitigation.

In 2013, the CRS Program was revised and the Program for Public Information (PPI) was introduced as an element of Activity 330 (Outreach Projects). The PPI is intended to be a planning tool that provides a coordinated approach to flood hazard outreach and education.

Over the years, the City of Milford has developed and distributed numerous public outreach materials to address potential flood hazards in the community. However, in light of recent flood events, the City believes it would be beneficial to the community as a whole to develop a comprehensive outreach plan, specific to flood hazards.

Therefore, the overarching goals of this PPI are to 1) develop a long-term public outreach program that will utilize opportunities to increase general awareness to flood hazards and preparedness and 2) reduce flood risks by providing the public with effective tools and information that can be used before, during and following a flood event.

2.0 Development and Role of the PPI Committee

According to the CRS Manual the Community's PPI must be developed by a committee of individuals from inside and outside local government. The Committee must include at least five individuals, with one being a representative of the community's floodplain management office and one being a representative of the community's public information office, if there is one, and at least half of the committee must be from outside local government. Based on these criteria, the City of Milford has identified the following eight stakeholders to be members of the PPI Committee:

Table 1
PPI Committee Members

Individual	Affiliation
Mr. Thomas Bach	Flood and Erosion Control Board
Mr. Drew Berndlmaier, P.E.	Flood and Erosion Control Board
Mr. Patrick Tokarz	Flood and Erosion Control Board
Mr. Michael Zabinski, PhD	Flood and Erosion Control Board
Mr. John Casey, P.E.	Flood and Erosion Control Board
Mr. Joe Griffith	Director, Department of Permitting and Land Use, City Flood Plain Manager
Mr. Gary Wassmer, P.E., L.S., CFM	City Engineer, Department of Public Works
Mr. Chris Saley	Director, Department of Public Works

The primary role of the PPI Committee is to assess the overall needs of the community with respect to flooding and develop strategies for conveying this information to the community through a comprehensive outreach plan. The committee members will assist in developing the PPI plan by providing suggestions on areas of the City that should be targeted for outreach. The Committee will also determine what type of message should be conveyed and how often to distribute the materials.

Meetings to discuss the PPI and any associated outreach projects will follow the monthly Flood and Erosion Control Board Meetings on the second Tuesday of each month. The PPI will be reviewed and approved by all committee members prior to adoption.

3.0 Community Assessment

The City of Milford is located in western New Haven County and is home to a population of approximately 52,849 residents. Milford has 23,924 units of housing of which 71% are single-family units. Many of these homes are within coastal areas and are therefore subject to periodic flooding.

Flood Hazard

The City of Milford has significant flood risk. This section of the plan provides an overall summary of flood risk. Details can be found in Appendix A. The descriptions in this section and in Appendix A were taken from the City's Hazard Mitigation Plan Update in an effort to integrate the two documents.

Milford is a coastal community surrounded and intersected by waterbodies. It is bordered on the south and southeast by Long Island Sound and on the west by the Housatonic River estuary. It is centrally bisected north to south by the Wepawaug River. The easterly part of the city is bisected by the Calf Pen Creek and Farley Brook/Oyster River systems, and the westerly part of the city is bisected by the Beaver Brook system.

As a result of its geography and topography, the City has strong potential for flooding, as identified on FEMA Risk Maps. GIS analysis calculates the flood zones as encompassing 7.6 square miles or more than one-third of the city. Hurricanes and coastal storms have caused severe coastal flooding as well as flooding along the Wepawaug River. Milford's shoreline juts into Long Island Sound making it more vulnerable.

In general, the potential for flooding is widespread across Milford, with the majority of major flooding occurring along established SFHAs. The areas impacted by overflow of river systems are generally limited to river corridors and floodplains. Indirect flooding that occurs outside floodplains and localized nuisance flooding along tributaries are also common problems in the City. This type of flooding occurs particularly along roadways as a result of inadequate drainage and other factors. The frequency of flooding in Milford is considered likely for any given year, with flood damage potentially having significant effects during extreme events.

Flood Insurance Data

The number of households in the City of Milford that have flood insurance is 2,899.

Repetitive Loss Properties

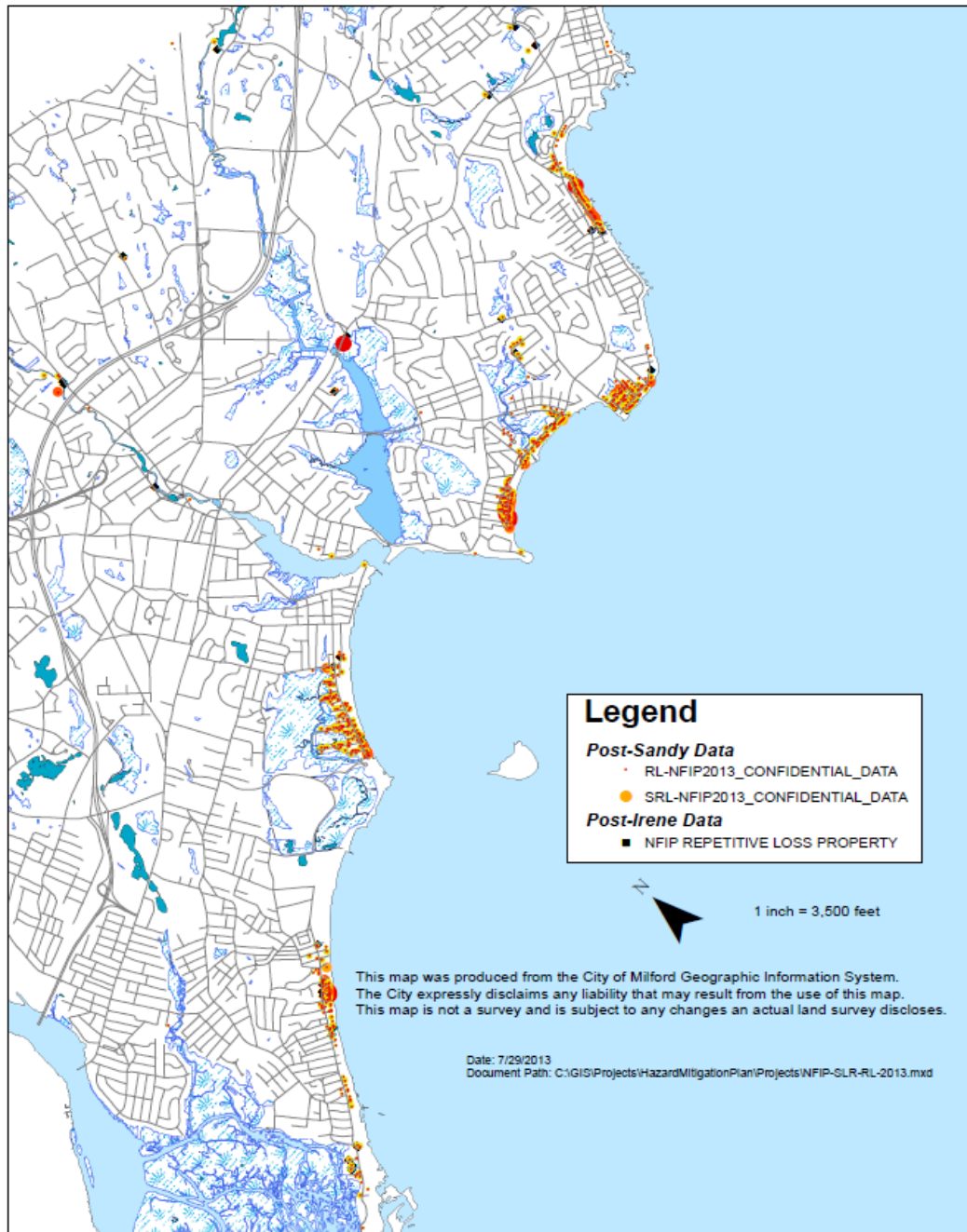
Following Tropical Storm Irene, there were 31 severe repetitive loss (SRL) properties in the City of Milford. These properties are predominantly located in the Field Court, Point Beach and Hillside neighborhoods. Following Hurricane Sandy the number of SRL properties increased to 46.

Following Tropical Storm Irene there were 164 repetitive loss (RL) properties within the City of Milford located predominantly within the same areas as the SRL properties referenced above. Following Hurricane Sandy, the number of repetitive loss properties increased to 519. A map of the SRL and RL areas is included as Figure 1.

Community Rating System Self-Assessment

Included as an attachment to this PPI is a copy of the CRS Self-Assessment that was completed by the former City of Milford Floodplain Manager in 2013. The Self-Assessment is tool designed to provide communities with a stronger understanding of their flood risk. The assessment provides additional information regarding repetitive loss areas, severe repetitive loss properties and an overview of flood prone areas within the City of Milford.

Figure 1
Severe Repetitive Loss and Repetitive Loss Areas



3.1 Target Audiences

While flooding most often occurs within FEMA designated flood zones, it is important to note that flooding due to drainage issues and other factors can occur throughout the entire City. Therefore, the PPI has been developed to target all residents within the City of Milford. However, more detailed information will be developed and distributed to the specific groups referenced below.

All Milford Residents – Basic information will be developed and distributed to all residents within the City of Milford with respect to flooding.

Repetitive Loss Areas and Residents within the Floodplain – Many of these areas are within FEMA designated flood zones and specific outreach material will be developed for these areas. There are 519 repetitive loss properties within the City of Milford. These repeat claims demonstrate the serious nature of flood hazards and the need for greater flood protection measures.

Builders, Contractors, Engineers and Architects – It is important to ensure that these entities have a strong understanding of the permitting requirements, flood protection measures and applicable mitigation grants.

Real Estate Agents and Mortgage and Insurance Companies – Information will be provided that will allow these companies to notify potential homebuyers within special flood hazard areas of the flood hazard risk and flood insurance requirements.

3.2 Milford's Public Information Efforts

The City of Milford has actively participated in public outreach efforts through various methods. Specific measures that have been taken include:

- ❑ Flood Warning – The City has issued numerous press releases regarding flood risks and public safety. Examples of recent press releases are described below:

March 10, 2014 – “The City of Milford Releases Flood Information for National Flood Safety Awareness Week.”

May 9, 2014 – “New FEMA Program Available for Severe Repetitive Loss and Repetitive Loss Properties.”

- ❑ Emergency Preparedness – The City's Emergency Management website has been updated to provide information of emergency preparedness and disaster relief. With respect to flooding, the website provides shelter guidelines, information on preparing for floods and hurricanes, post flood home reentry, food safety and power outage guidance.

- ❑ Public Workshops – During 2013, the City held the following public workshops: *Introduction to Residential Coastal Construction* and *Rebuilding after Sandy*.
- ❑ Annual Mailer – An annual letter is sent to residents in Repetitive Loss Areas notifying them of potential risks and mitigation measures.
- ❑ Brochure – In June 2014, a brochure, which provided information on flood risk and preparedness as well as information on the NFIP program was included in resident's automobile tax bills. This mailer was included in the tax bills in an effort to reach both homeowners and renters.
- ❑ Regulations - Local regulations have been amended to ensure stricter floodplain management guidelines.

4.0 Messages and Outcomes

The following messages have been identified as the priorities for 2015-2016.

Table 2
Messages and Outcomes

	CRS Topic	Message	Outcome
A	Know your flood hazard	<ul style="list-style-type: none"> - Understand FIRMs - Understand SLOSH Maps - Understand Sea Level Rise (SLR) - Basic understanding of the causes of flooding. 	<ul style="list-style-type: none"> - Increased inquiries to City staff - Improved public knowledge of flood zones and SLR - Increased public awareness regarding flooding hazards
B	Insure your property for your flood hazard	<ul style="list-style-type: none"> - Obtain appropriate flood insurance - Consider purchasing flood insurance even if you are not in a flood zone 	<ul style="list-style-type: none"> - Increase in the number of flood insurance policies
C	Protect people from the hazard	<ul style="list-style-type: none"> - Do not drive through flooded areas. - Evacuate when advised 	<ul style="list-style-type: none"> - Reduced risk of loss of life and property damage.
D	Protect your property from the hazard	<ul style="list-style-type: none"> - Elevate your structure higher than required 	<ul style="list-style-type: none"> - Reduction in flood insurance rates - Reduce risk of damage due to flooding
E	Build responsibly	<ul style="list-style-type: none"> - Follow all applicable regulations - Obtain all necessary permits 	<ul style="list-style-type: none"> - Reduced number of enforcement violations - Reduce risks as noted above

	CRS Topic	Message	Outcome
F	Protect natural floodplain functions	- Don't dump fill in floodplains	- Improve flood storage capacity
G	Flood Warning and Preparedness	- Be prepared ahead of time	- Improved warning and response time

Outreach Projects

Based on the messages and intended outcomes referenced in Table 4-1, the following outreach projects have been developed and will be implemented with the intention of improving public awareness and overall understanding of flood risks and the benefits of preparedness. Additional information regarding each project is included in Table 4-2.

- ☐ Develop a brochure that explains the FIRM and SLOSH maps
- ☐ City staff to present a public workshop on Sea Level Rise.
- ☐ Consider providing notification to prospective buyers regarding flood-related hazards, such as erosion, subsidence, or wetland by adding appropriate disclosures to the Assessors property cards.
- ☐ Provide information on the NFIP program and the Flood Smart program to local real estate agents.
- ☐ Host a public workshop designed to inform local real estate agents of the need for agents to notify those interested in purchasing properties located in the Special Flood Hazard Area (SFHA) about the flood hazard and the flood insurance purchase requirement.
- ☐ Distribute brochures to local real estate agents that advise potential buyers to investigate the flood hazard for a property.
- ☐ Make the National Weather Service brochure "Don't Drown, Turn Around" available in public locations such as City Hall and the Public Library.
- ☐ Update the emergency management services website to include evacuation routes.
- ☐ Develop an annual flood preparedness brochure to send to all properties within the SFHAs.
- ☐ Send an annual letter to all repetitive loss properties. The letter should advise residents of the benefits of elevating structures above the base flood elevation.
- ☐ Hold local a local workshop designed to inform builders, contractors, engineers, and architects of local regulations and permitting requirements.
- ☐ Develop and distribute a public information brochure regarding the placement of fill in floodplains, watercourses or tidal marshes.
- ☐ Update the Emergency Management website to include a link to real-time gage information so users can see current water levels and, where available, flood height predictions.
- ☐ During the 2015 Atlantic hurricane season, National Hurricane Center (NHC) will issue the potential storm surge flooding map when hurricane watches and warnings

are in effect. The Emergency Management website should be updated to include a link to the NHC (<http://www.nhc.noaa.gov/>).

- ❑ The City will develop and publicize an annual mailer which will be directed to all properties within the floodplain and notifies them that the City is available to provide advice and assistance regarding flood protection.
- ❑ The City should consider becoming a National Weather Service Storm Ready Community. If the City does not currently meet the requirements to apply, a plan should be developed to determine the appropriate steps needed to become eligible.

Table 3
Public Outreach Projects and Responsibilities

Relevant Message (Table 4-1)	Intended Outcome (Table 4-1)	Target Audiences	Project	Responsible Department	Implementation Date
A - Know your flood hazard	Understand FIRM's	All Milford Residents	Develop and distribute brochures that explain the FIRM and SLOSH maps	Planning and Zoning	2015
	Understand SLOSH Maps	Repetitive Loss Areas and residents within the floodplain			
	Understand Sea Level Rise (SLR)	Real Estate Agents, Mortgage and Insurance Companies	City staff to present a public workshop on Sea Level Rise.	Planning and Zoning	2015
	Basic understanding of the causes of flooding.	Builders, Contractors, Engineers and Architects	Consider putting a link to FEMA flood maps on the Assessor's web page.	Assessor's Office	2015
B - Insure your property for your flood hazard	Obtain appropriate flood insurance	Repetitive Loss Areas and Residents within the floodplain	Develop an annual flood preparedness brochure to send to all properties within the floodplain.	Planning and Zoning	2015
	Consider purchasing flood insurance even if you are not in a flood zone	All Milford Residents	Provide information on the NFIP program and the Flood Smart program to local real estate agents.	Planning and Zoning	2015
C - Protect your property from the hazard	Do not drive through flooded areas. Evacuate when advised	All Milford Residents	Host a public workshop designed to inform local real estate agents of the need for agents to notify those interested in purchasing properties located in the Special Flood Hazard Area (SFHA) about the flood hazard and the flood insurance purchase requirement.	Planning and Zoning	2015
			Make the National Weather Service brochure "Don't Drown, Turn Around" available in public locations such as City Hall and the Public Library.	Emergency Management	2015
			Update the emergency management services website to include evacuation routes.	Emergency Management	2015

Relevant Message (Table 4-1)	Intended Outcome (Table 4-1)	Target Audiences	Project	Responsible Department	Implementation Date
D- Protect your property from the hazard	Elevate your structure higher than required	Repetitive Loss Areas and residents within the floodplain	Send an annual letter to all repetitive loss properties. The letter should advise residents of the benefits of elevating structures above the base flood elevation.	Planning and Zoning	2015
		Real Estate Agents, Mortgage and Insurance Companies	Distribute brochures to local real estate agents that advise potential buyers to investigate the flood hazard for a property.	Planning and Zoning	2015
E - Build responsibly	Follow all applicable regulations Obtain all necessary permits	Builders, Contractors, Engineers and Architects	Hold a local workshop designed to inform builders, contractors, engineers, and architects of local regulations and permitting requirements.	Permitting and Land Use	2015
F - Protect natural floodplain functions	Don't dump fill in floodplains	All Milford Residents Repetitive Loss Areas	Develop and distribute a public information brochure regarding the placement of fill in floodplains.	Permitting and Land Use	2015
G – Flood Warning & Preparedness	Be prepared ahead of time	Repetitive Loss Properties & residents within the floodplain	Update the Emergency Management website to include a link to real-time gage information so users can see current water levels and, where available, flood height predictions.	Emergency Management	2015
			The City will develop and publicize an annual mailer which will be directed to all properties within the floodplain and notifies them that the City is available to provide advice and assistance regarding flood protection.	Planning and Zoning	2015
			The City should consider becoming a National Weather Service Storm Ready Community. If the City does not currently meet the requirements to apply, a plan should be developed to determine the appropriate measures needed to become eligible.	Emergency Management	2015

5.0 Progress Monitoring

The PPI Committee will meet on the second Tuesday of each month following the monthly Flood and Erosion Control Board Meetings. The Committee will review and evaluate the PPI to determine its effectiveness in meeting established goals.

In addition, the City of Milford's annual CRS recertification will include an evaluation and status of all proposed outreach projects and efforts. This report will also include any projects that should be added, revised or deleted.

6.0 Plan Adoption

This document was effective upon adoption by the City of Milford Flood and Erosion Control Board on January 14, 2015. Meeting notes are included in the appendix.

Appendix

Record of Adoption Flood and Erosion Control Meeting Minutes January 14, 2015

**FLOOD AND EROSION CONTROL BOARD
REGULAR MEETING
JANUARY 14, 2015**

The Flood and Erosion Control Board held a meeting on Tuesday, January 13, 2015 in Conference Room A of the Parsons Government Complex. Acting Chairman Zabinski called the meeting to order at 7:00 p.m.

I. Roll Call

Board Members Present

Michael Zabinski
Thomas E. Bach
Drew Berndlmaier
John Casey

Also Present

Chris Saley, Public Works Director
Gary Wassmer, City Engineer
Meghan McGaffin, GIS Analyst

Excused: Patrick Tokarz

II. Election of Officers

Mr. Zabinski stated he would be interested in continuing to serve as chairman.

Mr. Bach and Mr. Casey made and seconded a motion to nominate Mr. Zabinski as Chairman.

There being no further nominations, nominations for Chairman were closed.

Motion carried unanimously.

Chairman Zabinski reported Mr. Tokarz would like to continue serving as Vice Chairman.

Mr. Bach and Mr. Berndlmaier made and seconded a motion to nominate Mr. Tokarz as Vice Chairman.

There being no further nominations for Vice Chairman, nominations for Vice Chairman were closed.

Motion carried unanimously.

III. Public Participation

None.

V. Consideration of Minutes of December 9, 2014.

Mr. Bach and Mr. Casey made and seconded a motion to accept the minutes of the December 9, 2014 meeting with the following changes:

p. 1, 2nd paragraph from the bottom should read “***GIS Analyst***”, not GIS Coordinator. In the same paragraph, last sentence should read “spoke of the ***CRS rating***”, not ISO rating.

p. 2, 1st paragraph, 2nd sentence should read ***CRS***, not CRA.

p. 2, 7th paragraph from the bottom, 2nd sentence should read ***representation***, not reprehensive.

Motion carried unanimously with the changes noted above.

VI. Unfinished Business

Chairman Zabinski stated he would entertain a motion to re-order the agenda and bring forward item VI (D).

Mr. Bach and Mr. Casey made and seconded a motion to re-order the agenda to bring forward item VI (D) Adoption of Program for Public Information (CRS Manual). Motion carried unanimously.

D) Update: RE: Adoption of Program for Public Information (CRS Manual) – Ms. McGaffin stated she was here tonight to answer any questions the Board may have regarding the Program for Public Information (CRS Manual). She explained each of the changes as outlined in her January 13, 2015 email.

Mr. Wassmer asked if the adoption of this plan was holding up anything, i.e. ISO.

Ms. McGaffin replied no. She also spoke about the Public Information Officer (PIO) and pointed out that language is only necessary if there is one. She stated the city does not have a PIO, only the police and fire departments have their own. She also stated Bill Richards would continue in his capacity with the fire and health departments. Ms. McGaffin continued with an explanation of the changes.

Chairman Zabinski asked about the dissemination of public information programs and the expectations. A brief discussion ensued.

Mr. Bach and Mr. Casey made and seconded a motion to adopt the Program for Public Information (CRS Manual) as presented January 14, 2015.

Mr. Casey referred the Board to p. 8 of the manual (3rd bullet) expressing concern there could be pushback from property owners and possibly sending up red flags or tainting a property.

Mr. Bach asked if this Board has a vote to say no. Discussion ensued.

Mr. Berndlmaier suggested they should agree as a Board before any action is taken. Discussion resumed.

Mr. Bach and Mr. Casey moved to amend the adoption of the Program for Public Information (CRS Manual), striking bullet #3 on page 8 regarding notification. Motion carried unanimously.

On the main motion, motion carried unanimously.

A) Update: RE: Drainage Projects – Mr. Wassmer reported he is still working on the Merwin Avenue drainage project. He also reported the City received grants from the Department of Housing for 3 of the 4 storm water projects that were applied for.

Mr. Saley stated he met with Mr. Milone and explained the Point Beach project was being funded by monies that the City had bonded. He continued with a lengthy explanation as to the project.

Mr. Wassmer also reported on the Milford Point Road project. He stated this project was not given a grant and would be submitted under the State LOTCIP Program. He also stated they are going to expand the project to include more of Milford Point Road. Mr. Wassmer also reported the other projects they received grants for were Bayview Beach Area and Calf Pen Meadow/Beachland Avenue. He reiterated Point Beach was denied, but that the City would be using the bonded money for the work. He also reported he would be meeting with DEEP next Tuesday to discuss the possibility of raising Beachland Avenue and also further discussions regarding Milford Point Road.

Mr. Saley noted there were not a lot of other options regarding Milford Point Road. Discussion ensued.

Mr. Saley stated the question regarding Calf Pen Meadow Road (near Melba) is the flood gate. Discussion ensued regarding the feasibility of a flood gate. He stated he and Mr. Wassmer would speak with Fuss & O'Neil regarding both projects and get back to the Board.

Mr. Berndlmaier agreed the Board should have a firm do a real analysis and know the full impact. Discussion resumed regarding raising Beachland Avenue.

Mr. Saley stated there is a \$150,000 grant for the study for the towns of Branford, Madison, Guilford and Milford and that an RFQ would be done. He stated each town would receive \$50,000. Mr. Saley stated he felt the focus should be Wildemere and Walnut beach areas. He noted there is a lot of private property. He also pointed out it is important to look at long term fixes. A brief discussion ensued.

B) Update: RE: Coastal Resilience - covered with VI (A)

C) Update: RE: RFQ – Study of Milford's entire oceanfront – Chris stated they will have more information once the four towns get together.

Mr. Casey stated he wished to revisit the Beachland Avenue project and be clear which project they were doing and if they are actually two separate projects.

Mr. Wassmer stated they should sit down with Fuss & O'Neil to discuss it further. Discussion ensued.

Mr. Berndlmaier reiterated they would be raising Beachland as well as looking at the study. Discussion resumed regarding the study.

Mr. Saley explained the construction administration work would be done in-house.

Mr. Bach stated he wished to clarify that the Point Beach project was denied, but the work would be done with bonding monies.

Mr. Saley replied yes. He explained some of the work that has been done to the catch basins which has helped a lot, but that there is still work to be done. A brief discussion ensued.

Mr. Saley stated the Gulf Beach and Rock Road work would be done in-house as well as the golf course area and Carmen Road. He stated he expected to be in better shape in the next 6 months and that he would have a better understanding of where they stand with regard to the monies.

VII. New Business

Chairman Zabinski stated they would add Bylaws revision to the agenda for next month. He asked each Board member to take a look at the model they received

Being no further business, Mr. Bach and Mr. Berndlmaier made and seconded a motion to adjourn. Motion carried unanimously.

The meeting adjourned at 8:29 p.m.

Respectfully submitted,

Kathleen Kennedy Huber
Recording Secretary

APPENDIX D
Subdivision Regulations

SUBDIVISION REGULATIONS

CITY OF MILFORD, CONNECTICUT

JANUARY 2004

SUBDIVISION REGULATIONS
OF THE
CITY OF MILFORD, CONNECTICUT

PLANNING AND ZONING BOARD

Jeanne Cervin
Frank J. Goodrich
Bradford W. Hubler
Vincent Hutter
John T. Jansen
Mark Lofthouse
John Ludtke
Kevin Norman
Stephen B. Povroznik, III
Philip J. Vetro (left Board)
Betsey Wright (left Board)
Michael Mizzone (left Board)
Christopher Godek (left Board)

CITY PLANNER: Wade E. Pierce

ASSISTANT CITY PLANNER: Peter W. Crabtree

ZONING ENFORCEMENT OFFICER: Linda Stock

ADOPTED: December 16, 2003

EFFECTIVE DATE: January 2, 2004

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SUBDIVISION REGULATIONS

Amended February 27, 1973

Effective March 3, 1973

Amended to September 29, 1978

Amended to July 19, 1983

Amended to August 20, 1983

Amended to December 6, 1983

Amended to November 29, 1985

Amended to May 8, 1989

Amended to August 7, 1993

Amended to January 2, 2004

CHAPTER I DECLARATION OF POLICY

SECTION 1.1 AUTHORITY

By the authority of the General Statutes of the State of Connecticut and the Charter for the City of Milford, as amended, the City Planning and Zoning Board is empowered to approve any subdivision of land and to adopt regulations covering the subdivision of land.

SECTION 1.2 POLICY

It is declared to be the policy of the City Planning and Zoning Board to consider land subdivisions as a part of a plan for the orderly, efficient, and economical development of the City. This means, among other things, that land to be subdivided shall be of such character that it can be used for building purposes without danger to health and safety; that proper provision shall be made for water supply, storm drainage and sanitary sewerage; that the proposed streets shall be in harmony with existing or proposed principal thoroughfares shown in the Plan of Conservation and Development, especially in regard to safe intersections with such thoroughfares, and so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs; that, in places deemed proper by the Board, open spaces for parks and playgrounds shall be shown on the subdivision plan; that undue density of population shall be avoided, especially where development would create an undue burden on municipal facilities; that adequate access to properties for fire-fighting apparatus shall be provided; that adequate light and

air shall be afforded to all properties; and that the completed subdivision shall accomplish the development of land as envisaged in the City Plan of Conservation and Development, including the use of conservation design principles established as a policy in the Plan. These principles are contained in Appendix A.

CHAPTER II SUBMISSION PROCEDURES

SECTION 2.1 GENERAL

The Planning and Zoning Board strongly recommends that, prior to submission of an official application for approval of a subdivision or resubdivision, the applicant prepare and present to the Board at a regular meeting a preliminary plan of the subdivision or resubdivision for informal consideration by the Board. In addition, the applicant is strongly advised to discuss informally with the City Engineer, Director of Public Health, and other interested parties, his or her plan of subdivision prior to submitting a formal application. This is recommended in order that the applicant may acquaint himself or herself with any current plans for development of the City; avail himself or herself of the assistance of the Board before preparation of applications or plans to save unnecessary time and expense due to a lack of understanding of the Regulations; and familiarize himself or herself in advance with State and City Regulations relative to health, buildings, roads and other pertinent data, as well as these subdivision regulations and the requirements contained herein, so that he or she is thoroughly aware of the obligations and standards expected. It is contemplated that such discussions will inform the applicant as to the desires of the Board, City Engineer, Director of Public Health, and other interested parties, as regards street, public facility, and utility development in the City. Informal presentation to the Board, prior to filing an official application for a Final Subdivision Plan, can be scheduled by submitting a letter to the Board requesting a place on the agenda at least two weeks prior to a regular public meeting. Neither the preliminary plan nor the informal consideration by either the Board or any City department and/or employee, however, shall be deemed to constitute any portion of the official and formal procedure of applying for and approving subdivisions or resubdivisions of land as described in Chapter 126 of the General Statutes of the State of Connecticut as amended, nor should it be binding on either the Board or the applicant.

SECTION 2.2 REQUIRED FINAL SUBDIVISION PLAN

Whenever any subdivision of land (as defined in these regulations and including resubdivision) is proposed to be made, and before any lots are sold, and before any building permit for the erection of a structure in such proposed subdivision shall be granted, the subdividing owner, or the subdividing owner's authorized agent, shall apply for approval of such proposed subdivision in accordance with the following procedures.

2.2.1 DISCUSSION OF REQUIREMENTS

Before preparing the Final Subdivision Plan, the applicant should discuss with the Board's Executive Secretary and the City Engineer the requirements for the subdivision of land.

2.2.2 APPLICATION

The subdivider shall file, in duplicate, an application for the consideration of a Final Subdivision Plan, on forms prescribed by the Board, accompanied by a fee of sixty dollars (\$60.00) or twenty dollars (\$20.00) per lot for each lot shown on the Final Subdivision Plan, whichever fee is greater. A resubdivision is an additional eighty-five dollars (\$85.00)

2.2.3 SUBMISSION OF MAPS

The applicant shall cause the proposed subdivision to be accurately surveyed, and shall submit four paper prints of each of the maps required under Section 4.1, herein. The Final Subdivision Plan including the Record Map, Construction Plans and the Plan-Profiles shall, in all respects, be in conformity with Chapter IV of these Regulations entitled "Specifications for Final Subdivision Plans and As-Built Plans."

2.2.4 TECHNICAL APPROVALS

The applicant shall obtain from the City Engineer approval of the proposed street layout, alignment, and grades and drainage design, together with a recommendation for the amount of bond, and from the Director of Public Health, approval of the proposed design for sewage disposal facilities. In the event the City Engineer or the Director of Public Health refuses to approve the applicant's proposal, then the applicant shall obtain a report from such office setting forth the facts of the controversy and shall deliver such report to the Executive Secretary. The Board may also require approvals from the Police Department and the Fire Department as to access by fire fighting, police and other public safety equipment to the proposed subdivision. In addition, approvals by the Sewer Commission and Inland Wetlands Commission may be required.

2.2.5 ACCEPTANCE BY EXECUTIVE SECRETARY

At the time of the filing of the Final Subdivision Plan, the Executive Secretary shall accept such plan and shall place the matter on the agenda of the next regular public meeting of the Board; provided the Plan is received and accepted at least two weeks prior to such meeting and further provided, the applicant delivers the required technical approvals or reports at least one week before such meeting. If the above described time requirements are not met, the Plan shall be held for the subsequent regular public meeting of the Board.

2.2.6 APPLICANT TO ATTEND BOARD MEETING

The applicant, or the applicant's authorized representative, should attend the meeting of the Board for which the Final Subdivision Plan has been placed on the Board's agenda. The Board may defer consideration of any Final Subdivision Plan to the next regular public meeting if the applicant, or the applicant's representative, does not appear at such meeting.

2.2.7 REPORT OF EXECUTIVE SECRETARY

At the regular public meeting of the Board at which said Final Subdivision Plan is first considered, the Executive Secretary shall present the reports of the City Engineer and the Director

of Public Health, as well as his or her own report summarizing the facts of the proposed subdivision together with his or her recommendations and comments.

2.2.8 STUDY OF PLAN

The Board shall study the practicability of the Final Subdivision Plan taking into consideration the objectives stated in Chapter I of these Regulations, the requirements of the community and the best arrangement of the land being subdivided. Particular attention will be given to the pattern, location, and width of streets, their relation to the topography of the land, sewage disposal, drainage, lot sizes and arrangement, the location of trees, the future development of adjoining lands as yet unsubdivided, protection of natural assets described in the Natural Resources Inventory, and the requirements of the City Plan of Conservation and Development.

2.2.9 PUBLIC HEARING

A public hearing regarding a subdivision application may be held by the Board, if, in its judgment, the circumstances require such action. The Board shall hold a public hearing on any application for a re-subdivision. Notice of any public hearing shall be given in accordance with State Statutes. Whether or not a public hearing is held, every applicant shall be afforded the opportunity to appear before the Board to discuss the application before final action by the Board.

2.2.10 ACTION BY BOARD

Within 65 days after the public hearing thereon or, if no public hearing was held, within 65 days after the date of submission of the Final Subdivision Plan, (as defined in these Regulations) the Board shall take action on the application. Such action shall consist of tentative approval to become final upon the submission of any required bond or easement rights, tentative approval to become final upon the completion of required improvements, or disapproval. In tentatively approving or disapproving an application, the Board shall state in its records any conditions of approval, any modifications required, and the grounds for its action.

2.2.11 NOTIFICATION OF ACTION

The Executive Secretary shall, within 15 days, post notice of the decision of the Board in accordance with State Statutes. In the case of an approval given, subject to the posting of a performance bond, said bond shall be posted in accordance with the provisions of Section 2.4, herein.

2.2.12 FILING PLANS WITH THE BOARD

Plans filed with the Board for approval shall consist of a Record Map, Construction Plans, and Plan and Profile Drawings. Plans shall be submitted on twenty-four inch by thirty-six inch (24" x 36") sheets and shall be drawn to a scale of one inch equals forty (40) feet or, if necessary, one inch equals one hundred (100) feet. Two copies of the Record Map shall be submitted and shall be prepared to meet the filing requirements for maps specified by the Connecticut Office of the Public Records Administrator. The remainder of the plans may be submitted as paper prints.

2.2.13 ENDORSEMENT OF PLAN

The Chair of the Board or the Executive Secretary shall endorse the Final Subdivision Plan on behalf of the Board when all the conditions of approval have been complied with.

2.2.14 VOID IF ALTERED

If the Final Subdivision Plan is altered, changed, erased, or revised between the time the Board's approval is endorsed on the Plan and the time the Plan is filed with the City Clerk, the approval shall be null and void unless the alterations have been approved by the Board and so indicated on said Plan.

2.2.15 RECORDING OF ENDORSED PLAN

Within ninety days following the tentative approval by the Board, the applicant shall file the endorsed Final Subdivision Plan and any required easements, restrictions or deeds with the City Clerk. Any Final Subdivision Plan not so filed or recorded shall become null and void.

SECTION 2.3 MODIFIED PROCEDURES

2.3.1 ADJUSTMENT OF EXISTING LOT BOUNDARIES

Where it is proposed to adjust existing lot boundaries without increasing the number of lots, without changing any lots except in accordance with the standards of the zone in which it is located, and without changing any street or an area reserved for public use, a Correction Map showing such lot boundary changes may be approved in writing by the Chair of the Board. The procedure of Section 2.1 and 2.2 above may be omitted in whole or in part, if in the judgment of the Chair, no useful purpose would be served by such requirements. The Chair shall report each such action at the next regular public meeting of the Board where the action shall be placed in the Board's minutes. The Executive Secretary shall keep a record of each such map and the applicant shall file an endorsed copy of said Correction Map with the City Clerk.

2.3.2 SPECIAL PERMIT USE

Where an applicant proposes a subdivision, or any portion thereof, which is subject to Special Permit and Site Plan Approval under the Zoning Regulations, the Planning and Zoning Board may approve and permit said subdivision, or portion thereof, subject to all applicable procedures and requirements of both these Regulations and the Zoning Regulations. The Planning and Zoning Board may, upon written request by the applicant, allow the simultaneous submission of an application for Special Permit and Site Plan Approval and filing of an application for a Final Subdivision Plan, subject to legal notice and public hearing in accordance with State Statutes.

SECTION 2.4 PERFORMANCE BOND AND INSPECTION.

2.4.1 INSTALLATION OF IMPROVEMENTS

The subdivider shall install all street, drainage, sanitary, and other improvements specified in the Planning and Zoning Board's action granting tentative approval of the Final Subdivision Plan within ninety days after such tentative approval and prior to endorsement by the Board or, as an alternative, if the subdivider elects to file such Plan before installing the required improvements, the subdivider shall within ninety days after the Board's tentative approval, post a performance bond in an amount to be set by the Board which is based upon an estimate determined by the Director of Public Works to be sufficient to secure to the City of Milford the actual installation of the required improvements within two years after the date of acceptance of such bond. If all the required work is not completed within such two year period, the Board may grant extensions for one year periods provided that the bond is adjusted to reflect current construction costs, and further provided that all required improvements shall be completed within five years of the date of tentative approval of the Final Subdivision Plan.

2.4.1.1 The subdivider shall specify in his or her application which of the two alternatives he or she proposes to follow. In any event, no construction work shall be started before the Board has granted tentative approval to the Final Subdivision Plan, and a bond is posted with the Executive Secretary. If a public utility is required by the Board, the Board may accept assurance in writing from each public utility company whose facilities are proposed to be installed, in lieu of bond. If said subdivider transfers or sells 50% or more of his interest in the land for which no Certificate of Occupancy has yet been issued and which is covered by the Final Subdivision Plan, the bond covering such plan shall be in default until such time as the new owner shall endorse the agreement and the bond as an additional Party of the First Part and as an additional principal with the written consent of the surety, or until the new owner presents an acceptable agreement and surety bond in his or her own name.

2.4.2 BOND

The performance bond shall be a licensed surety company bond, written in accordance with a form supplied by the Board and satisfactory to the City Attorney as to form, sufficiency and manner of execution. The terms of such bond shall require completion of the work within two years. Alternatively, the Board may, upon written request, allow the assignment of a Savings Bank Deposit Book or a Certified Check.

2.4.2.1 A performance bond equal to 10% of the total original bond shall be required for a period of one year after the initial acceptance of the required improvements to guarantee the quality of workmanship, material and construction of these improvements. The developer shall comply with the instructions of the Board and also institute correction measures, repairs, and maintenance on his or her own initiative, as needed, to insure the first class condition of all municipal improvements during the year and at the termination of the maintenance period.

2.4.3 INSPECTION

The City Director of Public Works or a designated representative or a Planning and Zoning Board member or staff shall be the inspection agent of the Board to assure that all City specifications and Board requirements are met during the construction of the required improvements. Said inspector shall notify in writing the Executive Secretary of progress during construction and upon completion of the required improvements.

2.4.3.1 If during any phase of construction, it shall appear to the Director of Public Works or his or her designated representative that the City specifications or Board requirements are not being complied with, notice shall be immediately given, in writing, to the Zoning Enforcement Officer by the Director of Public Works or his or her designated representative, setting forth the nature and extent of the non-compliance. The Zoning Enforcement Officer shall forthwith give written notice to the developer and any other person, firm or organization who may be responsible for such non-compliance. Such notice shall state the nature of the non-compliance and shall direct the developer and any other person, firm, or organization responsible, to cease and desist such non-compliance and shall direct that all work be corrected so as to comply with City specifications or Board requirements. A copy of such notice, from the Zoning Enforcement Officer, may be mailed directly to the office of the surety company issuing the performance bond. If the developer or any other person, firm, or organization fails to comply with the terms of such notice within a period of ten (10) days, the Zoning Enforcement Officer shall cause all work on such subdivision to stop and may refer the matter to the City Attorney or Prosecutor for further legal action.

2.4.4 RELEASE OF BOND

Prior to the release of any subdivision or performance bond, the applicant shall comply with the requirements of Section 4.2 of these Regulations entitled "As-Built Plans." Upon submission of the required as-built plans and documents in accordance with Section 4.2, herein, completion of the required improvements to the satisfaction of the Director of Public Works and the Board, delivery of instruments for any required easements satisfactory to the City Attorney, and the fulfillment of any other requirement or conditions of approval, the Board shall, except as permitted below, adopt a resolution to reduce the performance bond to a sum equal to 10% of the total original bond which shall be held for one year to assure satisfactory operation and proper maintenance, and shall be released thereafter; provided that all the provisions as stated in Section 2.4.2, herein, have been complied with to the full satisfaction of the Planning and Zoning Board. In the case of bonds for amounts of \$5,000 or less covering work not liable to defects or to need maintenance work, the Board may release the entire bond.

SECTION 2.5 DEDICATION AND ACCEPTANCE

Approval by the Board of a Final Subdivision Plan shall not be deemed to constitute or effect any acceptance by the City of any street, recreation area, easement, or any other improvement or open space area shown on the Plan.

2.5.1 FORMAL NOTATION OF INTENT

Streets, recreation areas, easements, and other improvements or open space areas shown on the Final Subdivision Plan may be offered for dedication to the City by formal notation thereof on the approved Plan. The Board may require the filing of a written agreement between the subdivider and the City regarding the future ownership and maintenance responsibilities for such formally offered improvements or open space area.

2.5.2 FORMAL OFFER OF DEDICATION

The recording of an endorsed Final Subdivision Plan shall constitute an irrevocable offer of dedication by the subdivision owner to the City of Milford for streets, recreation areas, easements, and other improvements and open space areas which are formally offered and so noted on the approved Plan.

2.5.3 OFFICIAL ACCEPTANCE

Official acceptance of formal offers of dedication of streets, recreation areas, easements, and other improvements and open space areas shown on the approved Final Subdivision Plan shall rest with the City. The City shall not officially accept any such formally offered improvements of open space areas unless and until all taxes thereon for any fiscal year or portion thereof have been paid by the subdivider. The subdivider shall be required to maintain such improvements and open space areas until they are officially accepted by the City.

CHAPTER III DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS

SECTION 3.1 GENERAL

Proposed subdivisions and all street, drainage and other improvements shall be designed and constructed in accordance with the Plan of Conservation and Development, the Zoning Regulations, Sewer Commission and City Engineer approval; any other official plans and applicable laws, ordinances, codes and regulations; and the standards and specifications hereinafter specified.

SECTION 3.2 BUILDING LOTS

Proposed building lots shall be of such size, shape, location, topography and character that buildings can be reasonably constructed, occupied and used for building purposes without danger to the health and safety of the occupants and the public. Land of such a character in its natural state that it is unsuitable for occupancy of building purposes because of danger to the public health, safety and welfare by reason of inaccessibility, difficult configuration, high ground water, flooding conditions, erosion hazards, ledge rock, steep sloping topography, severe soil conditions or other similar conditions shall be appropriately identified as a "Protection Area" on the Final Subdivision Plan and shall not be subdivided for residential use nor for such other uses as may increase danger to health, life or property or otherwise aggravate the hazard; unless and until

appropriate corrective measures have been taken by the subdivider to eliminate such hazards, subject to approval by the Planning and Zoning Board, City Engineer and the Director of Public Health. Proposed building lots shall be designed and arranged to make best use of the natural terrain, avoiding unnecessary re-grading, to protect the natural environment, to preserve the natural amenities such as waterbodies, watercourses, and vegetation, and generally adhere to recognized conservation design guidelines as described in Appendix A.

In the process of submitting subdivision plans, the applicant must provide a detailed resource site analysis map that indicates the location of all natural resources, based upon the City of Milford's Natural Resource Inventory, the Plan of Conservation and Development, and basic site photographs and analysis. These resources include, but are not limited to, watercourses and water bodies; wetlands and tidal/sand flats; woodlands; slopes over 25%; floodplains; ridgelines; trees over 18" caliper; significant geological features such as rock outcroppings, cliffs, areas shown on the Connecticut State and Federal Listed Species and Natural Communities Map; historic buildings or land features, such as stone walls; significant archeological features, such as Native American villages, campsites, or burial grounds, and other prehistoric features; and any other natural resources or features that are unique and significant to the site. The final subdivision plan must also indicate the location of these assets, and the layout of building lots should be so arranged as to have minimal impact upon these assets. In addition, the City may require the placement of conservation easements upon particularly important natural resources. The subdivision plans shall specifically address in a written narrative how the proposed project complies with the recommendations found in the Natural Resources Inventory.

Building lots should be arranged in a manner that minimizes the amount of impervious surface in the subdivision and minimizes the amount of road length required for the subdivision. Where feasible, building lots should be arranged to center around a natural resource, in a manner consistent with generally recognized conservation design guidelines as described in Appendix A.

3.2.1 LOT LAY-OUT AND DRIVEWAY ACCESS

Except where impractical or unreasonable, lots shall be so laid out that the driveways have access to a local street and not to a major road carrying general traffic.

3.2.2 LOT AREA TO PERMIT RESUBDIVISION

Where a tract is proposed to be subdivided into lots averaging more than double the minimum required lot area for the Zoning District in which said tract is located, the Board may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to properly serve such potential lots or otherwise required deed restrictions barring any resubdivision of the subject property. Any such required deed restrictions shall be recorded with the City Clerk and a copy shall be filed with the Executive Secretary.

3.2.3 LOT AREA TO PERMIT UTILITY FACILITIES

Each lot proposed to be served by a private, individual water well and/or a private, individual sewage disposal system shall be large enough to contain sufficient land of proper character to

permit satisfactory performance of such well and/or system, and shall comply with the regulations of the Director of Public Health.

3.2.4 CORNER LOT AREA

Corner lots shall be of sufficient size and dimensions so that any building placed thereon can conform to all yard requirements.

3.2.5 BUILDING SETBACK LINES

The Planning & Zoning Board may require buildings to be set back from the street line a distance greater than the minimum building setback line prescribed in the Zoning Regulations, where topography, soils or other conditions make such minimum building setback line impractical or undesirable, as determined by the Board, and/or where the Board deems said greater distance to be aesthetically desirable for the subject subdivision or portion thereof.

3.2.6 LOT DEPTH

Lots shall not be of unreasonable depth, encouraging the later creation of a second building lot at the rear. The depth of lots shall not, in general, exceed 2 1/2 times the actual lot width, except where topography, soil or other conditions create unusual circumstances.

3.2.7 SIDE LOT LINES

All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, unless a variation from this rule will give a better street or lot plan.

3.2.8 LOT MARKERS

Lot corners shall be marked with iron or steel pins at least three-quarter (3/4) inches in diameter and thirty inches in length. Monuments meeting the requirements of Section 3.4 may be substituted for iron pins. Lot corners occurring at bedrock outcroppings may be marked with a drill hole in the outcropping at least one (1) inch deep and no more than three-eighths (3/8) inch in diameter. Pins are not required for lot lines occurring along a watercourse, water body, or stonewall; or where a specimen tree occurs at a lot corner. The accurate placement and location of such lot markers shall be certified by a Licensed Land Surveyor.

3.2.9 ZONING COMPLIANCE

Each lot shall comply with the minimum requirements of the Zoning Regulations for the Zoning District in which it is located.

3.2.10 REAR LOTS

Rear lots shall have a minimum area of one acre, exclusive of any accessway. They shall be generally rectangular in shape and shall otherwise conform with the zoning requirements for rear

lots. They shall be provided with a private accessway to a public street, the width of which shall be at least 25 feet for residential uses and at least 50 feet for non-residential uses.

SECTION 3.3 STREETS

Street width and construction shall be in accordance with City standards. Streets shall be located and adequately constructed to accommodate the prospective traffic and to afford access of police, fire fighting, snow removal and other road maintenance equipment. They shall be arranged to provide for a safe and convenient flow of traffic. The arrangement of streets shall cause no undue hardship to adjoining properties.

3.3.1 STREET LAYOUT

The street plan of a proposed subdivision shall bear a logical relationship to the topography of the property, and all streets shall be arranged so as to obtain as many of the building lots as possible at or above the grade of the streets.

3.3.2 CONTINUATION OF EXISTING STREETS

The arrangement of streets in the proposed subdivision shall provide for the continuation of existing streets in adjoining subdivisions and for the proper projection of proposed streets into adjoining properties which are not yet subdivided, except where topography, soils, or other conditions make such continuance impractical or undesirable, as determined by the Board.

3.3.2.1 When a subdivision proposes the continuation of an existing dead-end street, it shall be the full responsibility of the subdivider to improve said street extension or connection; including, but not limited to, the removal of any temporary turnaround, the replacement of all curbs and driveway aprons, the replanting of all unpaved areas and the extension or connection of all other required improvements.

The Board may require the subdivider to post satisfactory surety to sufficiently cover the estimated cost of removing any existing turnaround area, replacing all curbs and driveway aprons, replanting of all unpaved areas extending the future street together with all other required improvements, or any portion of said removing, replacing, replanting, and extending which is or would be located between the point of termination of such dead-end street and the boundary of the subdivision.

3.3.2.2 When a right-of-way for a future street or extension of a street is proposed on a Subdivision Plan, the Board may require the subdivision to improve all or any portion of said right-of-way.

3.3.3 STREET WIDTHS

Streets shall be provided with appropriate right-of-way widths and roadway widths according to their classification. Widths shall be provided according to the following schedule:

<u>GENERAL STREET CLASSIFICATION</u>	<u>MINIMUM RIGHT-OF-WAY WIDTH (feet)</u>	<u>MINIMUM ROADWAY WIDTH (curb to curb in feet)</u>
Minor	50	30
Collector	60	40
Arterial	80	As Determined

Street classifications are indicated on the attached map from the Plan of Conservation and Development. Typical cross-sections for each class of street are shown in Appendix B. Private streets, other than those private roadways as described in Section 3.2.10, shall have a minimum roadway width of twenty (20) feet.

3.3.3.1 Where a subdivision abuts or contains an existing street which does not comply with the minimum width requirements, the Board may require additional widths where deemed necessary or less width only to connect existing streets within areas which were substantially built-up on the effective date of these Regulations. When required by the Board, the subdivider shall dedicate the necessary right-of-way to the City for street widening and shall show such right-of-way and/or roadway widening on the Final Subdivision Plan. Drainage or other improvements made necessary by the subdivision shall be constructed by the subdivider in such street.

3.3.4 DEAD END STREETS

Where permanent dead end streets are proposed in a subdivision, they shall not exceed 1,200 feet in length and shall terminate in a circular turnaround having a minimum right-of-way radius of 50 feet with a 25 foot right-of-way radius at each connection point, or shall terminate with another similarly shaped and adequately designed turning area of comparable maneuverability, subject to approval by the Board.

3.3.4.1 A temporary dead end street with an adequately designed turnaround area may be approved by the Board only when a right-of-way is provided to continue the proposed street from the turnaround area to the boundary of the subdivision. Said right-of-way shall be dedicated to the City or otherwise permanently secured for the City by the subdivider. In addition, any necessary slope rights on abutting property shall be either temporarily or permanently secured for the City by the subdivider, as required by the Director of Public Works.

(1) The Board may permit any portion of the required improvements to terminate at the beginning of the turnaround area.

(2) When a subdivision is proposed to be developed in stages, the Board may require the subdivider to post satisfactory surety to sufficiently cover the estimated cost of removing any temporary turnaround, replacing all curbs and driveway aprons, replanting all unpaved areas extending the future street together with all other required improvements, or any portion of said removing, replacing,



replanting, and extending which is or would be located between the point of termination at the beginning of the temporary turnaround area and the boundary of such subdivision section.

(3) The Board may require all buildings, structures, and uses to be setback from the street lines of a temporary turnaround area in the same manner as a permanent turnaround area.

3.3.4.2 A temporary dead-end street without turnaround provisions may be approved by the Board for the projection of future streets; provided that its length is equal to or less than the minimum required lot depth for the Zoning District in which it is located and further provided that it extends to the boundary of the subdivision.

The Board may require the subdivider to improve such dead-end street up to the boundary of the subdivision; or the Board shall require the subdivider to dedicate to the City or otherwise permanently secure for the City such dead-end street right-of-way. In addition, any necessary slope rights on abutting property shall be either temporarily or permanently secured for the City by the subdivider, as required by the Director of Public Works.

3.3.5 STREET GRADES

Grades of all streets shall generally conform to the natural terrain. Streets shall be designed to avoid excessive cuts and fills and to avoid a combination of steep grades and sharp curves.

3.3.5.1 Grades along streets shall not be less than one (1.0) percent nor more than five (5) percent for arterial streets and not less than one (1.0) percent nor more than eight (8) percent for collector and minor streets; except that grades of ten (10) percent may be permitted on minor streets for reasonably short distances, subject to approval by the Board and the City Engineer.

3.3.5.2 Slopes necessary for cut and fill sections which extend, or are proposed to extend, beyond the street line shall not be steeper than two feet horizontal to one foot vertical (2:1), except in rock cut. The Board or City Engineer may require flatter slopes as needed to maintain stability of the embankment. Embankments at street intersections shall be adequately cut back to provide the required minimum sight distance. No cut or fill slopes shall extend outside the boundary of the subdivision, unless appropriate slope rights are either temporarily or permanently secured for the City by the subdivider, as required by the Director of Public Works.

3.3.5.3 Areas disturbed due to grading and constructing the street shall be covered with topsoil and seeded.

3.3.6 VERTICAL CURVES

Vertical curves shall be provided for all changes in grade along the street. Their design shall conform to policies of the American Association of State Highway and Transportation Officials (AASHTO) and shall provide for a safe stopping distance and headlight sight distance appropriate for the posted, or expected, speed. A safe passing sight distance shall also be provided for collector and arterial streets.

3.3.7 HORIZONTAL CURVES

Horizontal curves shall be provided for all changes in direction along the street. Their design shall also conform to AASHTO policies and shall provide for a safe stopping distance appropriate for the posted, or expected, speed. A safe passing sight distance shall also be provided for collector and arterial streets. In addition, horizontal curves shall have a minimum radius along the centerline of 175 feet and a minimum tangent of 80 feet shall be provided between curves where practical, unless otherwise approved by the City Engineer, where conditions of compound curves or reverse curves might be necessary in the design of the road alignment.

3.3.8 STREET INTERSECTIONS

The following standards shall apply to all street intersections:

3.3.8.1 LAYOUT & SPACING

Intersections shall be spaced at least 150 feet apart, measured between centerlines; except that minor or collector street intersections with arterial streets shall, in general, be spaced at least 500 feet apart.

3.3.8.2 ANGLES

Except where impractical or undesirable, all streets shall intersect at approximately right angles. No intersections shall be less than 60 degrees. The angle of entry shall not become more acute than 60 degrees for a distance of at least one hundred feet from the center of the intersection.

3.3.8.3 RADII

At right angle street intersections, street lines shall be rounded by an arc having a minimum radius of 25 feet and curb lines shall be rounded by an arc having a minimum radius of 35 feet. The Board may require greater radii where the street intersection is sharper than 90 degrees.

3.3.8.4 GRADIENTS

The gradient of proposed streets at intersections shall not exceed three percent within a distance of 100 feet from the center of the intersection.

3.3.8.5 BLOCKS

In general, blocks shall not exceed 1,200 feet in length and shall be at least as wide as the minimum required lot depth for the Zoning District in which it is located.

3.3.8.6 MINIMUM SIGHT DISTANCE

Minimum sight distances shall be provided at intersections and shall conform to Connecticut Department of Transportation standards. Distances shall be based upon the posted, or expected, speed.

3.3.9 STREET NAMES

All streets shown on a proposed subdivision shall be named. Streets shall have names and not numbers or letters like 1st, First, or "A" Street. Proposed street names shall be substantially different so as not to be confused in sound or spelling with present names in the City of Milford, except that streets that join or are in alignment with streets of an abutting or neighboring property shall bear the same name. A list of currently used street names is on file in the City Engineer's office.

3.3.10 STREET IMPROVEMENTS

The developer shall install all required sidewalks, curbs, handicapped curb ramps, storm drains and pavement on proposed streets, as well as curbs, sidewalks, and pavement between the edge of existing pavement and the new curb line on existing streets which bound or intersect the proposed subdivision. Curbing is required along the edges of roads unless a special road edge design is approved by the Board. Such a design shall meet specific design purposes such as the reduction of impervious surface coverage. The developer shall also install all required street signs, monuments, driveway aprons and shade trees. Such improvements shall be installed in accordance with City or utility company standards and specifications. The developer shall make the necessary provisions with the utility companies for the installations of fire hydrants as directed by the Fire Department prior to occupancy of adjacent residences in accordance with the City Policy on location, and also guarantee to pay any rental or service charges until such time as the Board releases the developer's bond in accordance with Section 2.4 herein.

3.3.10.1 STREET PAVEMENT

Proposed streets shall be improved to their full width and shall be from curb to curb according to City specifications. Typical cross-sections for each class of street are shown in Appendix B.

3.3.10.2 DRIVEWAY APRONS

Driveway aprons shall be provided on all proposed streets and shall be designed to prevent storm water from running off the street onto any adjacent lot. Materials used to

construct driveway aprons shall be consistent with existing aprons in the area, compatible with the character of the neighborhood, and approved by the City Engineer.

3.3.10.3 CURBS

Curbs shall be provided along both edges of all proposed roadways and shall be constructed according to City standards. Curbs shall be constructed of granite, concrete, or asphalt consistent with existing curbing in the area and approved by the City Engineer. The requirement to provide curbs may be waived by the Board if conditions make such installation unnecessary or undesirable.

3.3.10.4 SIDEWALKS

The Board may require sidewalks on proposed streets, particularly within one-half mile of any school. The requirement to provide new sidewalks shall be based upon the presence of existing sidewalks and the purpose to be served by the new sidewalks. Purposes may include public safety as well as connection among areas and to points of destination, or to encourage the future establishment of sidewalks. Sidewalks shall be constructed according to City standards.

3.3.10.5 STREET SIGNS

Street name signs and traffic signs shall be provided at all proposed street intersections and shall be installed according to Department of Public Works standards.

3.3.10.6 TREE PROTECTION DURING CONSTRUCTION

No person may conduct any activity within the drip line or seven feet from the trunk, whichever is greater, of any tree designated to remain in the builder's site plan of development without prior approval of the Board. Protective barricades shall be placed around all required trees in or near development areas, as determined by the City Planner or designees, prior to the start of development activities. These barricades, constructed of wood or plastic fencing or other approved materials shall be erected in accordance with standards provided by the above said authorities, and shall remain in place until development activities are completed. The area within the protective barricade shall remain free of all building materials, dirt, fill, solvents or other construction debris, vehicles, and development activities. The City Planner or designees shall inspect and approve the landscaping protection prior to the start of development activities. This approval shall be recorded in the applicant's file.

3.3.11 DRIVEWAYS

All lots shall be served by a driveway located on the subject lot, unless an alternate location is specifically approved by the Board. Driveways shall be at least twelve (12) feet wide and have a maximum slope of ten (10) percent. They shall be constructed to prevent excessive water from draining onto the street or sidewalk. Proposed driveways

shall be provided with an unobstructed site distance of at least one hundred fifty (150) feet in each direction. Driveways serving more than one property shall provide pull-offs as needed to allow for the passage of oncoming vehicles and shall provide sufficient turnaround area to prevent the backing of vehicles onto the street.

SECTION 3.4 MONUMENTS

Monuments shall be set along new street lines at all angle points, points of curvature, and any other change in direction of the street right-of-way. For monuments spaced more than six hundred (600) feet apart, an additional monument shall be set at a convenient mid-point. Monuments shall be concrete with an iron rod cast into their center to provide for recovery with magnetic location devices. They shall be at least thirty-six (36) inches long and not less than four (4) inches square at the top with a permanent center mark. Monuments shall not be set until after all street construction is completed. The accurate placement and location of monuments shall be certified by a Licensed Land Surveyor.

SECTION 3.5 STORM DRAINAGE

Adequate surface and subsurface storm drainage facilities shall be provided within the subdivision to carry existing water courses and to drain the proposed streets and street which may reasonably be expected to be constructed at some future date on adjoining property which normally drains through the area of the proposed subdivision. No storm drainage facilities shall be constructed unless their design has been approved by the Director of Public Works, the City Engineer, the Director of Public Health, the Department of Environmental Protection, and the Connecticut Department of Transportation, as applicable. The storm drainage design shall conform with requirements of the latest approved City Storm Water Management Plan (SWMP) subsequent to its implementation.

3.5.1 DESIGN AND CONSTRUCTION

Storm water drainage facilities shall be designed and constructed according to pertinent specifications of the Connecticut Department of Transportation, City standards, and the following additional standards.

3.5.1.1 The rational method, or other generally accepted hydrologic method, shall be used to estimate storm water run-off.

3.5.1.2 Storm drainage facilities designed to carry streams shall be designed to pass, with a minimum of one foot of freeboard, stormwater runoff resulting from storms recurring with a fifty year frequency. In addition, the effect of storms recurring with a 100 year frequency shall be examined to ensure that they do not create an unsafe condition.

3.5.1.3 Other storm drainage facilities, such as storm sewers, shall be designed to pass storms recurring with a ten year frequency, when flowing full.

3.5.1.4 Storm sewers should generally be placed along the curb and, except for laterals between structures, should not cross the centerline of the road. Storm sewer mains along long curves shall be constructed on chords.

3.5.1.5 Measures for the control of erosion and sediment during construction shall be included on the plans. Measures to control pollutants and enhance storm water runoff quality after construction shall also be included. In addition, the increase in storm water runoff quantity after construction shall be addressed.

3.5.1.6 Drainage computations based upon standard engineering methods acceptable to the City Engineer, shall be submitted by the applicant to substantiate the design of all storm drainage facilities.

3.5.2 SWALES

If, in its judgment, there will be no flood or erosion hazards and no danger to the public health and safety, the Board may permit the use of swales to convey storm water. Swales shall be designed to enhance water quality, provide groundwater recharge, and slow the velocity of runoff.

3.5.2.1 Swales designed to convey storm water shall be sized to meet the requirements of Section 3.5.1, except they shall have a maximum depth of three (3) feet. Side slopes shall be no steeper than five feet horizontal to one foot vertical (5:1).

3.5.2.2 The Board may require fencing, rip-rap, plantings, or other measures it deems necessary to protect the public health, safety and welfare.

3.5.3 STORM DRAIN PIPES

Storm drain pipes shall be sized to meet the requirements of Section 3.5.1, except they shall be no smaller than twelve (12) inches in diameter for laterals between structures and fifteen (15) inches in diameter for the main run of the storm sewer. Pipe materials shall conform to Connecticut Department of Transportation specifications and shall be acceptable to the Director of Public Works and City Engineer.

3.5.4 MINIMUM PIPE COVER

Storm Drain pipes installed under the street shall be provided with a minimum three (3) feet of cover, except that pipes constructed of reinforced concrete meeting the requirements of AASHTO M170 Class V may be installed with two (2) feet of cover.

3.5.5 GRADIENTS

The minimum grade for storm drains and open swales shall be 0.005 feet per foot, or sufficient to provide a velocity of two feet per second when flowing full. The maximum gradient for open swales shall limit the velocity to five (5) feet per second when flowing

full. The gradient at the outfall to the storm network shall provide a non-erosive velocity. Unless otherwise approved by the City Engineer, the maximum gradient for storm drains and open swales shall not exceed 0.10 feet per foot.

3.5.6 MANHOLES, CATCH BASINS, ENDWALLS AND HEADWALLS

Manholes, catch basins, endwalls, headwalls, and similar structures shall conform to City standards, or in their absence Connecticut Department of Transportation standards, and shall be acceptable to the Director of Public Works and the City Engineer.

3.5.7 UNDERDRAINS

In areas where soils have moderate to very slow permeability, or otherwise experience high groundwater, underdrains shall be installed and connected to the nearest drainage facility. Generally, underdrains shall be required where the roadway is in a cut, or in other areas directed by the City Engineer.

3.5.8 DISCHARGE

The discharge of all storm water from the subdivision shall be into suitable watercourses or waterbodies or into storm sewers, open ditches, or other City drainage facilities with adequate capacity to carry the additional water. Any pipe installed to discharge storm water from any street shall extend a minimum distance from such street line of not less than 75 feet, or 25 feet beyond the rear of the existing or proposed principal building, whichever is greater. Where the discharge of storm water shall be onto private property adjoining the proposed subdivision, appropriate easements or drainage rights shall be provided or obtained for the City by the subdivider.

3.5.9 CHANNEL ENCROACHMENT LINES

Channel encroachment lines may be required by the Board along any major watercourse or waterbody for the purpose of preventing constriction of the natural watercourse or waterbody by buildings, structures, filling and removing operations or other facilities, activities or construction. The necessity for said building restriction or fill and removal restriction lines shall be determined by the Board, and the subdivider shall be required to place said lines on the Final Subdivision Plan with explanatory notation. The location of such channel encroachment lines shall be based upon proper hydraulic computations which shall be provided by the applicant and shall be subject to the approval of the City Engineer.

3.5.10 COMBINED SEWERS

No combined sanitary and storm sewers shall be permitted.

SECTION 3.6 SPECIAL STRUCTURES

Bridges, culverts, headwalls, deep manholes, and other special structures shall be designed in accordance with Department of Public Works standards and good engineering practice acceptable to the Board and the City Engineer.

3.6.1 HYDRAULIC CAPACITY

Bridges, culverts, or other structures erected to carry streets over watercourses or waterbodies shall be designed to pass, with a minimum of one foot of freeboard, stormwater runoff resulting from storms recurring with a 50 year frequency. In addition, the effect of storms recurring with a 100 year frequency shall be examined to ensure they do not create an unsafe condition.

3.6.2 DESIGN LOADS

Bridges and culverts shall be designed for HS20 loading, unless the traffic expected warrants a heavier class of loading.

3.6.3 WIDTH.

No bridge or culvert shall be constructed to less than the full width of the minimum required street, including pavement, curb, sidewalk areas and road embankment slopes with culvert ends.

3.6.4 OTHER SPECIAL STRUCTURES

The Board may require any other special structure that the City Engineer deems necessary to protect the public health, safety and welfare.

SECTION 3.7 SANITARY SEWERAGE

The Planning and Zoning Board may require the applicant to provide adequate sanitary sewers to and/or in the proposed subdivision. No sanitary sewerage system, or part thereof, shall be constructed unless its design has been approved by the Sewer Commission, the Director of Public Works, the City Engineer, Director of Public Health and the Connecticut Department of Environmental Protection, as applicable.

3.7.1 SANITARY SEWER DESIGN

Sanitary sewers shall be designed and constructed according to City standards and shall otherwise conform to the guides established by the New England Interstate Water Pollution Control Commission.

3.7.2 PIPE SIZE

Sanitary sewers shall be sized and designed based upon the type and density of existing, proposed, and anticipated development within the area tributary to the sewer to be constructed. Sewer design shall include an allowance, according to standard engineering practice, for groundwater infiltration. No gravity sewer shall be less than eight (8) inches in diameter.

3.7.3 SANITARY SEWER CONNECTIONS

The subdivider shall provide sanitary sewer connections and/or extensions to each lot in any subdivision which is either:

- (1) Located within an area currently served by an existing public sanitary sewerage system; or
- (2) Located within such a reasonable distance of an existing sanitary sewerage system as to make extension thereof economically feasible, as determined by the Sewer Commission.

3.7.4 SANITARY SEWER PROJECTIONS

In addition to the temporary provision for private, individual, on-site sewage disposal systems, the Board shall require the subdivider to install and cap sanitary sewer mains in all proposed streets with connections to each lot in any subdivision which is located within an area proposed to be served by a sewer system which is planned and programmed in the Sewer Commission Facility Plan and included in the approved City of Milford Capital Improvement Plan. Locations for future pump stations should also be designated as required by the Sewer Commission and City Engineer.

3.7.5 PIPE LOCATION

Sanitary sewers shall generally be constructed along the center of the street. Sanitary sewer pipes and water supply pipes shall be laid a minimum of ten (10) feet apart in separate trenches, unless otherwise approved by the City Engineer and the Connecticut Department of Environmental Protection.

3.7.6 SUBDIVISIONS NOT SERVED BY PUBLIC SEWER

Lots in subdivisions not to be served by public sewer shall be capable of being served by a subsurface sewage disposal system meeting the standards of the Connecticut Public Health Code and approved by the Director of Public Health.

3.7.7 OWNERSHIP AND MAINTENANCE

The Planning and Zoning Board may require the subdivider to provide suitable agreements, satisfactory to the City Attorney and Board of Sewer Commissions as to

form, sufficiency, and surety for the ownership and maintenance of any sanitary sewerage system, or portion thereof.

3.7.7.1 The subdivider shall provide and record suitable restrictive covenants, satisfactory to the City Attorney and Board, for each lot which is intended to be served by a private individual on-site sewage disposal system.

SECTION 3.8 OTHER UTILITIES

The Planning and Zoning Board may require the developer to provide adequate water, gas, electric and communication services to and/or in the proposed subdivision in appropriate instances. No water, gas, electric communication systems, facilities or parts thereof, serving proposed lots, shall be constructed unless the design of such systems or facilities has been approved by the local Utility Company, City Engineer, Director of Public Health, Connecticut Department of Health, and/or Connecticut Public Utilities Commission, as applicable.

3.8.1 GENERAL DESIGN

All water, gas, electric and communication systems and facilities shall be designed and constructed in accordance with City standards and the specifications of the appropriate State agencies and utility providers. Utility work in an existing or approved city street, or a street proposed for acceptance by the City, shall comply with regulations relating to street openings and City ordinances.

3.8.2 PUBLIC WATER SUPPLY CONNECTIONS

The Board shall require connection to and/or extension of an existing public water supply system if the system has at least fifteen service connections or regularly serves at least twenty-five individuals and is within two hundred (200) feet of the property as measured along a street, alley or easement.

3.8.2.1 For subdivisions served by or proposed to be served by public water supply, hydrants shall be provided at 300 foot intervals, or as otherwise directed by the Fire Department.

3.8.3 PRIVATE, INDIVIDUAL, ON-SITE WATER SUPPLY SYSTEMS

Water supply wells and other private water supply systems shall be constructed according to the standards of the Connecticut Public Health Code and approved by the Director of Public Health.

3.8.4 UNDERGROUND UTILITIES

All utilities shall be installed underground.

SECTION 3.9 UTILITY EASEMENTS

The Planning and Zoning Board may require the subdivider to provide perpetual unobstructed easements at least 25 feet in width for any utility system, facility, or portion thereof, which it deems necessary to protect the public health, safety and general welfare.

3.9.1 Easements, at least 25 feet in width shall be provided by the subdivider for all utility systems, facilities, or portion thereof, that are not intended to be installed within a street right-of-way.

3.9.2 Easements shall be provided by the subdivider for the full width and length of any watercourse or open drainage ditch within the subdivision which will carry drainage runoff from said subdivision and/or from any other lands situated within the watershed.

3.9.3 Easements, at least 25 feet in width, shall be provided by the subdivider for any utility system, facility or portion thereof, that may need to be installed, connected, continued or extended, at any time, in order to adequately serve any other land that adjoins the proposed subdivision.

3.9.4 In general, such easements shall be centered on or adjacent to rear or side lot lines and shall provide satisfactory access to any connection street.

SECTION 3.10 OPEN SPACE, PARKS, PLAYGROUNDS AND NATURAL FEATURES

Land shall be reserved by the subdivider for open space, parks, playgrounds, or other recreation purposes in locations where the Board deems that such reservations would be appropriate. For this section, the following definition of open space shall be applicable.

OPEN SPACE – In general, when the Board identifies the portion of a site that shall remain as open space, such open space should serve one or more of the following functions, as described in the Plan of Conservation and Development:

- a) **Natural Resource Protection**, such as habitat protection for plants and animals, streambelt or riparian corridor protection, shorefront protection, or the provision of greenbelt linkages, forest land, agricultural land and fisheries;
- b) **Outdoor Recreation**, including parks, playgrounds, beaches, and trails for active recreation, and nature preserves for passive recreational uses, serenity and sites that contribute to quiet experiences;
- c) **Protection of Public Health and Safety**, such as floodplains, inland and tidal wetlands, unbuildable areas or areas with limitations for development including steep slopes, high water table or shallow depth of bedrock;
- d) **Promotion and Maintenance of Community Character**, such as the development of greenbelts, open space dedication related to development, scenic vistas, and appropriate buffer strips;
- e) **Protection of Historic or Archeological Sites**, such as the North Street Green, the Town Green, historic districts and historic structures and grounds;
- f) **Environmental Education**, including school-based and citizen-based

programs to advance the knowledge of the natural environment and Milford's cultural heritage.

Each reservation shall be of suitable size, dimensions, topography and general character, and shall have adequate street access, for its recreational activities or other purposes. In general, no area shall be reserved for recreation purposes unless it has an area of at least 2 acres, or will have at least that size when combined with probable future reservations of land in adjoining subdivisions. In no case, shall an area of less than 1 acre be reserved for recreation purposes unless it is or can reasonably be combined with adjoining land set aside for such purposes, with the combined land area meeting the standards of this Section. Due regard should be shown for the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, watercourses and falls, beaches, historic spots, and similar irreplaceable assets. The amount of area to be reserved for open space, parks, playgrounds, recreation or other public purposes shall be 10 percent of the gross area of the subdivision, except as provided in Section 3.10.1 below and/or except where greater requirements apply under the Zoning Regulations. (Amended effective 8/7/93.)

3.10.1 ACCEPTANCE OF CASH PAYMENT

The Board shall require the provision of open spaces, parks and playgrounds, located in the place deemed proper by the Board. Said open spaces, parks, and playgrounds shall be shown on the subdivision record map plan. If the Board finds, in its sole discretion, that the provision of required open spaces, parks and playgrounds creates an undue hardship upon the applicant, that such provision of required open spaces, parks and playgrounds is excessively difficult or physically impossible, or that such provision of open spaces, parks and playgrounds does not meet the function of open space listed in the Plan of Conservation and Development and in Section 3.10 of these Subdivision Regulations, the applicant shall pay a fee to the designated Open Space fund or pay a fee and transfer land to the municipality in lieu of any requirement to provide open space. Such payment shall be recorded with the Town Clerk. However, such payment in lieu of providing required open spaces, parks and playgrounds shall only be a secondary measure, and whenever feasible, the physical provision of required open spaces, parks and playgrounds shall be the required course of action. Such payment or combination of payment and the fair market value of land transferred shall be not less than ten percent of the fair market value of the land to be subdivided prior to the approval of the subdivision. The fair market value shall be determined by an appraiser jointly selected by the Board and the applicant. A fraction of such payment, the numerator of which is one, and the denominator of which is the number of approved parcels within the subdivision, shall be made at the time of the sale of each approved parcel of land in the subdivision and placed in a fund designated for the purpose of preserving open space as defined in Section 3.10 and/or the capital improvement of existing open space land. The open space requirement of this section shall not apply if the transfer of all land in a subdivision of less than five parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle, or first cousin for no consideration; or if the subdivision is to contain affordable housing as defined by

Connecticut General Statute Section 8-39a, equal to twenty percent or more of the total housing to be constructed in such subdivision. (Effective 8/7/93.)

The said payment obligation shall be secured by a lien against each lot in the subdivision, and the lien shall be filed at the time that the final subdivision plans are filed with the Office of the Town Clerk, in accordance with Section 2.2 of these Regulations. The said lien shall be in a form approved by the Board and shall be unencumbered by any mortgage or encumbrance having priority over said lien, as evidenced by the Certificate of Title, in accordance with Section 4.1.5 of these Regulations.

3.10.2 IMPROVEMENTS

The Board shall require the subdivider to grade, loam, seed, and install plant materials (trees, shrubs, and perennials) as the Board deems appropriate for such sites reserved for parks, playgrounds, recreation or other open space purposes and may require the subdivider to fence in said site. (Amended effective 8/7/93.)

SECTION 3.11 STREET TREES

Shade Trees shall be planted by the subdivider as required by the Board; and the size, kind and location of such trees shall be subject to the approval of the Board. In the determination of tree requirements, the following principals shall be used as a guide:

- (1) Trees shall be planted along each side of every street within an easement along the adjacent properties, the width and location of which shall be determined by the Board in consultation with the Tree Commission.
- (2) Trees shall be planted approximately 50 feet apart, subject to location of driveways, cross streets or walks, and variations made necessary by the tree species. No trees shall be planted within the sight triangle at street intersections or within 10 feet of a driveway. City standard root control barrier shall be installed where trees are planted in the vicinity of curbs, sidewalks or driveways.
- (3) Trees shall not be smaller than 3 inch caliper.

SECTION 3.12 TOPSOIL

Disturbed areas within the subdivision shall be surfaced with a minimum of six inches of topsoil, seeded and mulched. Topsoil shall be loose and friable and shall contain between six (6) and twenty (20) percent organic matter. It shall be free from refuse, stumps, roots, brush, weeds, rocks, and stones over 1¼ inches in diameter. The topsoil shall also be free of any material that will prevent the formation of a suitable seed bed or prevent germination and plant growth.

SECTION 3.13 PEDESTRIAN EASEMENTS

In areas where the proposed street system does not conform to a convenient pattern of pedestrian circulation, as determined by the Board, particularly in the vicinity of parks, playgrounds, schools or other public or semi-public places, the Board may require the subdivider to provide rights-of-way or easements, at least 10 feet in width, for suitable pedestrian ways. Where required, pedestrian walkways shall be constructed within the easement.

SECTION 3.14 RESERVE STRIPS

Reserve strips of land which, in the opinion of the Board, show an intent on the part of the subdivider to control access to land dedicated or to be dedicated to public use shall not be permitted.

SECTION 3.15 SOIL EROSION AND SEDIMENT CONTROL

The applicant shall provide a Soil Erosion and Sediment Control Plan prepared and certified by a Professional Engineer. This plan shall include measures for the control of erosion and sediment during construction. In general, the plan should be developed to minimize land disturbance and limit the erosive energy of runoff. The physical characteristics of the site and the specific development proposed should be addressed by the plan. The plan shall meet the standards of the latest version of the Connecticut Guidelines for Soil Erosion and Sediment Control.

SECTION 3.16 FLOOD PROTECTION

The plan shall include measures consistent with the need to minimize flood damage. Public utilities and facilities shall be located and constructed to avoid damage from flooding. Drainage shall be designed to minimize the occurrence of flooding.

SECTION 3.17 PASSIVE SOLAR ENERGY

In accordance with the provisions of Section 8-25(b) of the General Statutes of the State of Connecticut, the applicant shall show the Board that he or she has considered, in developing the subdivision plan, using passive solar energy techniques which would not significantly increase the cost of the housing to the buyer, after tax credits, subsidies and exemptions. "Passive solar energy techniques" means site design techniques which maximize solar heat gain, minimize heat loss and provide thermal storage within a building during the heating season and minimize heat gain and provide for natural ventilation during the cooling season. The site design techniques shall include, but not be limited to:

- (1) house orientation;
- (2) street and lot layout;

- (3) vegetation;
- (4) natural and man-made topographical features; and
- (5) protection of solar access within the development.

SECTION 3.18 ON-SITE TREE REQUIREMENTS

A minimum aggregate of seventy-five (75) inches of tree diameter, measured at breast height, for every acre of site area is required. This aggregate shall be calculated and applied on a lot by lot basis. This minimum shall be met either through the preservation of trees or the planting of additional trees. Any trees planted or retained to meet this requirement must be at least three inches in diameter measured at breast height.

CHAPTER IV SPECIFICATIONS FOR FINAL SUBDIVISION PLANS AND AS-BUILT PLANS

SECTION 4.1 FINAL SUBDIVISION PLAN

Final Subdivision Plans submitted to the Board for recording shall consist of a Record Map, Construction Plans, and Plan and Profile Drawings. Plans shall be submitted on twenty-four inch by thirty-six inch (24" x 36") sheets and shall be drawn to a scale of one inch equals forty (40) feet or, if necessary, one inch equals one hundred (100) feet. The Record Map shall be prepared to meet the filing requirements for maps specified by the Connecticut Office of the Public Records Administrator. The remainder of the plans may be submitted as paper prints.

4.1.1 RECORD MAP

The final Subdivision Plan shall include two paper copies of the Record Map, the additional copy to be provided for recording by the City Clerk, and a CAD drawing file of the Record Map. The Record Map shall be certified by a Licensed Land Surveyor and shall show the following information:

- (1) Proposed subdivision name or identifying title, which shall not duplicate or too closely approximate that of any other development in the City.
- (2) The name and address of the owner of the land to be subdivided, the name and address of the subdivider, if other than the owner, and the name and seal or certification of the Land Surveyor licensed in the State of Connecticut.
- (3) The date, approximate true north point, graphic and written scales, City and State.

- (4) An accurate boundary survey of the applicant's property showing the location and dimensions of all existing street and lot lines (include entire area proposed to be subdivided and remainder of the tract owned by the subdividing owner)
- (5) Where the applicant wishes to develop the proposed subdivision in stages, the Plan shall indicate initial, intermediate, and ultimate development stages or sections.
- (6) The location and names of owners of record of all abutting properties.
- (7) The specific purpose and accurate location, dimensions, and areas in square feet of existing and proposed rights-of-way, easements, reservations, and open space areas dedicated to or offered for public use or otherwise reserved for the common use of the lot owners of the subdivision, both within and adjoining the subdivision.
- (8) The locations, numbers, dimensions, and areas in square feet of all existing and proposed lots, and the total acreage of land included in the subdivision. All lots shall be numbered in accordance with a scheme approved by the City Assessor.
- (9) All existing and proposed building setback lines and/or other building restriction lines.
- (10) The names, locations and widths of all existing and proposed street rights-of-way and pavement in and within 200 feet of the subdivision.
- (11) The locations of all existing and proposed monuments and the Town line, where applicable.
- (12) The location map, at a scale of one inch equals 400 feet, showing the location of the subdivision with respect to surrounding property, all Zoning Districts, and streets within 1,000 feet of the applicant's property and the proposed street tie-in to any existing street intersection.
- (13) The length and bearing or angle of all straight lines and the radius, arc length, central angle, and tangent distance of all curves. All dimensions shall be shown in feet and decimals of a foot.
- (14) Sufficient data to enable any surveyor or engineer to determine readily the location of every street line, lot line, boundary line, and to reproduce such lines upon the ground. This data shall be prepared by a Land Surveyor licensed in the State of Connecticut and shall be tied in, where possible, to coordinated reference points, previously established by a public authority or by a Licensed Land Surveyor.

4.1.2 CONSTRUCTION PLANS

The Final Subdivision Plan shall include a Construction Plan having its design elements certified by a Professional Engineer and the location and elevation of existing features certified by a Licensed Land Surveyor. The Construction Plan shall show the following information:

- (1) The location of existing and proposed waterbodies, watercourses, swamps, marshes, and wetlands, with the direction of flow and water surface elevations; as well as other significant physical features such as wooded areas and rock outcrops.
- (2) The accurate location of the regulatory flood protection elevation and base flood elevation data. The location of wetland boundaries and boundaries of other flood-prone areas including, where applicable, the seasonal high water level, apparent high water mark and mean high water mark.
- (3) The accurate locations and dimensions of existing and proposed flood protection and erosion control works, where appropriate.
- (4) The location and dimensions of all existing buildings and structures, on and within 50 feet of the property, including but not limited to signs, fences and walls.
- (5) Existing and proposed elevations shall be shown at a two (2) foot contour interval and shall be based upon either USGS NGVD 29 or USGS NAVD 88 datum. Contours shall extend 50 feet beyond the property boundary. Spot elevations shall be shown:
 - (a) at each lot corner;
 - (b) at the approximate location of each foundation corner of all proposed or anticipated principal buildings or structures;
 - (c) in areas having slopes flatter than three (3) percent.

Additional elevations and/or elevations at lesser intervals may be required, as deemed necessary or appropriate by the Board.

- (6) Detailed site plans showing the location and type of building to be constructed and proposed grading for all lots, or portions thereof, which are situated below street grade shall be required prior to subdivision approval, if deemed necessary by the Board.
- (7) The locations of all proposed street trees and/or existing street trees to be retained in accordance with the provisions of Section 3.11, herein.

4.1.3 PLAN AND PROFILE DRAWINGS

The Final Subdivision Plan shall be accompanied by a complete set of Plan and Profile Drawings for all proposed streets, storm drainage facilities, sanitary sewage facilities, other utilities, special structures, and other improvements to be dedicated to the City, or as otherwise required by the Board. Engineering calculations, designs, details, drawings, plans, profiles, cross-sections, and specifications shall be submitted with the Plan and Profile Drawings, when appropriate. Plan and Profile Drawings shall be submitted on twenty-four inch by thirty-six inch (24" x 36") sheets and shall be drawn to a scale of one inch equals forty (40) feet horizontal and one inch equals four (4) feet vertical. Plan and Profile Drawings shall be certified by a Professional Engineer and shall include the following information:

- (1) The location and dimensions of existing and proposed street rights-of-way, street pavement, curbs, sidewalks, culverts, catchbasins, manholes, utility easements, utility lines, special structures, and other improvements.
- (2) Profiles of the existing ground surface along the centerline and along the left and right street lines; and of the proposed grade along the centerline.
- (3) Typical cross-sections of each street and bridge indicating locations, dimensions, and materials of sidewalk, curb, and pavement improvements.
- (4) Profiles and cross-sections of existing and proposed storm drainage, sanitary sewage, water supply, and other utility systems and facilities, where appropriate, showing locations, grades, size, invert elevations, and proposed connections to existing facilities.
- (5) Profiles, cross-sections and drawings of special structures and other installations, as required by the Board.
- (6) Stations at grade changes, centerline intersections, and at 50 foot intervals.
- (7) Percent grade, and elevations where there is a change in grade.
- (8) Elevations shall be based on actual field or aerial surveys and shall be referenced to USGS datum where possible, or to other datum approved by the City Engineer.
- (9) The locations of all bench marks shall be shown by proper notations.
- (10) Sufficient computations to permit the City Engineer to check utility design, particularly drainage facilities.

4.1.4 PRIOR APPROVALS

In the case of any use, improvement, system facility or other item requiring approval of any Department of the Federal, State or City Governments, the approval for such Department shall be submitted by the applicant.

4.1.5 OFFERS OF DEDICATION

The applicant shall tender official offers of dedication, in a written form satisfactory to the City Attorney and the Board, for all land including rights-of-way, easements, open space areas, and other proposed public uses which are not otherwise specifically reserved and retained under restrictive covenants by the subdivider.

4.1.6 RESERVATIONS

The applicant shall submit to the Planning & Zoning Board written copies of all agreements, restrictive covenants, or other legal documents governing the use, reservation, ownership, and/or maintenance of all land including rights-of-way, easements, open space areas, and other proposed areas which are not otherwise subject to Offers of Dedication.

4.1.7 ENVIRONMENTAL REPORT

In order to assist the Board to determine conformity of the Subdivision Plan with the intent and purpose of these regulations, the following information should be submitted:

- All Subdivision Plan Applications shall include a narrative with graphics as necessary, including photographs and design details, which presents information as to the impact of the Subdivision Plan on natural resources as described in the Natural Resource Inventory attached as Appendix C, and as generally consistent with conservation design principles found in Appendix A. The report shall specifically address how the Subdivision Plan complies with the recommendations found in the Natural Resources Inventory.

4.1.8 OTHER INFORMATION

The Planning and Zoning Board may require any other information deemed necessary to determine conformity of the proposed Final Subdivision Plan with the intent and provisions of these regulations.

SECTION 4.2 DRAWINGS

Prior to the release of any subdivision or performance bond, the applicant shall submit as-built drawings to the Planning and Zoning Board according to the standards and procedures listed hereafter.

4.2.1 DRAWING STANDARDS

4.2.1.1 The as-built drawings shall show street construction including centerline grades, curbs, handicapped curb ramps, sidewalks, and driveway aprons.

4.2.1.2 The as-built drawings shall show, in both plan and profile views, storm drainage construction including size and type of storm drain, catch basins, manholes, culverts, and any underdrains. Top of frame and invert elevations shall be shown for all structures.

4.2.1.3 If served by sanitary sewer, as-built drawings shall show, in both plan and profile views, sanitary sewer construction including size, slope, and type of sewer, manholes, details of any special structures, and location and depth of service laterals. Top of frame and invert elevations shall be shown for all structures. Drawings shall conform to Sewer Commission requirements to include tie dimensions for wye's and at the end of service laterals. Drawings shall also conform to the City Engineering Bureau's requirements dated March 1994.

4.2.1.4 The location of components of other utilities, visible from the surface, shall be shown in plan view on the as-built drawings. This includes, but is not limited to, water to include hydrants, gas, electric, and communications.

4.2.1.5 As-built drawings shall conform to City of Milford standard conventions.

4.2.2 AS-BUILT SUBMISSION

Initially, paper prints of the as-built drawings shall be submitted to the Department of Public Works and the City Engineer for review and approval. Once approved, a record copy of the as-built drawings shall be submitted to the Planning and Zoning Board. If sanitary sewers have been constructed, a second record copy of the as-built drawings shall be submitted to the sewer commission.

4.2.3 RECORD COPY OF AS-BUILT

The record copy of the as-built drawings shall meet the filing requirements for maps specified by Connecticut Office of the Public Records Administrator. As-built drawings shall be certified by a Licensed Land Surveyor.

4.2.4 CONSTRUCTION CERTIFICATIONS

4.2.4.1 The applicant shall submit a statement for street construction, signed and sealed by a Professional Engineer licensed in the State of Connecticut, certifying that construction of the street and other elements within the public right-of-way and the installation of buried utilities have been inspected and conform to the approved plan.

4.2.4.2 The applicant shall submit a statement for monument and lot marker locations, signed and sealed by a Land Surveyor licensed in the State of Connecticut, certifying that the monuments and lot markers have been set and their locations conform to the Final Subdivision Plan.

4.2.4.3 The applicant shall submit certification and tests of construction materials, as may be required by the City Engineer, prior to release of the Road Bond. Materials to be certified and tested may include, but are not limited to, pipes; drains; bituminous concrete; roadway base; roadway subbase; portland cement concrete; and topsoil.

CHAPTER V DEFINITIONS

SECTION 5.1 GENERAL TERMS

In the interpretation and use of these regulations, words and phrases shall be construed according to the commonly approved usage of the language; and technical words and phrases, and such as have acquired a peculiar and appropriate meaning in law, shall be construed and understood accordingly. All words used in the present tense include the future tense; all words in the plural number include the singular number, and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" and "will" are mandatory and not directory. Unless otherwise specified, all distances shall be measured horizontally.

SECTION 5.2 OTHER TERMS

Except as otherwise stated, or as the context may otherwise require, the following words, for the purpose of these Regulations, shall be defined as follows:

5.2.1 APPLICANT Means any person, firm or corporation, partnership or association owning land or designated agent who shall apply to the Board for approval of the laying out of such land into any subdivision, as hereinafter defined.

5.2.2 APPLICATION An application shall consist of a completed form and fee as prescribed by the Board including all necessary and required documents/Department approvals.

5.2.3 APPROVED Means a signed, written approval by the Planning and Zoning Board.

5.2.4 BOARD Means the Planning and Zoning Board of the City of Milford, Connecticut.

5.2.5 CONSERVATION DESIGN Means a method of subdivision design that protects natural resources while allowing for the maximum number of lots permitted under the zoning regulations.

5.2.6 COUNTY SOIL AND WATER CONSERVATION DISTRICT Means the New Haven County Soil and Water Conservation District established under subsection (a) of section 22a-315 of the General Statutes.

5.2.7 CURB CUT The providing of vehicular ingress and/or egress between property and an abutting public street.

5.2.8 DATE OF SUBMISSION Means the regular public meeting of the Board at which the application appears on the agenda.

5.2.9 DEVELOPER Shall be synonymous with "applicant" as above defined.

5.2.10 DEVELOPMENT Means any construction or grading activities to improved or unimproved real estate.

5.2.11 DISTURBED AREA An area where vegetation, topsoil, or overburden has been removed, exposing the soil to erosion; or an area where topsoil, spoil, or other material has been stockpiled; or an area rutted or otherwise disturbed by construction activities.

5.2.12 EASEMENT Means authorization by a property owner, for the use by another and for a specified purpose, of any designated part of his or her property.

5.2.13 EROSION Means the detachment and transportation of soil or rock fragments from the land surface by the action of water, wind, ice or gravity.

5.2.14 EXECUTIVE SECRETARY Means the Executive Secretary of the Planning and Zoning Board of the City of Milford, Connecticut.

5.2.15 FINAL SUBDIVISION PLAN Means the final map, drawing or drawings, and all required supporting data.

5.2.16 GRADING Means any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

5.2.17 INSPECTION Examination of construction for the purpose of certifying its conformance with the approved plan and to identify defects to be corrected.

5.2.18 LANDSCAPING PLAN A plan, drawn to scale, showing dimensions and details for vegetating a property, or a portion of a property, including maintenance and protection measures.

5.2.19 LOT A parcel of land occupied or to be occupied by a building or group of buildings and accessory buildings, together with such open spaces as are required under the provisions of these regulations.

5.2.20 LOT AREA The gross horizontal area contained within the property lines of the lot.

5.2.21 LOT LINE Any property line bounding a lot.

5.2.22 LOT, REAR A lot, the major portion of which lies to the rear of another lot that separates it from a public street, which is connected to a public street via a private accessway of required width.

5.2.23 NATURAL FEATURES Components and processes present or produced by nature, including soil types, geology, slopes, vegetation, surface water, drainage patterns, aquifers, recharge areas, climate, floodplains, aquatic life and wildlife.

5.2.24 NATURAL RESOURCES INVENTORY The inventory compiled and documented by the City of Milford's Open Space Steering Committee which identifies and describes the natural resources of the City of Milford.

5.2.25 OPEN SPACE In general, when the Board identifies the portion of a site that shall remain as open space, such open space should serve one or more of the following functions, as described in the Plan of Conservation and Development:

- g) **Natural Resource Protection**, such as habitat protection for plants and animals, streambelt or riparian corridor protection, shorefront protection, or the provision of greenbelt linkages, forest land, agricultural land and fisheries;
- h) **Outdoor Recreation**, including parks, playgrounds, beaches, and trails for active recreation, and nature preserves for passive recreational uses, serenity and sites that contribute to quiet experiences;
- i) **Protection of Public Health and Safety**, such as floodplains, inland and tidal wetlands, unbuildable areas or areas with limitations for development including steep slopes, high water table or shallow depth of bedrock;
- j) **Promotion and Maintenance of Community Character**, such as the development of greenbelts, open space dedication related to development, scenic vistas, and appropriate buffer strips;
- k) **Protection of Historic or Archeological Sites**, such as the North Street Green, the Town Green, historic districts and historic structures and grounds;
- l) **Environmental Education**, including school-based and citizen-based programs to advance the knowledge of the natural environment and Milford's cultural heritage.

5.2.26 PARCEL Any legally described piece of land of any size that may or may not be subdivided or improved.

5.2.27 PLAN OF CONSERVATION AND DEVELOPMENT The plan prepared and adopted by the Planning and Zoning Board pursuant to Section 8-23 of the General Statutes, as amended, and includes any part of such Plan separately adopted and any amendment to such plan, or parts thereof.

5.2.28 PLAN AND PROFILE The drawing or set of drawings upon which the applicant's design for street construction, drainage, and other improvements is presented to the Board.

5.2.29 PRINT A blueprint, photostat, lithoprint, or other copy which reproduces exactly the data on the original drawing from which it is made.

5.2.30 PROFESSIONAL ENGINEER A currently practicing Civil Engineer licensed or registered in the State of Connecticut.

5.2.31 RESUBDIVISION A change in a map of an approved or recorded subdivision or resubdivision if such change:

- (a) affects any street layout shown on such map; or
- (b) affects any area reserved thereon for public use; or
- (c) diminished the size of any lot shown thereon after the approval of recording of such map.

5.2.32 RIGHT-OF-WAY The street or lot lines defining the limits of land dedicated, secured, or reserved for public use.

5.2.33 SEDIMENT Means solid material, both mineral or organic, that is either in suspension, being transported, or has been moved from its site of origin by water, air, ice, or gravity and deposited on the land surface or under water.

5.2.34 SOIL Means the unconsolidated mineral or organic material on the immediate land surface that serves as a natural medium for the growth of plants.

5.2.35 SOIL EROSION AND SEDIMENT CONTROL PLAN Means a plan which explains and illustrates the measures which will be taken to control erosion and sediment problems during construction. The plan has a written portion known as a narrative and an illustrative portion known as a map or site plan.

5.2.36 STREET Means and includes any right-of-way used for streets, roads, highways, avenues, boulevards, lanes, or other vehicular access ways. Streets are further classified by the following functions:

5.2.36.1 ARTERIAL A street which serves or is designed to serve as a major artery and is so designated on the Plan of Conservation and Development.

5.2.36.2 COLLECTOR A street which serves or is designed to serve as a traffic way for a neighborhood or as a feeder to a major street and is so designated on the Plan of Conservation and Development.

5.2.36.3 MINOR A street intended to serve primarily as an access to abutting properties.

5.2.36.4 DEAD-END A minor street or a portion of a street with only one vehicular outlet.

5.2.37 STREET PAVEMENT The wearing or exposed surface of the roadway used by vehicular traffic, including the sub-base and base course.

5.2.38 SUBDIVIDER Shall be synonymous with "applicant" as defined above.

5.2.39 SUBDIVISION The division of a tract or parcel of land into three or more lots for the purpose, whether immediate or future, of sale or building development expressly excluding development for agricultural purposes, and shall include resubdivision.

5.2.40 SURVEYOR A currently practicing land surveyor licensed or registered in the State of Connecticut.

5.2.41 WETLANDS Any wetland as defined by State Statutes.

5.2.42 THESE REGULATIONS The Subdivision Regulations of the City of Milford, Connecticut as contained herein and including any amendments thereto.

CHAPTER VI LEGAL STATUS PROVISIONS

SECTION 6.1 AMENDMENTS

The provisions of these Regulations may, from time to time, be amended, modified, changed, or repealed by the Board in accordance with the provisions of the General Statutes of the State of Connecticut, as amended.

SECTION 6.2 INTERPRETATION

In the interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety and general welfare. Where these Regulations impose a greater restriction upon land, buildings, structures, uses or improvements than is imposed or required by such existing provisions of law, ordinance, contract, or deed, the provisions of these Regulations shall control.

SECTION 6.3 PENALTIES

It is also declared that no subdivision of land shall hereafter be made unless the same shall have been submitted to and approved by the Planning and Zoning Board; and that whoever, being the owner or agent of the owner of any land located within the jurisdiction

of the Planning and Zoning Board, shall transfer or sell or offer to sell any land by reference to or exhibition of, or by other use of a plan of a subdivision before such plan has been approved by the Board and recorded in the Office of the City Clerk, shall be fined not less than Twenty-Five nor more than Two Hundred Dollars for each lot so transferred or sold; and the description of such lot by metes and bounds, or by courses and distances, in the instrument of transfer or other document used in process of selling or offering for sale or transferring shall not exempt the transactions from such penalties. The City of Milford may enjoin such transfer or sale and may recover said penalty by a civil action. Any persons or person who violates any other provision of these Regulations shall be fined not more than Fifty Dollars for each offense.

SECTION 6.4 VARIANCES

The Board may vary, subject to appropriate conditions, such requirements of the foregoing regulations as, in its judgment of the special circumstances and conditions relating to a particular subdivision, are not requisite in the interest of the public health, safety and general welfare. When making its determination as to the improvements to be required, the Board shall take into consideration the prospective character of the development, the interests of the City as a whole, and the purpose and intent of these Regulations.

SECTION 6.5 VALIDITY

If any part of these Regulations shall, for any reason, be held to be invalid or unconstitutional, the validity of any other section or remaining portion of these Regulations shall not be affected or impaired.

SECTION 6.6 REPEALER

All Subdivision Regulations previously adopted for the City of Milford are hereby repealed.

SECTION 6.7 EFFECTIVE DATE

These Regulations shall become effective as provided by law, upon enactment by the Planning and Zoning Board of the City of Milford, Connecticut. However, any Final Subdivision Plan officially submitted to the Board prior to the date of adoption of these revised Subdivision Regulations or any amendments thereto, may be approved by the Board under the terms of the prior Subdivision Regulations of the City of Milford, and the construction of improvements required in such (or prior) approval may be continued to completion in accordance with the then applicable specifications.

APPENDIX A

CONSERVATION DESIGN PRINCIPLES

The purpose of these conservation design principles is to promote an alternative form of residential land development that is more conducive to the protection of the existing natural environment than the conventional subdivision of land; to encourage the permanent preservation of open space, forested land, wildlife habitats, aquifers, wetlands, waterbodies, and historical and archeological resources in a manner that is consistent with Milford's Plan of Conservation and Development; and to encourage a less sprawling and more efficient form of development that consumes less open land and conforms to existing topography and natural features better than a conventional or grid subdivision. The following principles are intended to serve as guidelines for proposed subdivisions in the City of Milford. Applicants, in their submission materials, should clearly indicate how their proposed subdivision adheres to these guidelines.

Proposed subdivisions should:

- 1) Further the goals of the Milford Plan of Conservation and Development.
- 2) Preserve and enhance the community character.
- 3) Locate building lots in a manner that protects significant natural features.
- 4) Minimize the total amount of disturbance on the site.
- 5) Orient individual building sites so as to maintain natural topography and vegetative cover.
- 6) Preserve and protect floodplains, waterbodies, aquifers, wetlands, steep slopes, mature woodlands and forested land, existing greenfields and other open space, meadows, wildlife habitats, scenic views, historical and archeological resources and other important natural features to the greatest extent possible.
- 7) Minimize tree and soil removal.
- 8) Limit clearing and grading of native vegetation to the minimum amount needed for building lots and access.
- 9) Minimize the removal and disruption of historic, traditional or significant uses structures or architectural elements, where practicable.
- 10) Adhere to a standard of maintaining a minimum of 10% of the total area of the subdivision as permanent open space, with an amount in excess of this minimum encouraged. The proposed open space may be either conveyed to the City or be

subject to a recorded deed restriction, and the open space preserved should be contiguous, where feasible.

- 11) Treat topography, tree cover and natural drainage ways as fixed determinants of road and lot configuration.
- 12) Design and locate streets to maintain and preserve natural topography, significant landmarks, and trees; to minimize cut and fill; and to preserve and enhance views and vistas.
- 13) Limit grade changes to be in keeping with the general appearance of neighboring developed areas.

APPENDIX E
Zoning Regulations



ZONING REGULATIONS

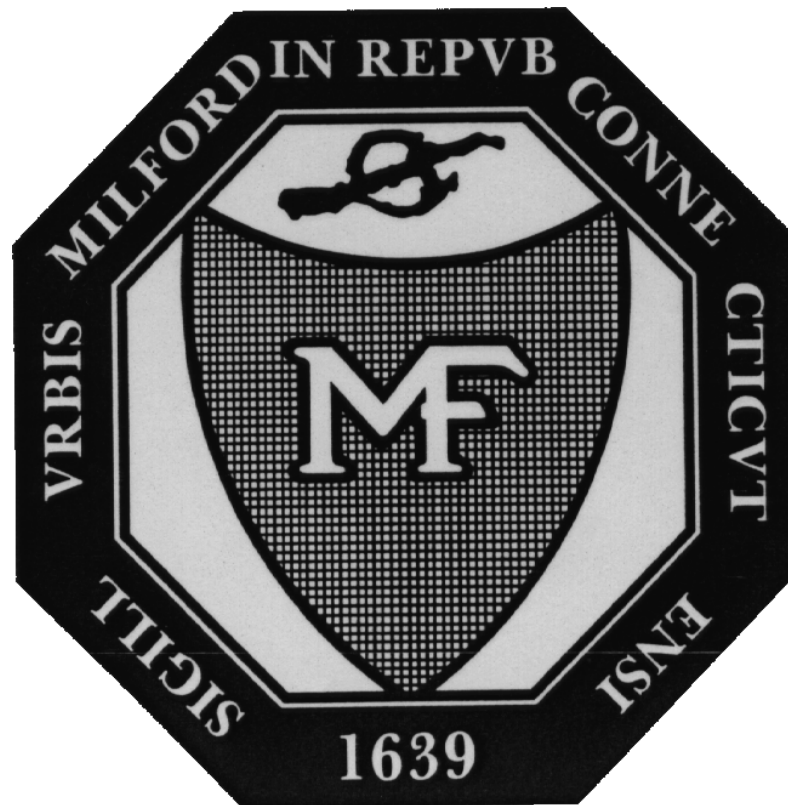


Zoning Regulations of the City of Milford, Connecticut

First Adopted June 11, 1930

Re-Adopted October, 1973

Amended to July 2011



CITY PLANNER: David B. Sulkis, AICP

ASSISTANT CITY PLANNER: Emmeline Harrigan, AICP

ZONING ENFORCEMENT OFFICER: Kathy Kuchta

PREAMBLE

RESOLVED, the City Planning and Zoning Board of the City of Milford, Connecticut, pursuant to the authority vested in it by law, hereby ordains and enacts as follows:

THESE REGULATIONS governing and restricting the height, number of stories and size of buildings and other structures, the percentage of the lot that may be occupied, the size of yards and other open spaces, the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes, and the height, size, location and type of signs, providing for the administration and enforcement of provisions herein and imposing penalties for their violation; all for the purpose of promoting the health, safety, and general welfare of the inhabitants of the City of Milford, Connecticut, and consistent with the policies and objectives of the Milford Plan of Conservation and Development.

HEREAFTER these regulations shall be known and may be cited by the title of the *"Zoning Regulations of the City of Milford, Connecticut."*

ADOPTED:	December 2, 2003
EFFECTIVE DATE:	January 2, 2004

SALE OF PUBLICATIONS

Copies of the current regulations and zone map may be purchased at the Planning and Zoning Office.

Copies of the regulations and/or zoning maps may be mailed if a request for the publications is accompanied by a check to cover the full cost of the publication ordered including handling charges.

The Planning and Zoning Office may be contacted at the following for quotations of current costs and handling charges:

Phone: (203) 783-3245

Fax: (203) 783-3303

City of Milford Website: www.ci.milford.ct.us

City of Milford, Connecticut

Zoning Regulations

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Zoning Regulations

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ARTICLE I PURPOSES

SECTION 1.1 PURPOSES

There is hereby established a comprehensive zoning plan for the City of Milford, which plan is set forth in the text, schedule, and maps, all of which constitute these Regulations. Said plan is adopted for the purposes set forth in the General Statutes of the State of Connecticut and is consistent with the policies and objectives of the current Plan of Conservation and Development, which, in the interest of protecting and promoting the public health, safety and welfare, shall be deemed to include the following, among others:

1.1.1 EXISTING DEVELOPMENT: The protection of the character of existing built-up areas and the enhancement of the appearance of the community as a whole.

1.1.2 HISTORIC SITES: The preservation of sites, buildings and uses of historical significance to the community.

1.1.3 EXISTING NON-CONFORMITIES: The minimization of non-conforming buildings, uses and lots in existing built-up areas.

1.1.4 RENEWED DEVELOPMENT: The encouragement to renew and upgrade neighborhoods in which deterioration has become apparent.

1.1.5 NEW DEVELOPMENT: The control of the form of growth in newly developing areas.

1.1.6 ECONOMIC HEALTH: The provision for economic health of the community.

1.1.7 OPEN SPACE: The preservation of open spaces and natural features of the land.

1.1.8 PUBLIC FACILITIES: The provision of adequate and efficient public facilities and services.

ARTICLE II ESTABLISHMENT OF DISTRICTS

SECTION 2.1 LISTING OF DISTRICTS

The City of Milford is hereby divided into the classes of Zoning Districts as listed below:

3.1 - R-A, R-30, R-18, R-12.5, R-10, R-7.5, R-5	One Family Residential
3.2 - SFA-10	Single Family Attached
3.3 - RMF-9 & RMF-16	Multi-Family Residential
3.4 - RO	Residential Office
3.5 - OD	Office
3.6 - DO-10 & DO-25	Design Office
3.7 - BB	Boating Business
3.8 - BD	Business
3.8-1 BD-1	Business
3.9 - SCD	Shopping Center Design
3.10 - LI	Limited Industrial
3.11 - ID	Industrial
3.12 - HDD	Housatonic Design District
3.13 - WDD	Waterfront Design District
3.14 - OS	Open Space
3.15 - BEZ	Beach Erosion Zone
CDD - Corridor Design Development Districts	
3.16 - CDD-1	Community Design
3.17 - CDD-2	Devon Center – Naugatuck Avenue
3.18 - CDD-3	Bridgeport Avenue
3.19 - CDD-4	New Haven Avenue
3.20 - CDD-5	Regional Business Design
3.21 - MCDD	Milford Center Design Development District
3.22 - ICD	Interchange Commercial District
3.23 - CBDD	Cascade Boulevard Design Development
3.24 - OSAHD-MF	Open Space Affordable Housing Development – Multi-Family

SECTION 2.2 ZONING MAPS

The boundaries of these Zoning Districts are hereby established, as shown on maps entitled, "Zoning Maps of the City Milford, Connecticut," as amended, which, with all explanatory matter thereon, is hereby adopted and made a part of these Regulations. A copy of said Zoning Maps, indicating the latest amendments, shall be kept up to date in

the office of the Zoning Enforcement Officer for the use and benefit of the public. Other maps pertinent to these regulations include:

Subject	Number of Maps
Zone District Map	1
CAM Maps (including boundary maps)	12
Flood Insurance Rate Map	14
Historic District Map	2
Inland Wetland Maps	42
Tidal Wetlands Maps	17

These maps are available for inspection during regular office hours. Arrangements can be made to purchase zoning maps.

SECTION 2.3 **DISTRICT BOUNDARIES**

In determining the boundaries of Zoning Districts shown on the Zoning Maps the following rules shall apply:

2.3.1 Center Lines: Where district boundaries are indicated as approximately following the center lines of railroads, state highways, streets, water bodies or watercourses, such center lines shall be construed to be such boundaries.

2.3.2 Lot Lines: Where district boundaries are indicated as approximately following street or lot lines of record, such lines shall be construed to be such boundaries.

2.3.3 Dimensions: Unless otherwise shown, all district boundaries running parallel to street or other physical features shall be determined by the exact dimensions between the street line or other established line and said district boundary as shown on the Zoning Maps.

2.3.4 Uncertainty: In all other cases where exact dimensions are not shown on the Zoning Maps, the location of district boundaries shall be determined by the Planning and Zoning Board.

SECTION 2.4 **EXTENT OF DISTRICTS**

It is the intent of these Regulations that all areas within the jurisdictional limits of the City of Milford, including all buildings, land and water areas, shall be included in the Zoning Districts established by these Regulations.

SECTION 2.5 **EFFECT OF ESTABLISHMENT OF DISTRICTS**

Following the effective date of these Regulations and except as hereinafter provided:

2.5.1 Building and Uses: No building, or part thereof, shall be constructed, reconstructed, extended or enlarged nor shall any land or building, or part thereof, be used, designed, or arranged to be used for any purpose or in any manner except in conformity with these Regulations.

2.5.2 Principal Building: Every building hereafter erected shall be located on a lot, and no more than one allowable principal building or a group of allowable principal buildings under the same ownership or sponsorship as part of an ownership arrangement, shall be located on a lot as herein defined.

2.5.3 Yards: No yard or open space area required in connection with any building use shall be considered as providing a required yard or open space area for any other building or any other lot.

2.5.4 New Lots: No lot shall be formed from part of a lot already occupied by a building unless such building, all yards and open spaces connected therewith, and the remaining lot comply with all requirements prescribed by these Regulations for the Zoning District in which said lot is located. Neither a Zoning Permit nor a Building Permit shall be issued for the erection of a building on any lot thus created unless such building and lot comply with all the provisions of these Regulations.

2.5.5 Lot Access and Rear Lots: No Zoning Permit or Building Permit shall be issued for any building unless the lot, upon which such building is to be erected, fronts on a municipally acceptable street, on an accepted public street, or on a street in an approved subdivision; except that one allowable office, business, industrial, or other non-residential use in an applicable Zoning District, or one single family dwelling in an applicable District may be permitted on a lot of one or more acres, provided that a private means of access of at least fifty feet in width for such office, business, industrial, or other non-residential use, or twenty-five feet in width for such dwelling, as applicable, shall be provided to an accepted public street or street in an approved subdivision. Such rear lots shall have 150 foot minimum lot width and depth, exclusive of access ways, and shall be generally rectangular in shape. The required lot area shall not include the area of the private means of access. This provision shall not be deemed to prevent the issuance of a Zoning Permit and Building Permit for farm or accessory buildings not designed or used for human occupancy. Said access for such office, business, industrial, or other non-residential use shall not be included in the required area of the lot or any other lot.

2.5.6 Non-Conforming Plan, Construction or Use: Nothing contained in these Regulations shall require any change in the plans, construction, or designated use of a building complying with laws in force prior to the effective date of these Regulations, provided that:

2.5.6.1 The use shall be lawfully existing on the effective date of these Regulations; or

2.5.6.2 (1) A complete application for approval of a Zoning Permit shall have been made prior to the date of publication of notice of the public hearing on these Regulations or amendment thereto; and

(2) Construction as defined in accordance with said Zoning Permit shall be commenced within one year of its issuance and construction shall be completed within three years of the effective date of these Regulations or amendment thereto, unless an extension of time for completion is granted by the Board.

(3) If an approved Site Plan and/or Special Permit contains multiple buildings, the construction of any major building will preclude the necessity of requesting an extension of time to complete the remaining project buildings.

2.5.7 Flood Hazard Areas: All land areas situated below the regulatory flood protection elevation, defined herein, shall be subject to the Flood Hazard Regulations, Section 5.8 herein.

2.5.8 Historic District: On April 5, 1976, an Historic District and Historic District Commission were established. Any building or structure within the Historic District boundaries, which is to be erected, altered, restored, moved or demolished, shall require a Certificate of Appropriateness from the Milford Historic District Commission.

(1) The certificate must be obtained prior to commencement of the activities described in this section.

(2) A map of the Historic District Boundaries may be examined at the Office of the City Clerk.

(3) Applicants contemplating activities described in Section 2.5.8 are urged to coordinate their proposals concurrently with both the Planning and Zoning Board and Historic District Commission.

SECTION 2.6 **EFFECT OF ZONING CHANGES ON SUBDIVISIONS**

Notwithstanding the provisions of these Regulations or any other City ordinance, when a change is adopted in the Zoning Regulations or boundaries of Zoning Districts, no lot or lots shown on a subdivision plan for residential property, which has been approved prior to the effective date of such change by the Planning and Zoning Board and recorded with the City Clerk, shall be required to conform to such change until a period of five years has elapsed from the effective date of such change.

SECTION 2.7 **GENERAL REGULATIONS**

In addition to the requirements set forth in each zoning district herein, all buildings and uses shall adhere to the following provisions:

2.7.1 All off-street parking and loading required herein shall be in accordance with Section 5.1.

2.7.2 All exterior lighting required herein shall be in accordance with Section 5.2.

2.7.3 All permitted signage provided herein shall be in accordance with Section 5.3.

2.7.4 All general landscaping, buffering, screening and landscaping of off-street parking areas required herein shall be in accordance with Section 5.14.

2.7.5 All buildings and uses requiring Site Plan review and approval shall comply with the provisions of Section 7.1.

2.7.6 All buildings and uses requiring Special Permit shall comply with the provisions of Section 7.2.

2.7.7 All buildings and uses requiring Special Exception shall comply with the provisions of Section 7.3.

2.7.8 All buildings and uses shall comply with the provisions of Section 5.11, Performance Standard Regulations.

2.7.9 All buildings and uses located within the Coastal Area Management Zone boundary shall comply with the provisions of the Connecticut Coastal Management Act and the Milford Coastal Management Plan

ARTICLE III DISTRICT USE REGULATIONS

SECTION 3.1 ONE FAMILY RESIDENTIAL DISTRICTS: R-A, R-30, R-18, R-1 2.5, R-10, R-7. 5 AND R-5

3.1.1 Permitted Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings and uses in One Family Residential Districts.

3.1.1.1 One family detached dwelling, provided that the minimum required ground floor area shall be not less than 625 square feet and the minimum required total floor area shall not be less than 900 square feet.

- (1) Family day care home as licensed by the State of Connecticut.
- (2) Adult group day care home which houses four or fewer developmentally disabled persons and necessary staff as licensed by the State of Connecticut.

3.1.1.2 Earth Sheltered Dwellings: Subject to Site Plan Approval in accordance with ARTICLE VII, Earth Sheltered Dwellings shall be fully or mostly recessed with not more than two fully exposed sides excluding the roof (see definition).

Applicants electing to construct this type of single family residence shall include with their application, in addition to those requirements of Section 7.1, the following items:

- (1) Investigation report prepared by a professional engineer (registered in Connecticut) regarding proposed site drainage and the highest seasonal elevation attained by the water table on the site.
- (2) Design of the structure shall be certified by an architect/ professional engineer (registered in Connecticut) at the discretion of the Building Inspector.
- (3) Applicants are, therefore, encouraged to discuss their design plans before applying to the Planning and Zoning Board for Site Plan Approval.

3.1.1.3 Temporary Trailers or Motorized Homes:

In the event that a single family residence is damaged by any means to an extent which would preclude continued occupancy as determined in writing (by either the Building Inspector or his designees, or the Fire Chief or the Fire Marshal), the owner or former occupants may place a trailer or motorized home on the site for a period not exceeding six months from the date the initial damage occurred which caused the residence to become uninhabitable.

Before being placed on the property, said trailer or motorized home shall require a Zoning Permit. Applicants for approval under this section shall further agree to:

- (1) Locate the temporary trailer or motorized home in compliance with the required setbacks and flood hazard regulations as applicable.
- (2) Receive electricity from the public utility company via a separate temporary electric service. Running the engine of a motorized home to recharge batteries to provide electricity for habitation of the motorized home is prohibited.
- (3) Provide a means of temporary water supply/waste disposal acceptable to the Director of Public Health. The manner in which water is obtained and waste is disposed shall not cause a public nuisance.

3.1.1.4 Farms, as defined herein.

3.1.1.5 Truck Gardens, Nurseries or Garden Centers, subject to Site Plan Review in accordance with ARTICLE VII, herein, and subject to the following:

- (1) Provided that only produce raised or grown on the premises is sold therefrom;
- (2) The sale by a nursery or garden center of plants, flowers and shrubs started elsewhere, but sold from an enclosed greenhouse, shall be allowed;
- (3) The lot size shall be not less than three (3) acres:
- (4) The buffer strip of not less than thirty (30) feet in width shall be provided adjacent to a residential district.

3.1.1.6 Cluster Developments shall be permitted in R-A, R-30, R-18 and R-12.5 Residential Districts only in accordance with Section 5.9 herein.

3.1.1.7 Accessory Apartments: It is the intent of this section to preserve/maintain the character of existing single-family neighborhoods, but at the same time recognize that certain family members related by blood, marriage or legal adoption may need the support and close physical proximity of other family members, yet desire the ability to maintain their own semi-independent living space. For this reason, an accessory apartment is allowed under the following conditions:

A single-family dwelling may have a portion converted for use as an accessory apartment, which can include kitchen facilities. For purposes of this Regulation, the term converted shall mean either completely within an existing principal building or added to the already existing principal building. Both dwelling units shall be attached by a common wall, floor, ceiling with access through a common living space from the main house and cannot be attached by a breezeway, porch, deck or garage and must be contained as one building. No accessory apartment application shall be accepted unless the property is in compliance with all current lot requirements. Applicants must provide a current A-2 survey, and full floor plans and full elevation views of the entire structure.

Including the aforementioned, all Accessory Apartments shall conform to the following requirements:

- (1) In no instance shall an accessory apartment have its own doorway on the front of the dwelling. Any existing doorway other than the main front door to the dwelling shall be removed if it provides exclusive ingress and egress to the accessory apartment. Any new means of ingress and egress if required will be provided at the rear of the house or accessory apartment.
- (2) No single-family dwelling can contain more than 1 accessory apartment. Non-conforming lots with more than 1 single family dwelling are prohibited from having an accessory apartment in any structure.
- (3) The dwelling shall be owner-occupied during the entire duration of the Permit.

- (4) One portion of the dwelling is to be occupied by a person related by blood, marriage or legal adoption to one or more family members related by blood, marriage or legal adoption living in the other portion of the dwelling.
- (5) The proposed accessory 800 square feet as measured from the exterior walls. Staircases providing exclusive access to the accessory apartment will be counted toward calculating the 800 Sq. ft. limit. Exterior patios, decks and porches without roofs will not be included toward calculating the 800 sq ft. limit.
- (6) The accessory apartment shall be accessible to and from the main dwelling.
- (7) The accessory apartment shall utilize the existing dwelling's driveway and utilities; i.e., electric, gas, water; and, if applicable, single mailbox. Separate utilities including but not limited to heating systems, electrical service, water service and gas service are prohibited.
- (8) Kitchen facilities consist of individual units of refrigerator, stove and sink and associated cabinetry, counters, and the related electrical and plumbing hook-ups. All shall be removed when the permit expires and/or not renewed, or when the property is sold except as provided in 3.1.1.7 (13) below.
- (9) No accessory apartment shall be utilized for income purposes.
- (10) The Permit shall expire 3 years from the date the application is approved by the Planning and Zoning Office. The applicant may, at least 2 months prior to the three-year expiration date, apply to extend the previous approval for an additional 36-month period. Proof in a form acceptable to the Planning and Zoning Office will be provided by the applicant verifying the relationship of the family member occupying the apartment to the property owner residing in the house.
- (11) If requested by the Planning and Zoning Office, The applicant will allow the dwelling to be inspected for compliance with these regulations.
- (12) If the Permit expires or the property is to be sold before the 36-month termination date, the seller shall, at his or her expense, remove all kitchen facilities.

- (13) If the property is to be sold before the permit issued pursuant to this section expires, the kitchen facilities may remain provided that the new owner(s) apply for and are granted a new permit for the accessory apartment pursuant to these regulations before occupancy commences.
- (14) Any previously approved but non-conforming accessory apartment shall be removed upon the sale or transfer of property ownership, unless the dwelling and apartment are brought into compliance with these regulations.
- (15) A numeric address of at least 5" in height must be affixed to the main dwelling. A separate numeric address for the accessory apartment is prohibited.
- (16) Upon expiration and/or non-renewal of the permit, the property owner is required to notify the Planning and Zoning Office to inspect and certify removal of the accessory apartment.
- (17) Application to the Zoning Board of Appeals to vary any part of 3.1.1.7 shall be prohibited.
- (18) Accessory apartments greater than 800 sq. ft. are prohibited.

3.1.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may permit the following building and uses, subject to Special Permit, Special Exception (as specifically noted), and Site Plan Approval in accordance with ARTICLE VII, herein.

3.1.2.1 Boarding houses subject to the following conditions and safeguards:

- (1) The owner shall reside therein.
- (2) A Certificate of Zoning Compliance with all applicable provisions of the State and City Building, Housing, Health and Sanitation Codes and Ordinances shall be obtained from the proper official for each dwelling unit and rooming unit.

3.1.2.2 Group day care home or adult group day care home, as defined.

3.1.2.3 Public or Parochial Schools.

3.1.2.4 Private Non-Profit Schools.

3.1.2.5 Private non-profit or charitable organizations, subject to the following conditions and safeguards.

- (1) The lot shall be at least three (3) acres.
- (2) The lot shall be located on an arterial street or major collector.
- (3) All buildings and parking areas, except those existing and approved for use under this section, shall be set back at least 50 feet from all street and lot lines.
- (4) Only the principal building may have provisions for private kitchens, snack bars or similar accessory uses.
- (5) Outdoor public address systems shall be prohibited.
- (6) The site shall be suitably landscaped in accordance with Article V, Section 5.14. The Board may require a suitable buffer strip to minimize visual impact upon the surrounding residential area.
- (7) Lot coverage of up to 50% may be allowed for these uses.
- (8) Any retail activities shall be accessory to the principal purpose of the property.

3.1.2.6 Churches or religious institutions.

3.1.2.7 Public charitable institutions.

3.1.2.8 Public or private hospitals, subject to the following conditions and safeguards:

- (1) The lot area for each eight patient beds shall not be less than the minimum required lot area of the applicable Zoning District.
- (2) The lot shall have direct access from an arterial street.

3.1.2.9 Convalescent home, nursing home or rest home, subject to Special Exception and in accordance with Article VII, Section 7.3, herein.

3.1.2.10 Libraries or community centers.

3.1.2.11 Other public buildings.

3.1.2.12 Cemeteries.

3.1.2.13 Golf Courses.

3.1.2.14 Parks, playgrounds or other public facilities.

3.1.2.15 Beach Clubs, subject to the following conditions and safeguards:

- (1) The lot area shall be at least two acres, except that the Board may permit lots of at least one acre where historic buildings exist and are found suitable for beach club purposes.
- (2) The lot shall have a shorefront location on a navigable, tidal waterbody or watercourse and shall have a sufficiently large shorefront boundary to provide suitable bathing, boating or other water connected activity.
- (3) All buildings, except those existing and approved for use under this section, shall be set back at least 50 feet from all street and lot lines and shall not cover more than 10 percent of the lot.
- (4) Only the principal club building may have provisions for restaurants, snack bars or similar accessory uses.
- (5) All sales of alcoholic liquor shall be prohibited.
- (6) All recreational areas, excluding permissible water connected activities and golf courses shall be set back at least 30 feet from all street and lot lines.
- (7) All parking areas shall be set back at least 30 feet from all street and lot lines and shall not occupy more than 25 percent of the lot.
- (8) The club membership shall be limited by the number of parking spaces provided in accordance with Section 5.1; and the number of bath houses,

lockers, cabanas or similar accessory structures designed to serve individuals shall be limited accordingly.

(9) No more than one single family dwelling may be located on any club site, provided, however, that the dwelling conforms to all the requirements of the zoning district in which it is located. Alternatively, one dwelling unit may be located in the club house for the use of the club manager or caretaker and his family.

(10) Outdoor public address systems shall be prohibited.

(11) The site shall be suitably landscaped in accordance with Article V, Section 5.14. The Board may also require a suitable buffer strip and fence as may be necessary to reasonably safeguard the public health, safety and welfare of the neighborhood.

3.1.2.16 Private boathouses, landings or docks, subject to the following conditions and safeguards:

(1) The number of boat slips, berths, moorings and similar spaces proposed shall be consistent with the Milford Harbor Management Plan as determined by the Milford Harbor Management Commission, the Milford Coastal Management Plan and the Connecticut Coastal Management Act, where applicable;

(2) The lot owner shall obtain all necessary State and Federal permits prior to constructing such boating facilities;

(3) Such boat facilities shall be designated for the exclusive use of the owner.

3.1.2.17 Public Utility Buildings or Facilities with completely enclosed service or storage areas.

3.1.2.18 Communication buildings, stations or towers subject to the following conditions and safeguards:

(1) The lot area shall not be less than five (5) acres.

(2) Any tower shall be set back from all street and lot lines by a distance equal to or greater than the height of such tower.

- (3) Any other building, structure or parking area shall be set back at least 50 feet from all street and lot lines.

3.1.2.19 Removal of or filling with earth products in accordance with the provisions of Section 5.7 herein.

3.1.2.20 Conversion of an existing building to accommodate a use allowed in the zoning district in which said building is located, subject to the following conditions and safeguards:

- (1) The building so converted shall conform, in all respects, to the use, lot and building, and supplementary regulations of the applicable zoning district.
- (2) The building so converted shall comply with all applicable provisions of the State and City Building, Housing, Health, and Sanitation Codes and Ordinances, as approved by the proper official.
- (3) The building so converted shall be placed in a reasonable state of repair and modernization.

3.1.2.21 Other related or equivalent principal buildings and uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.1.2.22 Accessory buildings and uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing principal uses shall be approved by the Board in the same manner as a permitted use, unless the Board requires a public hearing.

3.1.3 Accessory Uses: The following accessory uses shall be allowed:

3.1.3.1 A home occupation shall be a use customarily conducted for compensation, only by the occupant(s) of a single family residence.

3.1.3.2 A home occupation shall adhere to the following standards:

- (1) The home occupation shall be conducted by the owner/occupant(s) of a single family dwelling entirely within the confines of the single family residential structure.
- (2) There shall be not more than one non-resident employed.

- (3) All work shall be confined to 50% of the cellar or 25% of the first floor of the dwelling.
- (4) A home occupation shall utilize hand tools or appliances customarily found in a residential household.
- (5) Raw materials shall be brought to the dwelling only by the owner/occupant.
- (6) Product(s) that may result from the operation of a home occupation shall not be sold on the premises.
- (7) No raw materials or finished goods shall be stored outside or within any detached accessory building.
- (8) No site or external structural modification/change shall be permitted in order to accommodate a home occupation.
- (9) Home occupation proprietors purporting to adhere to the above standards shall be required to provide written documentation satisfactory to the Zoning Enforcement Officer, whereupon the Zoning Enforcement Officer shall decide whether to issue a Certificate of Zoning Compliance.

3.1.3.3 Any home occupation which does not meet the standards of Section 3.1.3.2(1) - (9) may be permitted or permitted on a trial basis by the Board by Special Permit, the length of which shall be determined by the Board, provided that it is determined that:

- (1) Excessive traffic shall not be generated, and
- (2) The tranquility of the immediate area shall not be unduly disturbed, and
- (3) The residential character of the site and principal single family structure is not altered.

3.1.3.4 Poultry coops and area subject to Site Plan approval in accordance with ARTICLE VII, herein, and the following conditions and safeguards:

- (1) Poultry kept on any lot shall not exceed twenty birds, except when on a regularly operated farm, as defined herein.
- (2) All poultry shall be fenced in so that the birds cannot pass or fly to another property.
- (3) An annual review shall be conducted by the Planning and Zoning Board.

3.1.3.5 Pigeon or dove cotes subject to Site Plan review in accordance with ARTICLE VII, herein, and the following conditions and safeguards:

- (1) Pigeons or doves kept on any residential lot shall not exceed 60 birds.
- (2) Pigeons or doves shall be housed in a structure meeting the yard requirements of principal uses of Section 3.1.4.1.
- (3) All pigeons shall be registered with a national pigeon organization by use of a seamless numbered leg band.
- (4) All grain and food stored for the keeping of pigeons and doves shall be kept in vermin-proof containers.
- (5) Up to 25 pigeons/doves shall be allowed to exercise for up to 3 hours after sunrise and/or 2 hours before sunset.
- (6) An annual review shall be conducted by the Planning and Zoning Board.

3.1.3.6 Horses or ponies up to five in number may be kept on lots of one acre or more at the rate of one horse or pony per 2/3 acre, subject to Site Plan Approval in accordance with ARTICLE VII, herein. In addition, the keeping of such animals shall be in accordance with the following conditions and safeguards:

- (1) No building for the housing of such animals shall be located closer than 50 feet from any lot line and 100 feet from a street.
- (2) Adequate fencing to confine such animals as follows:

**Figure 1: Fence Setback Requirements from Property Lines
for Horses and Ponies**

<u>Lot Size</u>	<u>Front Yards</u>	<u>Side Yards</u>	<u>Rear Yards</u>
Under 2 Acres	40'	25'	15'
Over 2 Acres	15'	25'	15'

(3) Stable manure shall be kept in a covered watertight pit or chamber and shall be removed at least once a week during the period from May 1 to October 1 and during other months at intervals sufficiently frequent to maintain a sanitary condition satisfactory to the Director of Public Health.

3.1.3.7 Private garage with space for not more than one vehicle for each 2,000 square feet of lot area and not exceeding three spaces.

3.1.3.8 Except on a regularly operated farm as is defined herein, there shall not be more than one commercial type vehicle garaged and it shall not exceed 3/4 ton capacity. (Performing maintenance on vehicles regulated by this section shall be prohibited. Maintenance shall include, but will not be limited to vehicle washing, changing oil, changing tires, tuning engines, etc.).

3.1.3.9 One camp trailer or camper, as defined herein, except that occupancy of such vehicle is prohibited while located on any lot. No such vehicle shall be located in any front yard or within six feet of any lot line.

3.1.3.10 During regular school hours only, one school bus in current use for the transportation of Milford school children.

3.1.3.11 Off-street parking and loading in accordance with Section 5.1 herein.

3.1.3.12 Signs in accordance with Section 5.3 herein.

3.1.3.13 Other accessory uses clearly subordinate and customarily incidental to and located on the same lot with the principal use and that will not be hazardous to the public health, safety and welfare.

3.1.4 Lot and Building Requirements: Buildings and uses shall comply with all requirements of the applicable Zoning District in the Schedule of Lot and Building Requirements for One Family District in Section 3.1.4.1 herein.

3.1.4.1 Schedule of Lot and Building Requirements for One Family Residential Districts

Figure 2: Lot and Building Requirements for One Family Residential Districts

	Categories						
	R-A	R-30	R-18	R-12.5	R-10	R-7.5	R-5
Minimum Requirements							
Lot Area (Square Feet)	43,560	30,000	18,000	12,500	10,000	7,500	5,000
Lot Width (Feet)	150	125	100	80	70	60	50
Lot Depth (Feet)	150	135	125	100	100	85	70
Principal Uses							
Front Yard (Feet)	50	50	40	30	25	20	*
Each Side Yard (Feet)	25	20	15	10	10	**	**
Rear Yard (Feet)	50	40	30	25	25	25	20
*Ten feet or the actual front yard setback, whichever is greater; except that the minimum required front yard shall not be required to exceed 20 feet. **One side ten (10) feet; other side five (5) feet							
Accessory Structures:							
Side Yard (Feet)	15	15	10	4	4	4	4
Rear Yard (Feet)	10	10	10	5	5	5	5
Distance from dwelling unit = 8 ft. – all residential zones (Sec.4.1.1.4 – No accessory building shall be less than 8 feet from dwelling unit) Maximum Height = 15 ft. – all residential districts (Sec. 4.1.1.3. – No accessory building shall exceed 15 feet in height)							
Maximum Permitted							
Bldg. Height Stories	3	3	3	3	3	3	3
Feet (in height)	35	35	35	35	35	35	35
Bldg. Area as % of Lot	15%	20%	25%	30%	35%	40%	45%
Lot Coverage	25%	30%	40%	45%	50%	60%	65%

3.1.5 Prohibited Uses: The following uses shall be expressly prohibited.

3.1.5.1 No addition shall exceed 15' in height which connects to an existing principal use by a one-story open breezeway or lesser structure; nor shall the aforementioned breezeway or lesser structure exceed 12' in length; nor shall the sum total of each floor's square footage (of the addition) exceed 50% of the first floor of the existing principal residence.

3.1.5.2 The use of an accessory building for residence purposes, except by persons employed by the occupant of the premises for the purpose of household and domestic management of the premises.

3.1.5.3 The parking or storing of commercial-type vehicles on residential property except as permitted in Section 3.1.3.8, above.

3.1.5.4 A driveway or similar vehicular easement, not including public streets, in or through a Residential District for access to an office, business or industrial use or zoning district.

3.1.5.5 No part of any required parking area shall be used for the storage of new or used vehicles for sale or hire, or for the storage of unregistered vehicles.

3.1.5.6 Home occupational uses such as a clinic, hospital, barber shop, beauty shop, tea room, tourist home, or animal hospital or any other similar use shall not be deemed to be a home occupation.

3.1.6 Planned Elderly Community for Persons Fifty-Five Years of Age or Older

3.1.6.1 In recognition of the unique and special needs of the elderly, this Section is intended to both promote housing choice and to encourage the development of housing alternatives and opportunities for the elderly residents of the City of Milford consistent with current developments in private elderly housing. It is further intended to provide a flexible and workable concept of community living, including the provision, within a single development, of a range of optional nutritional, recreational, housekeeping and health related services, as well as assistance with daily living activities designed to maintain a maximum level of independent living. This Section provides both standards and procedures for the development of a "Planned Elderly Community For Persons Fifty-Five Years of Age or Older" (also referred to in these Regulations as a "Planned Elderly Community"). It is recommended

that the developer of a proposed Planned Elderly Community meet with the staff of the Planning and Zoning Office and with the Planning Subcommittee of the Planning and Zoning Board prior to the submission of an application to give the developer the opportunity to discuss these regulations informally and to ask any questions he or she may have in the interest of avoiding delays and excessive revisions after submission of a formal application.

3.1.6.2 A Planned Elderly Community shall be designed for and shall be occupied exclusively by persons fifty-five (55) years of age or older, but may include persons less than fifty-five years of age provided that person's spouse meets the minimum age requirement at the time of entry. In order to provide for the safety, health and general welfare of the residents, and a choice of independent, semi-independent and assisted living arrangements, a Planned Elderly Community may consist of a combination of residential housing types, including multifamily units and detached, cluster or attached single family units.

A Planned Elderly Community may offer the following services to its residents who may choose to use any or all of the services:

- (1) Meal service for up to three (3) meals per day;
- (2) Laundry service for personal laundry and linens;
- (3) Transportation service for personal shopping, social and recreational events, health care appointments and similar needs or services;
- (4) Housekeeping services;
- (5) Maintenance service for residents, living units, including chore services for routine domestic tasks; and
- (6) Community areas suitably equipped and laid out to address the social and recreational needs of the residents;
- (7) Assisted living services as defined by the Connecticut Department of Public Health.

In addition to the foregoing services, a Planned Elderly Community may contain additional facilities or accessory uses to provide other services for the safety, health and general welfare and convenience of the residents.

3.1.6.3 Qualifying Standards: No tract of land shall be considered for a Planned Elderly Community unless it meets the following minimum standards:

- (1) The tract shall be located in an R-A, R-30, R-18, CDD-2 or CDD-4 zoning district.
- (2) The tract shall consist of a single lot or a number of contiguous lots to be merged under one ownership or control having a total area of not less than ten (10) acres in the R-A and R-30 and five (5) acres in the R-18, CDD-2 and CDD-4 districts.
- (3) The tract shall have frontage on an arterial or major collector street as shown in the Plan of Conservation and Development, dated September 20, 2002.

3.1.6.4 Site Development Plan: In addition to the Site Plan elements set forth in Section 7.1.2 of these Regulations, the applications for Special Permit and Site Plan Approval for the establishment of a Planned Elderly Community, shall include a site development plan for the development of the entire tract. The purposes of the site development plan shall be: (i) to show the intent and arrangement of the proposed residential housing types and of the uses to be included in the Planned Elderly Community; (ii) the number, order and timing of development phases if the applicant proposes to develop the tract in phases; and, (iii) the applicant's qualifications to assure the successful completion of such development.

The following shall be required as part of the site development plan:

- (1) A tabulation of proposed buildings and housing units by type, size (number of bedrooms, floor area), ground coverage, and a summary showing the percentages of the tract to be occupied by buildings, parking and other paved vehicular areas, and walkways, and open space, as well as an overall map showing same at a scale of no smaller than 1"=100' with an accompanying A-2 survey map of the entire tract.
- (2) Descriptive material providing information in narrative form about the developer, the developer's experience in building elderly or multi-family housing, the name of the architect, engineer, and landscape architect, if any, and any other pertinent information the Board may request.

- (3) Descriptive material providing information in narrative form about the types of services and facilities to be provided as part of the Planned Elderly Community. The site development plan should also include a description in narrative form of the developer's program to interrelate the facilities, services and uses, as well as a proposed marketing plan, i.e. will the dwelling units be sold, rented, etc.
- (4) A general description of the tract in question and surrounding areas, describing the degree of compatibility of the proposed use with the existing neighborhood and roadway network.
- (5) An evaluation of the probable impact of the proposed development on the services, facilities and environment of the City of Milford.
- (6) A description of the transportation plan and a traffic impact study.
- (7) A landscaping plan showing all grading, drainage, fences, walls, exterior lighting, signage, shrub and tree plantings, and other landscaping features.

3.1.6.5 Design Standards: The following standards shall apply to the design and development of a Planned Elderly Community.

- (1) The maximum number and designation of all units by type shall be determined by allocating the total area of the tract of land in accordance with the following schedule:
 - (a) 1,000 square feet per one bedroom or efficiency unit; and
 - (b) 2,000 square feet per two-bedroom unit.
- (2) The maximum building coverage shall be twenty five percent (25%); maximum lot coverage shall be sixty percent (60%).
- (3) The minimum size of the living area of each type of unit shall be determined in accordance with the following schedule:
 - (a) Two-bedroom Units - 900 sq. ft. minimum;
 - (b) One-bedroom Units - 800 sq. ft. minimum;
 - (c) Efficiency Units - 450 square feet per unit minimum.

- (4) No building shall extend within less than fifty (50) feet of any street line, fifty (50) feet of any sideline and fifty (50) feet of any rear line. No free standing garage shall extend within less than fifty (50) feet of any street line.

- (a) No building shall exceed three (3) stories or forty (40) feet in height.

- (5) Parking spaces shall be provided in accordance with Section 5.1, Parking & Loading Regulations.

All parking spaces shall meet the requirements of Section 5.1 of these Regulations and shall not extend within fifteen (15) feet of any street line. Driveways for the exclusive use of a particular unit shall be deemed to be a parking space provided said private driveway shall be at least twenty five (25) feet in length.

- (6) Signs shall be in accordance with Section 5.3, herein.

- (7) All utilities shall be underground.

- (8) Buildings shall be designed in such a manner that their physical dimensions, configuration, articulation and style shall be compatible with the lot and in harmony with the general character and appearance of the surrounding area and of the managed residential community. No residential building shall exceed a length of one hundred sixty (160) feet, and no exterior wall of such building shall exceed fifty (50) feet in length in an unbroken plane, without an offset of at least five (5) feet, unless design considerations, as determined by the Board, make this requirement impractical. Separate residential buildings may be connected by fully or partially enclosed links, containing community and ancillary services only. Such links shall not be considered when computing the maximum length of a residential building.

- (9) Public sanitary sewers shall be required.

- (10) A Planned Elderly Community shall include one or more community area or areas suitably designed and equipped to meet the social, interactional and leisure time needs of the residents of the Planned Elderly Community. The community area or areas shall total a minimum of twenty five (25) square feet per bedroom, and shall be conducive to

activities such as conversational seating, quiet areas for reading, television viewing, table games and puzzles, and provide space for other recreational programs and social activities; but shall exclude areas such as kitchen facilities, administrative offices, storage and other areas typically not used by residents for social or recreational events.

- (11) The Planned Elderly Community shall provide safe and adequate walkways for residents within the development. The applicant shall provide for adequate transportation services for the residents to provide access to necessary community services.
- (12) The Planning and Zoning Board may approve the construction of a Planned Elderly Community in phases as proposed by the applicant.
- (13) When adjacent to a residential zone district RA and R-30, there shall be a landscaped buffer of a minimum of 100 feet. When adjacent to all other residential zone districts, there shall be a landscaped buffer of a minimum of 20 feet or 10% of the lot width for side yards and lot depth for rear yards, whichever is greater.

SECTION 3.2 **SINGLE FAMILY ATTACHED RESIDENTIAL DISTRICT: SFA-10**

3.2.1 Permitted Uses Subject to Site Plan review and all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings and uses in Single Family Attached Residential Districts.

3.2.1.1 Any building or use permitted and regulated in One Family Residential Districts, Section 3.1 herein, with the exception of 3.1.6 Planned Elderly Community.

3.2.1.2 Single Family Attached Dwellings provided that:

- (1) The structure shall contain a minimum of 800 square feet on the ground floor and each dwelling shall contain within it a minimum floor area as follows:
- (2) Floor Areas:
 - a) Efficiency Bedroom Unit 425 square feet
 - b) One Bedroom Unit 575 square feet
 - c) Two Bedroom Unit 750 square feet
- (3) Bedrooms: The Board shall determine which rooms shall be construed to be bedrooms.
- (4) Utilities: No two family dwelling shall be approved by the Board unless each dwelling unit in such buildings is served by an approved public sanitary sewerage system or subsurface sewage disposal system.
- (5) Driveways: Every driveway shall be located at least 2.5 feet from a side property line.
- (6) Facades: A uniform texture and color shall be used for both units.

3.2.1.3 This regulation shall apply to subdivisions approved on or after January 1, 1975.

3.2.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may permit the following buildings and uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII, herein.

3.2.2.1 Any building or use as provided and regulated in One Family Residential Districts, Section 3.1.2 herein.

3.2.2.2 Other related or equivalent principal buildings and uses, which are not specifically listed and are not prohibited may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.2.3 Accessory Uses: The following accessory uses shall be allowed.

3.2.3.1 A home business shall be defined as the principal or part-time activity pursuit conducted by the occupants of a residence for remuneration.

3.2.3.2 A home business shall adhere to the following standards:

- (1) The home business shall be conducted by the owner occupants of a single family attached dwelling.
- (2) All work shall be confined to 25% of the cellar or 25% of the first floor of the dwelling. Operations may, however, be conducted in any detached or attached garage which meets or exceeds the setback requirements for a principal structure in the applicable district.
- (3) A home business shall utilize non-powered hand tools or appliances customarily found in a residential household.
- (4) Raw materials shall be brought to the dwelling only by the owner occupant and/or the nonresident assistant.
- (5) The product produced shall not be sold on the premises.
- (6) No raw materials or finished goods shall be stored outside.
- (7) Home business proprietors purporting to adhere to the above standards shall be required to provide written documentation satisfactory to the Zoning Enforcement Officer, where upon the Zoning Enforcement Officer shall decide whether to issue a Certificate of Zoning Compliance.

3.2.3.3 Signs: In accordance with Section 5.3 herein.

3.2.4 Lot and Building Requirements: Buildings and uses shall comply with all lot and building requirements of the applicable zoning district as set forth in this section

**Figure 3: Lot and Building Requirements
for Single Family Attached Dwelling Districts**

	SFA-10		
3.2.4.1	Minimum Lot Requirements		
	DOUBLE LOT		SINGLE LOT
(1) Minimum Lot Area	10,000 sq ft		5,000 sq. ft
(2) Lot Width (feet)	100 feet		50 feet
(3) Lot Depth (feet)	100 feet		100 feet
3.2.4.2	Minimum Yard Requirements		
(1) Principal Uses:			
(a) Front Yard Setback	20 Feet		20 feet
(b) Side Yard Setback	10 feet		10 feet
(c) Common Side	0	Other side	5 feet
(d) Rear Yard Setback	25 feet		25 feet
(2) Accessory Buildings:			
(a) Side yards	4 feet		
(b) Rear Yard	5 feet		
3.2.4.3	Building Requirements		
(1) Maximum Building Height:			
(a) Stories	3 stories		
(b) Feet	35 feet		
(2) Building area as % of lot	35 %		
(3) Lot Coverage	50 %		

3.2.5 Prohibited Uses: Any building or use prohibited in Section 3.1.5 herein.

SECTION 3.3 MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL DISTRICTS
RMF-9 AND RMF-16

3.3.1 Permitted Uses: Subject to Site Plan review and all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings and uses in Multiple-Family Residential Districts.

3.3.1.1 Any building or use permitted in One-Family Residential Districts, Section 3.1 herein.

3.3.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings and uses, subject to Special Permit approval in accordance with ARTICLE VII, herein.

3.3.2.1 Any building or use as provided and regulated in One- Family Residential Districts, Section 3.1.2 herein.

3.3.2.2 Multiple-Family dwellings under one sponsorship or ownership, whether owned and operated under rental apartment, cooperative, or condominium arrangement subject to the following conditions and safeguards:

- (1) Site Plan Requirement: A detailed landscaping plan in accordance with Article V Section 5.14 shall be required showing all grading, drainage, fences, walls, shrub and tree plantings, and other landscaping features.
- (2) Exterior Lighting: Exterior lighting shall be provided by the applicant at all access points to street, parking areas, building entrances and elsewhere, where required for the safety of vehicular or pedestrian traffic.
- (3) Street Access: No Multiple-Family dwelling shall be approved by the Board unless the lot has suitable access to an adequate collector or arterial street. No zoning permit shall be issued by the Zoning Enforcement Officer for any Multiple-Family dwelling until any required street improvements have been suitably guaranteed.
- (4) Utilities: No Multiple-Family dwelling shall be approved by the Board unless each dwelling unit in such building is:
 - (a) Served by an approved public sanitary sewerage system; and

- (b) Supplied with water from an adequate public water supply.

No Certificate of Zoning Compliance shall be issued by the Zoning Enforcement Officer for any dwelling unit until such unit has been connected to said utilities.

- (5) Improvement Standards: Plans and specifications for the construction and/or improvement of all streets, curbs and gutters, sidewalks, storm drainage facilities, sanitary sewerage facilities, water supply facilities, electric and telephone facilities, and other improvements shall comply with all applicable City and State laws, codes, ordinances, and regulations, and shall be submitted to the Board for approval.
- (6) Ownership and Maintenance: All private streets, parking areas, sidewalks, utilities, recreation facilities, open space areas, and other private improvements, facilities and areas shall be owned, maintained and operated by the applicant, owner, association or corporation without expense to the City. Legal documentation, satisfactory to the City Attorney, shall be submitted assuring the ownership, maintenance, and operation of such private improvements, facilities, and areas. Suitable restrictive covenants, particularly with regard to the minimum open space requirements, shall be included in all legal conveyances. The entire lot area of a multiple-family development shall, at all times, be maintained in a safe, sanitary and presentable condition.

3.3.2.3 Other related or equivalent principal buildings and uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.3.3 Accessory Uses: The following accessory uses shall be allowed:

3.3.3.1 Buildings and uses accessory to the principal building and/or use, such as golf courses, tennis courts, swimming pools, recreation facilities and buildings, meeting halls, maintenance, storage and utility buildings, parking garage, but not necessarily limited to these uses, shall be permitted for multiple-family dwellings when provided as an integral part of the overall development.

3.3.3.2 Accessory buildings or uses incidental to allowable uses other than multiple-family dwellings as provided in Section 3.1.3, herein.

3.3.3.3 Off-Street Parking and Loading: In accordance with Section 5.1, herein. Parking areas shall be landscaped in accordance with Article V Section 5.14.

3.3.3.4 Signs: In accordance with Section 5.3, herein.

3.3.4 Lot and Building Requirements: Buildings and uses, exclusive of multiple-family dwellings, shall comply with the requirements of R-10 Residential Districts as set forth in the Schedule of Lot and Building Requirements, Section 3.1.4, herein. All multiple-family dwellings shall comply with all lot and building requirements as set forth hereinafter.

3.3.4.1 Minimum Lot Requirements:

		RMF-9	RMF-16
(1)	Lot Area:	2 acres	43,560 sq.ft.
(2)	Lot Area per dwelling unit:		
	(a) Efficiency bedroom units	3,600 sq.ft.	2,000 sq.ft.
	(b) One-Bedroom unit	4,800 sq.ft.	2,700 sq.ft.
	(c) Two-Bedroom unit	9,600 sq.ft.	5,400 sq.ft.
	(d) Three-Bedroom unit	14,400 sq.ft.	8,100 sq.ft.
	(e) The Board shall determine which rooms may be constructed to be bedrooms.		
(3)	Lot Width:	150 feet	150 feet
(4)	Lot Depth:	150 feet	150 feet

3.3.4.2 Minimum Yard and Open Space Requirements:

(1) Principal Uses: Minimum Front Yard shall be equal to the height of the wall of the building adjacent to said yard, but not less than 25 feet; side & rear yards, 25 feet.

(2) Accessory Uses: 25 feet, except community buildings, swimming pools, or similar recreation facilities, 50 feet.

(3) Usable Open Space Per Dwelling Unit:

	<u>RMF-9</u>	<u>RMF-16</u>
(a) Efficiency bedroom unit	500 sq. ft.	300 sq. ft.

- (e) Not more than 50% of the total floor area of any dwelling unit shall be located in a basement.
- (7) Mixed Building Types: Notwithstanding any other provisions of this section, all standards of the RMF-16 zone, including lot area per dwelling unit, shall apply to the units within all buildings.
- (8) In RMF-9 Districts, all parking except that provided for visitors shall be under cover.

3.3.5 Prohibited Uses:

Any building or use prohibited in Section 3.1.5, herein

SECTION 3.4 **RESIDENTIAL OFFICE DISTRICT:** **RO**

3.4.1 Permitted Uses: Subject to all other applicable provisions and limitation of these Regulations, the Board shall permit the following buildings and uses in Residential Office Districts.

3.4.1.1 Any building or use permitted in One-Family Residential Districts, Section 3.1 herein, with the exception of 3.1.6 Planned Elderly Community.

3.4.1.2 Subject to Site Plan review in accordance with Section 3.4.1.3 and Section 7.1 herein, offices for business, financial, professional or personal services or other similar offices, but excluding funeral homes and music and dance studios.

3.4.1.3 Mixed use buildings containing allowable offices and dwelling units, subject to the following conditions and safeguards:

(1) Such buildings and uses shall be subject to Site Plan review in accordance with 3.4.1.4 and Section 7.1, herein.

(2) No mixed use building shall have more than 50% of the total gross floor area devoted to residential use nor shall the maximum number of efficiency units be greater than two (2).

(3) Each dwelling unit shall comply with the following minimum floor area requirements:

- | | | |
|-----|-----------------------------|-----------------|
| (a) | Efficiency bedroom unit: | 425 square feet |
| (b) | One bedroom unit: | 575 square feet |
| (c) | Two bedroom unit: | 750 square feet |
| (d) | Three or more bedroom unit: | 925 square feet |
- plus 175 square feet for each additional bedroom over three (3).

3.4.1.4 Use Conditions: All office and mixed use buildings shall be subject to the following additional conditions and safeguards.

- (1) Site Plan Requirement: Any application for new buildings or structural alterations shall be accompanied by building plans, floor plans and elevations prepared by a Registered Architect and/or Professional Engineer and by a detailed landscaping plan showing all grading,

drainage, fences, walls, shrub and tree plantings, and other landscaping features. Landscaping shall be in accordance with Article V, Section 5.14.

- (2) Exterior Lighting: Only exterior lighting of a type, nature and intensity approved by the Board shall be permitted on the premises. Permitted exterior lighting shall be provided by the applicant only at locations deemed necessary for public safety as determined by the Board.
- (3) Street Access: No office use shall be approved by the Board unless the lot has suitable access to an adequate collector or arterial street.

3.4.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may permit the following buildings or uses, subject to Special Permit and Site Plan review in accordance with Section 3.4.1.4 and Section 7.1, herein.

3.4.2.1 Any building or use as provided and regulated in One-Family Residential Districts, Section 3.1.2, herein with the exception of 3.1.6 Planned Elderly Community.

3.4.2.2 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.4.3 Accessory Uses: The following accessory uses shall be allowed:

3.4.3.1 Any accessory building or use in conjunction with principal uses as provided in One-Family Residential District, Section 3.1.1 and 3.1.2 herein, except those listed in Section 3.1.2.2, boarding houses.

3.4.3.2 Accessory storage in conjunction with an allowable office use, of merchandise, materials and supplies within completely enclosed buildings.

3.4.3.3 Accessory buildings or uses clearly subordinate and customarily incidental to and located on the lot with the principal use.

3.4.3.4 Off-Street Parking and Loading: In accordance with Section 5.1, herein; except that off-street parking, loading and vehicular access areas shall be provided in the manner and to the extent determined by the Board to be adequate for any office use, notwithstanding the applicable provisions of Section 5.1.4, herein. Parking areas shall be planted in accordance with Article V, Section 5.14.

3.4.3.5 Signs: In accordance with Section 5.3, herein.

3.4.4 Lot and Building Requirements: Building and uses shall comply with all lot and building requirements as set forth hereinafter.

3.4.4.1 Minimum Lot Requirements:

- (1) Lot Area: 10,000 square feet
- (2) Lot Width: 70 feet
- (3) Lot Depth: 100 feet

3.4.4.2 Minimum Yard and Open Space Requirements:

- (1) Principal Uses:
 - (a) Front Yard: 20 feet
 - (b) Side Yard: 10 feet
 - (c) Rear Yard: 25 feet
- (2) Accessory Buildings:
 - (a) Side Yard: 4 feet
 - (b) Rear Yard: 5 feet
- (3) Accessory Uses: Front yards for parking and loading areas shall not be less than 20 feet.
- (4) Usable Open Space per Dwelling Unit:
 - (a) Efficiency bedroom unit: 300 square feet
 - (b) One bedroom unit: 500 square feet
 - (c) Two bedroom unit: 1,000 square feet
 - (d) Three bedroom unit: 1,500 square feet plus 500 square feet for each additional bedroom over three (3).
 - (d) Three bedroom unit: 1,500 square feet
 - (e) The open space so set aside for any mixed use building shall be properly laid out, graded, and suitably landscaped according to Article V Section 5.14 herein
- (5) Buffer Strip: At least 10 feet adjacent to any other Residential District. Such buffer strips shall be planted in accordance with

Article V, Section 5.14. The Board may substitute appropriate fencing of suitable type and height which shall be installed and maintained by the applicant to effectively screen the use from adjoining Residential Districts.

3.4.4.3 Building Requirements:

- (1) Design: Office and mixed use buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.
- (2) Length: Office and mixed use buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed three (3) stories or 35 feet in height.
- (4) Building Area: A maximum of 35 percent.
- (5) Lot Coverage: A maximum of 70 percent.

3.4.5 Prohibited Uses: Any building or use prohibited in Single Family Residential Districts, Section 3.1.5, herein.

3.4.5.1 No merchandise, material, supplies, or other products shall be manufactured, fabricated, processed or assembled on the premises of any office or mixed use.

SECTION 3.5 **OFFICE DISTRICT: OD**

3.5.1 Permitted Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings and uses in Office Districts.

3.5.1.1 Any building or use permitted in One-Family Residential Districts, Section 3.1 herein, with the exception of 3.1.6 Planned Elderly Community.

3.5.1.2 Subject to Site Plan Approval in accordance with Section 3.5.1.5 and ARTICLE VII herein, offices for executive, professional or administrative purposes.

3.5.1.3 Subject to Site Plan Approval in accordance with Section 3.5.1.5 and ARTICLE VII, herein, computer centers housing data processing, accounting or similar types of equipment or business machines and related facilities, equipment and machines.

3.5.1.4 Subject to Site Plan Approval in accordance with Section 3.5.1.5 and ARTICLE VII, herein, motels, hotels or extended stay hotels.

3.5.1.5 Use Conditions: All of the above Permitted Uses shall be subject to the following conditions and safeguards:

- (1) Site Plan Requirements: A detailed landscaping plan shall be required showing all grading, drainage, fences, walls, shrub and tree plantings and other landscaping features. Landscaping shall be in accordance with Article V, Section 5.14.
- (2) Exterior Lighting: Exterior lighting shall be provided by the applicant at all access points to streets, parking areas, building entrances and elsewhere, where required for safety of vehicular or pedestrian traffic.
- (3) Street Access: No office use shall be approved by the Board unless the lot has suitable access to an adequate collector or arterial street.
- (4) Utilities: No office use shall be approved by the Board unless the building is:
 - (a) Served by an adequate public sanitary sewerage system, community subsurface sewage disposal system, or private, individual sewage disposal facilities approved by the Director of Public Health; and

(b) Supplied with water from an adequate public water supply, community water supply, or private individual wells and approved by the Director of Public Health.

3.5.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with Section 3.5.1.5 and ARTICLE VII, herein.

3.5.2.1 Any building or use as provided and regulated in One-Family Residential Districts, Section 3.1.2, herein with the exception of 3.1.6 Planned Elderly Community.

3.5.2.2 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.5.3 Accessory Uses: The following accessory uses shall be allowed:

3.5.3.1 Any accessory building or use in conjunction with principal uses as provided in One-Family Residential Districts, Section 3.1.3, herein.

3.5.3.2 Accessory storage of merchandise, materials or supplies within completely enclosed buildings, in conjunction with the allowable uses, of merchandise, materials or supplies.

3.5.3.3 Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with the principal use.

3.5.3.4 Off-Street Parking and Loading: In accordance with Section 5.1, herein; except that off-street parking, loading and vehicular access areas shall be provided in the manner and to the extent determined by the Board to be adequate for any office use, notwithstanding the applicable provisions of Section 5.1.4, herein. Landscaping shall be in accordance with Article V, Section 5.14.

3.5.3.5 Signs: In accordance with Section 5.3, herein.

3.5.4 Lot and Building Requirements: Buildings and uses shall comply with all lot and building requirements set forth hereinafter.

3.5.4.1 Minimum Lot Requirements:

- (1) Lot Area: 2 acres
- (2) Lot Width: 180 feet
- (3) Lot Depth: 180 feet

3.5.4.2 Minimum Yard and Open Space Requirements:

- (1) Principal Uses:
 - (a) Front Yard: 50 feet
 - (b) Side Yard: 25 feet or 50 feet contiguous to any Residential District
 - (c) Rear Yard: 50 feet
- (2) Accessory Uses: Front, side and rear yards for all accessory uses, exclusive of signs, shall not be less than the principal use yard requirements.
- (3) Open Space: At least 50 percent of the actual lot area shall be suitably landscaped and/or left in its natural state in accordance with Article V, Section 5.14.

3.5.4.3 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.
- (2) Length: No building shall exceed 160 feet in its greatest dimension, unless physical site conditions make this requirement impractical or unreasonable, as determined by the Board.
- (3) Height: No building or structure shall exceed 35 feet in height.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-half the sum of the heights of the affected buildings.
- (5) Floor Area Ratio: A maximum of 0.3 FAR, exclusive of accessory parking garages and structures.

3.5.5 Prohibited Uses: Any building or use prohibited in One-Family Residential Districts, Section 3.1.5, herein.

3.5.5.1 No merchandise, material, or supplies or other products shall be manufactured, fabricated, processed or assembled on the premises of any office or computer center.

3.5.5.2 No land shall be subdivided for residential purposes.

SECTION 3.6 **DESIGN OFFICE DISTRICTS: DO-10 AND DO-25**

3.6.1 Permitted Uses: Subject to Site Plan review and to all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings or uses in Design Office Districts.

3.6.1.1 Subject to Site Plan Approval in accordance with ARTICLE VII herein, offices for executive, professional or administrative purposes.

3.6.1.2 Subject to Site Plan Approval in accordance with ARTICLE VII, herein, computer centers housing data processing, accounting or similar types of equipment or business machines and related facilities, equipment and machines.

3.6.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII, herein. Such Special Permit may be for a group of uses within a Design Office Park or may be individual uses, both of which must comply with all regulations herein.

3.6.2.1 Scientific or research laboratories devoted to research, design, and/or experimentation.

3.6.2.2 Farms, as defined herein.

3.6.2.3 Truck Gardens, Nurseries or Garden Centers, subject to Site Plan Review in accordance with ARTICLE VII, herein, and subject to the following:

- (1) Provided that only produce raised or grown on the premises is sold there from;
- (2) The sale by a nursery or garden center of plants, flowers and shrubs started elsewhere, but sold from an enclosed greenhouse, shall be allowed;
- (3) The lot size shall be not less than three (3) acres;
- (4) The buffer strip of not less than thirty (30) feet in width shall be provided adjacent to a residential district.

3.6.2.4 Hotels or motels containing a minimum of one hundred (100) rooming units subject to the following conditions:

- (1) The hotel or motel shall be part of a mixed use development within the parcel and shall not be permitted prior to the construction of at least 100,000 square feet of office development on the parcel.
- (2) Rooming Units: Each rooming unit shall have a minimum floor area of 250 square feet and shall contain private bathing, lavatory and flush toilet facilities.
- (3) Common Floor Area: There shall be provided lobby and common floor area, excluding hallways, equal to at least 5% of the total floor area of all rooming units, but not less than 300 square feet.
- (4) Site Plan Requirements: Any application for new buildings or structural alterations shall be accompanied by building plans, floor plans and elevations and by a detailed landscaping plan showing all grading, drainage, fences, walls, shrub and tree plantings, and other landscaping features.
- (5) Utilities: No hotel or motel shall be approved by the Board unless the building is served by an approved public sanitary sewerage system.
- (6) Minimum Lot Requirements: Lot Area per rooming unit: 1,100 square feet.
- (7) Minimum Yard and Open Space Requirements: The minimum yard and open space requirements shall be those for the DO-10 and DO-25 districts.

3.6.2.5 Extended stay hotels.

3.6.2.6 Use Conditions: All of the above Special Uses shall be subject to the following additional conditions and safeguards:

- (1) Site Plan Requirements: Any application for new buildings or structural alterations shall be accompanied by building plans, floor plans and elevations prepared by a Registered Architect and/or Professional Engineer and by a detailed landscaping plan showing all grading,

drainage, fences, walls, shrub and tree plantings, and other landscaping features.

- (2) Exterior Lighting: Exterior lighting shall be provided by the applicant at all access points to streets, parking areas, building entrances and elsewhere, where required for safety of vehicular or pedestrian traffic.
- (3) Street Access: No use shall be approved by the Board unless the lot and/or subdivision has suitable access to an adequate major collector or arterial street.
- (4) Utilities: No use shall be approved by the Board unless the building is:
 - (a) Served by an adequate public sanitary sewerage system, community subsurface sewage disposal system, or private, individual sewage disposal facilities approved by the Director of Public Health; and
 - (b) Supplied with water from an adequate public water supply, community water supply or private, individual wells approved by the Director of Public Health.
 - (c) All utilities serving the site are to be underground.

3.6.2.7 Other related or equivalent principal buildings and uses, which are not specifically listed and are not prohibited may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.6.3 Accessory Uses: The following accessory uses shall be allowed:

3.6.3.1 Accessory buildings or uses for principal office uses may include the following:

- (1) Medical clinics, gift shops, restaurants, concession stands, daycare, recreation facilities or other similar uses for the exclusive use of employees and offices.
- (2) Converting, altering, finishing, cleaning, assembly or other processing of products which is clearly subordinate and customarily incidental to the principal use and where goods so produced or processes are used or sold exclusively on the premises; provided that the area used for such purposes

shall be within a completely enclosed building, and it will not be detrimental to nearby residential uses.

3.6.3.2 Accessory storage of merchandise, materials or supplies within completely enclosed buildings.

3.6.3.3 Other accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with the principal use.

3.6.3.4 Off-Street Parking and Loading: In accordance with Section 5.1, herein; except that off-street parking, loading and vehicular access areas shall be provided in the manner and to the extent determined by the Board to be adequate for any office use, notwithstanding the applicable provisions of Section 5.1.4, herein. Parking areas shall be landscaped in accordance with Article V, Section 5.14.

3.6.3.5 Signs: In accordance with Section 5.3, herein.

3.6.4 Lot and Building Requirements: Buildings and uses, shall comply with all lot and building requirements as set forth hereinafter.

3.6.4.1 Minimum Lot Requirements:

	DO-10	DO-25
(1) Lot Area:	10 contiguous acres	25 contiguous acres
(2) Lot Width:	300 feet	400 feet
(3) Lot Depth:	300 feet	400 feet

3.6.4.2 Minimum Yard and Open Space Requirements:

(1) Principal Uses:	<u>DO-10</u>	<u>DO-25</u>
(a) Front Yard	100 feet	200 feet
(b) Side Yard	100 feet	200 feet
(c) Rear Yard	100 feet	200 feet
(d) The Board may reduce any yard which abuts a limited access highway to not less than 50 feet.		

(2) Accessory Uses:

- (a) Front, side and rear yards for parking, loading, and vehicular access areas shall not be less than one-half the applicable principal use yard requirements except that with respect to abutting lots in a Design Office District, the PZB may, subject to Site Plan review, reduce such setback requirements for off-street parking adjacent to a common property line.
 - (b) Front, side and rear yards for all other accessory uses, exclusive of signs, shall not be less than the applicable principal use yard requirements.
- (3) Open Space: At least 50 percent of the actual lot area shall be suitably landscaped and/or left in its natural state in accordance with Article V, Section 5.14.

3.6.4.3 Division of Land: A Special Permit for a Design Office Park in this district may include or may be amended to permit a division or divisions of the land comprising the Design Office Park. Each separate parcel need not comply with frontage, setbacks, lot coverage, minimum building area and floor area, off-street parking and off-street loading requirements of the Zoning Regulations, provided that:

- (1) All of the parcels continue to function as integrated parts of the approved Design Office Park; and
- (2) Adequate provision is made for ingress and egress to and from a public highway; and
- (3) Adequate provision is made for parking; and
- (4) Adequate provision is made for the care and maintenance of the entire Design Office Park, which care and maintenance provision shall be recorded on the land records of the City of Milford.

3.6.4.4 Building Requirements:

- (1) Design: All buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.

- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height:
 - (a) DO-10: No building or structure shall exceed 60 feet in height.
 - (b) DO-25: No building or structure shall exceed 60 feet in height.
- (4) Spacing: Multiple buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-half of the sum of the heights of the affected buildings; exclusive of accessory parking structures which are designed to function in conjunction with the principal building.
- (5) Floor Area Ratio: DO-10 and DO-25: A maximum of 0.35 FAR, exclusive of accessory parking garages and structures.

3.6.5 Prohibited Uses

Unless otherwise permitted in section 3.6, the following uses are prohibited:

- (1) Residential Dwellings of any type.
- (2) A driveway or similar vehicular easement, not including public streets, in or through a Residential District for access to an office, business or industrial use or zoning district.
- (3) Storage of new or used vehicles for sale or hire, or for the storage of unregistered vehicles.

SECTION 3.7 **BOATING BUSINESS DISTRICT:** **BB**

3.7.1 Permitted Uses: All uses permitted in the Boating Business District shall be deemed to be Special Uses.

3.7.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings or uses, subject to Special Permit and Site Plan Approval, in accordance with ARTICLE VII, herein.

3.7.2.1 Boat clubs, marinas or yards subject to the following conditions and safeguards.

- (1) Health and Sanitation: The use shall comply with all applicable provisions of the State and City Building, Housing, Health, and Sanitation Codes and Ordinances, as approved by the proper Official. Adequate toilet facilities shall be provided on the lot and shall be located so as to be easily accessible to boat owners and guests.
- (2) Filling and Dredging: The use shall comply with all applicable provisions of the Earth Fill and Removal Regulations, Section 5.7, herein, the Milford Coastal Management Plan and the Connecticut Coastal Management Act, where applicable.
- (3) Flood Hazards: The use shall comply with all applicable provisions of the Flood Hazard Regulations, Section 5.8, herein.
- (4) Site Plan Requirements: A detailed landscaping plan shall be required showing all grading, drainage, fences, walls, shrub and tree plantings, and other landscaping features. Landscaping shall be in accordance with Article V, Section 5.14.
- (5) Exterior Lighting: Exterior lighting shall be provided by the applicant at all access points to streets, parking areas, building entrances and elsewhere, where required for safety of vehicular or pedestrian traffic, except that no lighting shall be directed on to navigable water bodies or watercourses.
- (6) Utilities: No use shall be approved by the Board unless the lot is served by an approved public sanitary sewage system.

3.7.2.2 Dwelling units, limited to one per property, for caretakers of marinas or boat yards.

3.7.2.3 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.7.3 Accessory Uses: The following accessory uses shall be allowed.

3.7.3.1 Any accessory building or use in conjunction with principal uses as provided in One-Family Residential Districts, Section 3.1.3, herein.

3.7.3.2 Accessory buildings or uses for principal boat clubs, marina, or yards may include the following:

- (1) A boat way, ramp or dock.
- (2) Fuel filling facilities for boats.
- (3) Commercial garage for boats.
- (4) A vehicle dealership for boats.
- (5) A vehicle repair and/or service garage for boats.
- (6) Any special facility for the overhaul, repair and/or service of boats, shall be stored in a completely enclosed building when required by the Board.
- (7) A boat storage yard subject to the limitations of Section 3.7.5.3, herein.
- (8) Buildings to house storage lockers.
- (9) A building for retail sales of boating equipment, material and supplies.
- (10) A restaurant, subject to the applicable provisions of Section 5.5, herein.
- (11) A refreshment stand or snack bar attached to or inside the principal building with a seating capacity not to exceed eight (8) seats per acre of the lot.

3.7.3.3 Other accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with the principal use.

3.7.3.4 Off-Street Parking and Loading: In accordance with Section 5.1, herein; except that off-street parking, loading and vehicular access areas shall be provided in the manner and to the extent determined by the Board to be adequate for any boating use, notwithstanding the applicable provisions of Section 5.1.4, herein. Landscaping within parking areas shall be in accordance with Article V, Section 5.14.

3.7.3.5 Signs: In accordance with Section 5.3, herein.

3.7.4 Lot and Building Requirements: Buildings or uses, exclusive of boat clubs, marinas, or yards, shall comply with the requirements of R-12.5 Residential Districts as set forth in the Schedule of Lot and Building Regulations, Section 3.1.4, herein. Boat clubs, marinas or yards shall comply with all lot and building requirements as set forth hereinafter, the Milford Coastal Management Plan and the Connecticut Coastal Management Act, where applicable.

3.7.4.1 Minimum Lot Requirements:

- (1) Lot area: 2 acres
- (2) Lot width: 150 feet at the established building setback line for the actual front yard
- (3) Lot depth: 200 feet
- (4) Street frontage: 50 feet
- (5) Water frontage: 150 feet, if desirable

3.7.4.2 Minimum Yard and Open Space Requirements:

- (1) Principal Uses:
 - (a) Front Yard: 30 feet
 - (b) Side Yard: Optional only for the portion abutting navigable water; otherwise, 30 feet.
 - (c) Rear Yard: Optional only for the portion abutting navigable water; otherwise, 30 feet.
- (2) Accessory Uses: Front, side and rear yards for all accessory uses, exclusive of signs, shall not be less than the established principal use yard requirements.

- (3) Buffer Strip: An adequate buffer strip shall be provided adjacent to any Residential District. Said buffer strip shall be equal to or greater than 10 percent of the actual lot width for side yards or actual lot depth for rear yards, whichever is applicable, but not less than 30 feet. The planting in such buffers shall be in accordance with Article V, Section 5.14.

3.7.4.3 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.
- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed two (2) stories nor fifty (50) feet in height, provided that such building or structure shall be setback from all abutting streets and properties a distance equal to or greater than the actual height of such building or structure.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-half the sum of the heights of the affected buildings.
- (5) Lot Coverage: A maximum of 75 percent.
- (6) Floor Area: The minimum aggregate floor area for buildings shall not be less than one (1) percent of the actual lot area.

3.7.5 Prohibited Uses: Any building or use prohibited in One-Family Residential Districts, Section 3.1.5, herein.

3.7.5.1 No part of any parking or loading area shall be used for the storage of any boats or boat trailers.

3.7.5.2 No sale of alcoholic liquor shall be permitted; except for accessory restaurants.

3.7.5.3 The Board may restrict or prohibit outdoor storage during the winter in areas where such outdoor boat storage would, in its judgment, be objectionable or hazardous to adjoining residential or public areas.

3.7.5.4 All residential uses, with the exception of caretaker facilities under Section 3.7.2.2

SECTION 3.8 **BUSINESS DISTRICT: BD**

3.8.1 Permitted Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings or uses in Business Districts, subject to Site Plan Approval in accordance with ARTICLE VII, herein.

3.8.1.1 Any building or use permitted in One-Family Residential districts, provided the lot area per dwelling or use is 20,000 square feet or greater, Section 3.1 herein.

3.8.1.2 Stores for sale of goods or establishments for performance of allowable personal services.

3.8.1.3 Offices for business, financial, professional or personal services or other similar offices.

3.8.1.4 Self-service laundry not using steam, provided that the floor area shall not exceed 3,000 square feet per establishment.

3.8.1.5 Dry cleaning establishment, provided that the floor area shall not exceed 3,000 square feet per establishment and subject to approval of the cleaning solvents by the Fire Department and approval of the method of waste disposal by the Departments of Public Works and Public Health.

3.8.1.6 Mixed use buildings containing permitted business and/or offices.

3.8.1.7 Sale of alcoholic liquor in package, drug or grocery stores subject to the applicable provisions of Section 5.5, herein.

3.8.1.8 Eating Places, without facilities for banquets, group meetings, conventions or entertainment, subject to the provisions of Section 5.5, where applicable.

3.8.1.9 Martial arts studios or instructional facilities for weaponless self-defense techniques.

3.8.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII, herein, and subject to the following:

- (1) **Site Plan Requirements:** A detailed landscaping plan shall be required showing all grading, drainage, fences, walls, shrub and tree plantings, and other landscaping features. Landscaping shall be in accordance with Article V, Section 5.14.
- (2) **Exterior Lighting:** Exterior lighting shall be provided by the applicant at all access points to streets, parking areas, building entrances and elsewhere, where required for safety or vehicular or pedestrian traffic.
- (3) **Street Access:** No use shall be approved by the Board unless the lot has suitable access to an adequate collector or arterial street.

3.8.2.1 Clubs or fraternal organizations may be allowed subject to the following conditions and safeguards and provisions of Section 5.5, where applicable:

- (1) All principal buildings shall be set back at least 50 feet from any Residential District boundary.
- (2) All off-street parking areas shall be set back at least 25 feet from any Residential District boundary.
- (3) No such use shall create any traffic hazard or nuisance to residential areas.
- (4) Appropriate landscaping and screening shall be installed and suitably maintained in accordance with Article V, Section 5.14.

3.8.2.2 Printing or publishing establishments.

3.8.2.3 Funeral home or mortuary.

3.8.2.4 Public utility buildings or facilities with completely enclosed service or storage areas.

3.8.2.5 Mixed use buildings containing one or more allowable Special Uses.

3.8.2.6 Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing special uses may be approved by the Board in the same manner as Permitted Uses, unless the Board requires a public hearing.

3.8.2.7 Restaurants with an outdoor customer dining area as defined in Section 11-2.

3.8.2.8 Boarding houses, as provided and regulated in One Family Residential Districts, Section 3.1.2.2 herein.

3.8.2.9 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.8.3 Accessory Uses: The following accessory uses shall be allowed:

3.8.3.1 Converting, altering, finishing, cleaning, assembly or other processing of products which is clearly subordinate and customarily incidental to the principal use and where goods so produced or processed are used or sold exclusively on the premises; provided that the area used for such purposes shall be within a completely enclosed building and shall not exceed 25% of the floor area of the principal use.

3.8.3.2 Accessory storage of merchandise, materials or supplies within completely enclosed buildings, or within completely fenced and screened areas.

3.8.3.3 Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use.

3.8.3.4 Off-Street Parking and Loading: In accordance with Section 5.1, herein.

3.8.3.5 Signs: In accordance with Section 5.3, herein.

3.8.4 Lot and Building Requirements: Buildings or uses shall comply with all lot and building requirements for the applicable Zoning District as set forth hereinafter.

3.8.4.1 Minimum Lot Requirements

	BD
(1) Lot Area	10,000 sq. ft
(2) Lot area permitted residential uses per Section 3.8.1.1: 20,000 sq. per bldg. use	
(3) Lot Width	50 feet
(4) Lot Depth	100 feet

3.8.4.2 Minimum Yard and Open Space Requirements:

(1) Principal Uses

	<u>BD</u>
(a) Front Yard	25 feet
(b) Side and Rear Yards	10 feet

(2) Accessory Buildings

	<u>BD</u>
(a) Front Yard	Same as for Principal Uses
(b) Side Yard	4 feet
(c) Rear yard	5 feet

(3) Accessory Uses

Front, side and rear yards for parking, loading and vehicular access areas shall not be less than 10 feet.

(4) Buffer Strip:

- (a) At least ten (10) feet adjacent to any Residential District in accordance with Article V, Section 5.14, except that the Board may substitute appropriate fencing of suitable type and height which shall be installed and maintained by the applicant to effectively screen the use from adjoining Residential Districts.
- (b) Lots that are developed/used as permitted in Section 3.8.1.1 herein shall not be required to be buffered from adjacent lots either zoned or used as single family lots.

3.8.4.3 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.
- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed 30 feet in height.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory building shall be equal to or greater than one-half the sum of the heights of the affected buildings.
- (5) Floor Area: A maximum of 7,500 square feet per establishment, except for a supermarket which shall not exceed 20,000 square feet.
- (6) Floor Area Ratio: A maximum of 0.5 F.A.R.

3.8.5 Prohibited Uses: The following uses shall be expressly prohibited.

3.8.5.1 Unless permitted in single family residential districts, no residential uses shall be permitted.

3.8.5.2 No health center or club, including reducing salons, steam baths or similar uses shall be permitted.

3.8.5.3 No display of goods or sales outdoors or from open counters or with curb service shall be permitted; except during seasonal sidewalk sales.

3.8.5.4 No drive-in establishment shall be permitted; except for drive-in banks.

3.8.5.5 No commercial garage, gasoline station, vehicle repair and/or service garage, vehicle dealership, vehicle washing establishments, or other similar use shall be permitted.

3.8.5.6 No parking or loading area shall be used for the storage of new or used vehicles for sale or hire or for the storage of unregistered vehicles.

3.8.5.7 No principal warehouse or storage, junk yard, or outside storage yards shall be permitted.

3.8.5.8 No trucking distribution centers or other principal terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own use.

3.8.5.9 No principal manufacturing, fabricating, assembling or processing of goods or products shall be permitted.

3.8.5.10 Any building or use which will not comply with the Performance Standards of Section 5.11, shall be prohibited.

3.8.5.11 No other building or use which may be inconvenient or detrimental to the general character and appearance of the surrounding neighborhood or impair the value thereof or which shall be inconsistent with the Current Plan of Conservation and Development and policy for future development of the area shall be allowed.

SECTION 3.8-1 BUSINESS DISTRICT: BD-1

3.8.1-1 Permitted Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings or uses in Business Districts, subject to Site Plan Approval in accordance with ARTICLE VII, herein.

3.8.1.1-1 One or two family dwellings.

3.8.1.2-1 Stores for sale of goods or establishments for performance of allowable personal services.

3.8.1.3-1 Offices for business, financial, professional or personal services or other similar offices.

3.8.1.4-1 Self-service Laundromat.

3.8.1.5-1 Dry cleaning establishment subject to approval of the cleaning solvents by the Fire Department and approval of the method of waste disposal by the Departments of Public Works and Public Health.

3.8.1.6-1 Mixed use buildings containing permitted business and dwellings.

3.8.1.7-1 Sale of alcoholic liquor in package, drug or grocery stores subject to the applicable provisions of Section 5.5, herein.

3.8.1.8-1 Eating Places, without facilities for banquets, group meetings, conventions or entertainment, subject to the provisions of Section 5.5, where applicable.

3.8.2-1 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII, herein, and subject to the following:

- (1) **Site Plan Requirements:** A detailed landscaping plan shall be required showing all grading, drainage, fences, walls, shrub and tree plantings, and other landscaping features. Landscaping shall be in accordance with Article V, Section 5.14.

(2) Exterior Lighting: Exterior lighting shall be provided by the applicant at all access points to streets, parking areas, building entrances and elsewhere, where required for safety or vehicular or pedestrian traffic.

(3) Street Access: No use shall be approved by the Board unless the lot has suitable access to an adequate collector or arterial street.

3.8.2.1-1 Public utility buildings or facilities with completely enclosed service or storage areas.

3.8.2.2-1 Mixed use buildings containing one or more allowable Special Uses.

3.8.2.3-1 Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing special uses may be approved by the Board in the same manner as Permitted Uses, unless the Board requires a public hearing.

3.8.2.4-1 Restaurants with an outdoor customer dining area as defined in Section 11-2.

3.8.2.5-1 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.8.3-1 Accessory Uses: The following accessory uses shall be allowed:

3.8.3.1-1 Converting, altering, finishing, cleaning, assembly or other processing of products which is clearly subordinate and customarily incidental to the principal use and where goods so produced or processed are used or sold exclusively on the premises; provided that the area used for such purposes shall be within a completely enclosed building and shall not exceed 25% of the floor area of the principal use.

3.8.3.2-1 Accessory storage of merchandise, materials or supplies within completely enclosed buildings, or within completely fenced and screened areas.

3.8.3.3-1 Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use.

3.8.3.4-1 Off-Street Parking and Loading: Optional. See also Section 6.3.3 Replacement.

3.8.3.5-1 Signs: In accordance with Section 5.3, herein.
Requirements specified for zone BD shall apply.

3.8.4-1 Lot and Building Requirements: Buildings or uses shall comply with all lot and building requirements for the applicable Zoning District as set forth hereinafter.

3.8.4.1-1 Minimum Lot Requirements

	<u>BD -1</u>
(1) Lot Area	2,000 sq. ft
(2) Lot Width	25 feet
(3) Lot Depth	80 feet

3.8.4.2-1 Minimum Yard and Open Space Requirements:

(1) Principal Uses	<u>BD-1</u>
(a) Front Yard	optional
(b) Side and Rear Yards	0 or 4 feet if provided
(2) Accessory Buildings and Accessory Uses	<u>BD-1</u>
(a) Front Yard - All accessory buildings and uses must be in the rear of the principal building except outside dining	
(b) Side Yard	4 feet
(c) Rear yard	5 feet

(3) Buffer Strip:

- (a) At least ten (10) feet adjacent to any Residential District in accordance with Article V, Section 5.14, except that the Board may substitute appropriate fencing of suitable type and height which shall be installed and maintained by the applicant to effectively screen the use from adjoining Residential Districts.
- (b) Lots that are developed/used as permitted in Section 3.8.1.1-1 herein shall not be required to be buffered from adjacent lots either zoned or used as single family lots.

3.8.4.3-1 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.
- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed 30 feet in height.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory building shall be equal to or greater than 10 feet between the affected buildings.
- (5) Floor Area: A maximum of 7,500 square feet per establishment.
- (6) Floor Area Ratio: A maximum of 1.0 F.A.R.

3.8.5-1 Prohibited Uses: The following uses shall be expressly prohibited.

3.8.5.1-1 No health center or club, including reducing salons, steam baths or similar uses shall be permitted.

3.8.5.2-1 No display of goods or sales outdoors or from open counters or with curb service shall be permitted; except during seasonal sidewalk sales.

3.8.5.3-1 No drive-in establishment shall be permitted.

3.8.5.4-1 No commercial garage, gasoline station, vehicle repair and/or service garage, vehicle dealership, vehicle washing establishments, or other similar use shall be permitted.

3.8.5.5-1 No parking or loading area shall be used for the storage of new or used vehicles for sale or hire or for the storage of unregistered vehicles.

3.8.5.6-1 No principal warehouse or storage, junk yard, or outside storage yards shall be permitted.

3.8.5.7-1 No trucking distribution centers or other principal terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own use.

3.8.5.8-1 No principal manufacturing, fabricating, assembling or processing of goods or products shall be permitted.

3.8.5.9-1 Any building or use which will not comply with the Performance Standards of Section 5.11, shall be prohibited.

3.8.5.10-1 No other building or use which may be inconvenient or detrimental to the general character and appearance of the surrounding neighborhood or impair the value thereof or which shall be inconsistent with the current Plan of Conservation and Development and policy for future development of the area shall be allowed.

SECTION 3.9 **SHOPPING CENTER DESIGN DISTRICT: SCD**

3.9.1 Permitted Uses: All uses permitted in Shopping Center Design Districts shall be deemed to be Special Uses.

3.9.2 Special Uses Subject to all other applicable provisions and limitations of these Regulations, the Board may permit the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII, herein.

3.9.2.1 Mixed uses containing allowable businesses, offices, and multi-family dwelling units; subject to the limitations of Section 3.3 medium density multi-family residential districts (RMF-16); subject to the limitations of Section 3.9.4.3 herein, and provided that the minimum lot area utilized for multi-family dwelling units shall not be less than 20 acres.

3.9.2.2 Multi-Family Dwelling Units as provided and regulated in Section 3.3 medium density multi-family residential districts, subject to the limitations of Section 3.9.4.3, herein, and provided that the minimum lot area shall not be less than 20 acres.

3.9.2.3 Offices for business, financial, professional or personal services or other similar offices.

3.9.2.4 Hotels or motels as provided and regulated in the Design Office District, Section 3.6.2.3.

3.9.2.5 A retail store containing at least 40,000 square feet of floor area.

3.9.2.6 A shopping center containing at least 60,000 square feet of floor area and containing stores for sale of goods at retail or for performance of personal services clearly subordinate and customarily incidental to retail sales.

3.9.2.7 Eating places subject to the provisions of Section 5.5 where applicable.

3.9.2.8 Restaurants with an outdoor customer dining area as defined in Section 11-2.

3.9.2.9 Sale of alcoholic liquor, subject to the applicable provisions of Section 5.5 herein.

3.9.2.10 Stores for sale of goods at wholesale.

3.9.2.11 Indoor places of entertainment, amusement, recreation or assembly such as theaters, billiard rooms, bowling alleys or other similar indoor uses. A public hearing shall be required for all uses designated in this subsection.

3.9.2.12 Dry cleaning or dyeing establishments using non-inflammable solvents; provided that the floor area shall not exceed 3,000 square feet per establishment, and subject to approval of the cleaning solvents by the Fire Department and approval of the method of waste disposal by the Departments of Public Works and Public Health.

3.9.2.13 Off-street parking garages or lots.

3.9.2.14 Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing special uses shall be approved by the Board in the same manner as a Special Use.

3.9.2.15 A change in the use of interior space of an existing building in a Shopping Center Design District shall not require either an amendment to a Special Permit and/or Site Plan Approval, provided that such use is listed in Section 3.9.2 or Section 3.9.3, and further provided that no exterior structural changes to the existing building shall be made in connection with such changed use.

3.9.2.16 Extended stay hotels.

3.9.2.17 Health centers or clubs provided that the maximum gross building area devoted to such health center or club use shall not exceed 41,000 square feet.

3.9.2.18 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited may be permitted by the Board by Special Exception in accordance with Section 7.3.

Requests for change of use to be considered under the provisions of this Section shall be in accordance with Section 8.8.2 Change of Use.

3.9.3 Accessory Uses: The following accessory uses shall be allowed:

3.9.3.1 Converting, altering, finishing, cleaning, assembly or other processing of products which is clearly subordinate and customarily incidental to a principal use and where goods so produced or processed are used or sold exclusively on the premises provided that the area used for such purposes shall be within a completely enclosed building.

3.9.3.2 Accessory vehicle repair and/or service garages, subject to the applicable provisions of Section 5.4 herein.

3.9.3.3 Accessory storage of equipment, merchandise, materials or supplies within completely enclosed buildings.

3.9.3.4 Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety and welfare.

3.9.3.5 Off-Street Parking and Loading: In accordance with Section 5.1, herein; except that off-street parking, loading and vehicular access areas shall be provided in the manner and to the extent determined by the Board to be adequate for any mixed use building, notwithstanding the applicable provisions of Section 5.1.4, herein. Landscaping in parking areas shall conform with Article V, Section 5.14.

3.9.3.6 Signs: In accordance with Section 5.3 herein.

3.9.4 Lot and Building Requirements: Subject to all other applicable provisions and limitations of these Regulations, buildings and uses shall comply with all lot and building requirements as set forth herein.

3.9.4.1 Minimum Lot Requirements:

- | | |
|----------------------------|----------|
| (1) Lot Area: | |
| (a) with dwelling units | 20 acres |
| (b) without dwelling units | 10 acres |
| (2) Lot Width: | 300 feet |
| (3) Lot Depth: | 300 feet |

3.9.4.2 Minimum Yard and Open Space Requirements:

- (1) Principal Uses: Front, side and rear yards for all principal uses shall not be less than 50 feet.
- (2) Accessory Uses: Front, side and rear yards for all accessory uses, exclusive of signs, shall not be less than 25 feet.
- (3) Buffer Strip: At least 10 feet adjacent to any Residential District for the first 50 required off-street parking spaces or any portion thereof, plus an additional 10 feet of buffer strip adjacent to any Residential District for each additional 50 required off-street parking spaces, or major fraction thereof, up to a maximum of 100 feet of buffer strip. The planting shall conform with Article V Section 5.14.

3.9.4.3 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.
- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed 10 stories or 120 feet in height; except that multiple-family dwellings shall comply with the applicable height provisions for RMF-16 Residential Districts.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-third the sum of the heights of the affected buildings; exclusive of parking structures which are designed to function in conjunction with a principal building.
- (5) Building Area: A maximum of 50 percent or less as required by off-street parking and loading regulations.
- (6) Floor Area Ratio: A maximum of 1.5 FAR, exclusive of accessory parking garages and structures.

- (7) Dwelling Units/Business Floor Area: Where multi-family dwelling units are proposed, a maximum of 40 percent of the aggregate floor area, exclusive of accessory parking and loading garages and structures, shall be used for dwelling purposes and a minimum of 50% shall be used for business and/or office uses.
- (8) Dwelling Units: Where dwelling units are proposed not to be part of a mixed use development, density shall be allowed within the following limitations: a medium density of 16 to 24 bedrooms per acre; multi-family residential shall be allowed within buildings or structures of 3 or less stories or a height of 35 feet. Increased densities are subject to Planning and Zoning Board review of building and site design to include roof style screening of mechanical equipment, facade treatments, minimum re-grading and/or changes to topography, sign designs and location, underground utilities, on site lighting and design and landscape and grading design of the site.

The provisions shall not be construed to allow a greater density than is otherwise allowable within the limitations of Section 3.9.2.2, herein.

3.9.5 Prohibited Uses: The following uses shall be expressly prohibited:

- 3.9.5.1** No display of goods outdoors, exclusive of nursery stock, shall be permitted except in courts or malls.
- 3.9.5.2** No retail sales outdoors, from open counters, or with curbside service shall be permitted; except for seasonal sidewalk sales.
- 3.9.5.3** No drive-in establishment shall be permitted; except for drive-in banks.
- 3.9.5.4** No commercial garage, gasoline station, vehicle repair and/or service garage, vehicle dealership, vehicle washing establishment, or other similar use shall be permitted; except for one accessory gasoline station per lot, and for one accessory vehicle repair and/or service garage per lot.
- 3.9.5.5** No parking or loading area shall be used for the storage of new or used vehicles for sale or hire or for the storage of unregistered vehicles.
- 3.9.5.6** No warehouse or storage; junk yard; or outside storage yards shall be permitted.

3.9.5.7 No trucking terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own use.

3.9.5.8 No principal manufacturing, fabricating, assembling or processing of goods or products shall be permitted.

3.9.5.9 Any building or use which will not comply with the Performance Standards of Section 5.11 shall be prohibited.

3.9.6 Modification of Requirements:

3.9.6.1 A lot or lots on which a lawful non-conforming use exists at the time of adoption of these Regulations, shall be subject to the foregoing requirements, except that the Board may allow continuation of such use on the portion of the lot which it occupies, and pro-rate the requirements of these Regulations on the remaining lot area if it deems such modification is within the purpose of intent of these Regulations.

3.9.6.2 A development site may be subdivided for separate sale of the components of a plan approved under this Section, provided the overall development complies with these Regulations. Any such subdivision shall be in accordance with the provisions of the Subdivision Regulations of the City of Milford. That, in the event of the foregoing, any subdivision for separate sale of a development site shall be deemed to meet the requirements of these Regulations if the overall development complies with these Regulations.

SECTION 3.10. LIMITED INDUSTRIAL DISTRICT: LI

3.10.1 Permitted Uses: Subject to all other applicable provisions and limitations of these Regulations the Board shall permit the following buildings or uses in Limited Industrial Districts, subject to Site Plan Approval in accordance with ARTICLE VII, and Section 3.10.1.11.

3.10.1.1 The manufacturing, fabricating, assembling or processing of goods or products; provided that the principal use is within a completely enclosed building.

3.10.1.2 Warehousing and/or wholesaling business, provided the principal use is within a completely enclosed building.

3.10.1.3 Building equipment, merchandise, material or supply businesses; provided that the principal use is within a completely enclosed building.

3.10.1.4 Offices for business, financial, professional or personal services or other similar offices.

3.10.1.5 Computer centers.

3.10.1.6 Scientific or research laboratories devoted to research, design and/or experimentation.

3.10.1.7 Printing or publishing establishments.

3.10.1.8 Public buildings, uses, or facilities.

3.10.1.9 Off-street parking garages or lots.

3.10.1.10 Mixed use buildings containing Permitted Uses.

3.10.1.11 Use Conditions: All of the above Permitted Uses shall be subject to the following conditions and safeguards:

- (1) **Site Plan Requirements:** A landscaping plan shall be required showing all proposed re-grading, drainage, fences, walls, and other landscaping features. The landscaping plan shall be in conformance with Article V, Section 5.14.

- (2) Exterior Lighting: Exterior lighting shall be provided by the applicant at all access points to streets, parking areas, building entrances and elsewhere, where required for safety of vehicular or pedestrian traffic.
- (3) Street Access: No use shall be approved by the Board unless the lot and/or subdivision has suitable access to a street which is adequate to accommodate the potential traffic generation from such use.
- (4) Utilities: No use shall be approved by the Board unless the use is:
 - (a) Served by an adequate public sanitary sewerage system, community subsurface sewage disposal system, or private, individual sewage disposal facility approved by the Director of Public Health; and
 - (b) Supplied with water from an adequate public water supply; community water supply or private, individual wells approved by the Director of Public Health.
 - (c) The Board may require the use to be served by an approved public sanitary sewage disposal system in order to protect the public health.

3.10.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Boards may allow the following buildings or uses; subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII, herein and Section 3.10.1.11.

3.10.2.1 Public utility buildings or facilities.

3.10.2.2 Railroad rights-of-way or stations including customary accessory services thereto.

3.10.2.3 Vehicle repair garages or services within completely enclosed buildings, subject to all applicable provisions of Section 5.4, herein and provided that the minimum required lot area shall not be less than one (1) acre.

3.10.2.4 Mixed use buildings containing one (1) or more Special Use.

3.10.2.5 Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing special uses may be approved by the Board in the same manner as a Permitted Use, unless the Board requires a public hearing. Those not complying with Section 3.10.3.2 shall require a Special Permit.

3.10.2.6 Vocational or training schools.

3.10.2.7 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.10.3 Accessory Uses: The following accessory uses shall be allowed:

3.10.3.1 Accessory warehousing and/or sales which are clearly subordinate and customarily incidental to and located on the same lot with the principal use.

3.10.3.2 Accessory outside storage of equipment, merchandise, materials or supplies which is clearly subordinate and customarily incidental to a permitted use and where goods so stored are used or sold on the premises; provided that the area used for outside storage shall be effectively screened on all sides by appropriate structures, fencing, walls, or landscaping of suitable type and height, and the area shall be limited to 15% of the lot area.

3.10.3.3 Accessory gas liquefaction or petroleum distillation and only as an accessory use.

3.10.3.4 Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use; provided that such accessory building or use will not be dangerous, injurious, detrimental or objectionable to the public health, safety or welfare of the neighborhood or community.

3.10.3.5 Off-Street Parking and Loading: In accordance with Section 5.1, herein; except that off-street parking, loading, and vehicular access shall be provided in the manner and to the extent determined by the Board to be adequate for any mixed use building, notwithstanding the applicable provisions of Section 5.1.4, herein. Parking areas shall be landscaped in accordance with Article V, Section 5.14.

3.10.3.6 Signs: In accordance with Section 5.3, herein.

3.10.4 Lot and Building Requirements: Buildings and uses shall comply with all lot and building requirements as set forth hereinafter.

3.10.4.1 Minimum Lot Requirements:

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- | | |
|----------------|--------------------|
| (1) Lot Area: | 10,000 square feet |
| (2) Lot Width: | 50 feet |
| (3) Lot Depth: | 100 feet |

3.10.4.2 Minimum Yard & Open Space Requirements:

- | | |
|---------------------|--|
| (1) Principal Uses: | <u>LI</u> |
| (a) Front Yard: | 20 feet |
| (b) Side Yard: | None required but at least 10 feet, if provided. |
| (c) Rear Yard: | None required but at least 20 feet if provided. |
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- | | |
|--------------------------|---|
| (2) Accessory Buildings: | <u>LI</u> |
| (a) Side Yard: | None required, but at least 10 feet, if provided. |
| (b) Rear Yard: | None required, but at least 10 feet, if provided. |
| (c) Front Yard: | Same as for principal use. |
-
- (3) Accessory Uses: No parking or loading areas shall be permitted in the minimum required front yard.
-
- (4) Buffer Strip: An adequate buffer strip shall be provided adjacent to any Residential District. Said buffer strip shall be equal to or greater than 10 percent of the average lot width for side yards or average lot depth for rear yards, whichever is applicable, but not less than 20 feet; except that the Board may substitute, for 10 feet of any required buffer, appropriate fencing of suitable type and height which shall be installed and maintained by the applicant to which shall be installed and maintained by the applicant to effectively screen the use from adjoining Residential Districts. The buffer shall be planted in accordance with Article V, Section 5.14.

- (5) Landscaping: The front yard shall be appropriately landscaped except for required access ways. This landscaping shall be in accordance with Article V, Section 5.14.

3.10.4.3 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.
- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed 35 feet in height.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-half the sum of the heights of the affected buildings; exclusive of parking structures which are designed to function in conjunction with the principal building.
- (5) Building Area: A maximum of 50 percent or less as required by off-street parking and loading regulations.
- (6) Floor Area Ratio: A maximum of 1.0 FAR, exclusive of accessory parking garages or structures.

3.10.5 Prohibited Uses: The following uses shall be expressly prohibited.

3.10.5.1 No dwellings or dwelling units shall be permitted; except for accommodations for watchmen, caretakers or custodians in conjunction with a principal use on the same premises.

3.10.5.2 No customer or employee parking spaces or loading areas shall be used for the display storage of new or used vehicles for sale or hire, for the storage of unregistered vehicles, or any other outside storage.

3.10.5.3 No commercial garage, gasoline station, vehicle dealership, vehicle washing establishment, or other similar use shall be permitted.

3.10.5.4 No trucking terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own use.

3.10.5.5 No principal outside storage yards shall be permitted.

3.10.5.6 No storage of petroleum shall be permitted; except for petroleum in locations and tanks of a size approved by the Fire Department to be used exclusively by an allowable use in connection with its own operation on the premises.

3.10.5.7 No allowable use shall be construed to include the following uses; and no land, building or structure shall be used for any of the following purposes:

- (1) Manufacturing of mineral acids, such as sulphurous, sulfuric, nitric and hydrochloric acid.
- (2) Asphalt manufacture or refining or manufacture of products with asphalt including the preparation or mixing of tar or asphalt with sand or aggregates.
- (3) Ammunition, explosives or fireworks manufacture.
- (4) Asbestos manufacture.
- (5) Animal black, lamp black, or bone black manufacture.
- (6) Blast furnaces, coke ovens, forge plants or foundries.
- (7) Blooming or hot rolling mill.
- (8) Cement manufacture or manufacture of shingles made with cement
- (9) Crematory or cemetery
- (10) Creosote treatment or manufacture.
- (11) Excelsior manufacture.

- (12) Fat rendering.
- (13) Fertilizer manufacture.
- (14) Hydrogenation processes.
- (15) Industrial smoke house.
- (16) Junk yards, as defined herein, and any place in or on which any old metal, glass, paper, cordage, or other waste or discarded or secondhand material is stored or deposited.
- (17) Match manufacture.
- (18) Petroleum refinery.
- (19) Raw hide or skin curing or tanning.
- (20) Reduction of wood, bones, dead animals or offal.
- (21) Rock or stone crusher or other processing of sand, gravel, or other earth products, except in accordance with the Earth Fill and Removal Regulations, Section 5.7, herein.
- (22) Slaughtering of animals.
- (23) Soap manufacture.
- (24) Stock yards.
- (25) Tallow, grease or lard manufacture or refining.
- (26) Vinegar or sauerkraut manufacture or treatment.
- (27) Yeast plant.
- (28) Mining, quarrying or processing of earth products, except that site preparation of specifically proposed building sites may be allowed in accordance with the Earth Fill & Removal Regulations, Section 5.7, herein.

3.10.5.8 No building or use which will be dangerous, injurious, detrimental or objectionable to the public health, safety or welfare of the neighborhood or community shall be allowed.

3.10.5.9 Any building or use which will not comply with the Performance Standards of Section 5.11, shall be prohibited.

SECTION 3.11 INDUSTRIAL DISTRICT.. ID

3.11.1 Permitted Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings and uses in Industrial Districts, subject to Site Plan approval in accordance with ARTICLE VII and Section 3.10.1.11, herein.

3.11.1.1 The manufacturing, fabricating, assembling or processing of goods, or repair services, but not including any of those uses set forth in the Limited Industrial District, Section 3.10.5.7, herein.

3.11.1.2 Building equipment, merchandise, material or supply businesses.

3.11.1.3 Offices for business, financial, professional or personal services or other similar offices.

3.11.1.4 Computer centers.

3.11.1.5 Scientific or research laboratories devoted to research, design and/or experimentation, including pilot plants.

3.11.1.6 Printing or publishing establishments.

3.11.1.7 Metal, woodworking or other similar shops or repair services.

3.11.1.8 Vocational training schools.

3.11.1.9 Principal warehousing and/or wholesaling business uses.

3.11.1.10 Public utility buildings or facilities.

3.11.1.11 Off-street parking garages or lots.

3.11.1.12 Eating Places: Those eating places containing a minimum floor area of 2,000 square feet subject to the provisions of Section 5.5 herein, notwithstanding 5.5.1.2 and 5.5.4.1.

3.11.1.13 Mixed use buildings containing Permitted Uses.

3.11.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings and uses; subject to Special

Permit and Site Plan Approval in accordance with ARTICLE VII and Section 3.10.1.11 herein.

3.11.2.1 Places of entertainment, amusement, recreation and/or assembly such as an archery range, golf driving range, theater, stadium, racetrack, field house, auditorium or other similar uses.

3.11.2.2 Vehicle dealerships, subject to all applicable provisions of Section 5.4 herein; but not including new or used passenger vehicle dealerships.

3.11.2.3 Vehicle repair garage or services; subject to all applicable provisions of Section 5.4 herein.

3.11.2.4 Public buildings, uses or facilities.

3.11.2.5 Trucking terminal facilities for handling freight or material with or without maintenance facilities including accessory trucking facilities; provided that such facilities, including any truck entrance, exit, driveways, maneuvering, parking or loading area, shall not be located or operated within a distance of 300 feet of any Residential District, measured in a straight line between such facility and said boundary. Trucking terminal facilities shall not be construed to include clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own use.

3.11.2.6 Principal outside storage yards or uses including, but not limited to, building or contractors' equipment, merchandise, materials or supplies, but not including junk yards; provided that the area used for outside storage shall be effectively screened on all sides by appropriate structures, fencing, walls, or landscaping of suitable type and height, and that such storage uses do not exceed a height equal to the height of any principal use structures or 60 feet, whichever is lowest.

3.11.2.7 Manufacturing uses as set forth in Limited Industrial Districts, Section 3.10.5.7 except those listed in Section 3.11.5.7, herein; subject to the following specific conditions and safeguards and provided that the Board finds, to its satisfaction, that the proposed use will, in all respects, comply with the purpose and intent of these Regulations.

(1) The Board may require any reasonable means necessary to adequately protect the public health, safety or welfare of the neighborhood or

community from dangerous, injurious, detrimental or objectionable elements and to prevent any unnecessary environmental pollution.

- (2) The Board may require the applicant to submit all appropriate plans, specifications and other documents certified by a registered professional engineer, qualified scientist or recognized authority in his field or area of concern to the effect that all necessary environmental protection measures are consistent with recognized standards and will protect the public health, safety and welfare of the neighborhood and community.

3.11.2.8 Railroad rights-of-way or stations including customary accessory services thereto.

3.11.2.9 Recycling plants, including accessory junk yard; provided that any such junk yard shall be effectively screened on all sides by appropriate structures, fencing, walls, or landscaping of suitable type and height.

3.11.2.10 Mixed use buildings containing one or more Special Uses.

3.11.2.11 Motels or hotels containing a minimum of 10 rooming units; subject to the following conditions and safeguards:

- (1) Rooming Units: Each rooming unit shall have a minimum floor area of 250 square feet and shall contain private bathing, lavatory and flush toilet facilities. No rooming unit shall contain kitchen or cooking facilities.
- (2) Common Floor Area: There shall be provided lobby and common floor areas, excluding hallways, equal to at least 5% of the total floor area of all rooming units, but not less than 300 square feet.
- (3) Site Plan Requirements: Any application for new buildings or structural alterations shall be accompanied by building plans, floor plans and elevations prepared by a Registered Architect and/or Professional Engineer and by a detailed landscaping plan showing all grading, drainage, fences, walls, shrub and tree plantings and other landscaping features.
- (4) Utilities: No motel or hotel shall be approved by the Board unless the building is served by an approved public sanitary sewage system, or private on-site septic system approved by the Director of Public Health.

(5) Minimum Lot Requirements:

Lot Area:	1 acre
Lot Area per Rooming Unit:	1,100 square feet
Lot Width:	150 feet

3.11.2.12 Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing special uses may be approved by the Board in the same manner as a Permitted Use, unless the Board requires a public hearing.

3.11.2.13 Extended stay hotels.

3.11.2.14 Restaurants with an outdoor customer dining area as defined in Section 11-2.

3.11.2.15 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.11.3 Accessory Uses: The following accessory uses shall be allowed:

3.11.3.1 Accessory outside storage of equipment, merchandise, materials or supplies which is clearly subordinate and customarily incidental to a principal use; provided that the area used for outside storage shall be effectively screened on all sides by appropriate structures, fencing, walls, or landscaping of suitable type and height, as determined by the Board and in accordance with Article V, Section 5.14, and that such storage uses do not exceed a height equal to the height of any principal use structures.

3.11.3.2 Accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use; provided that such accessory building or use will not be dangerous, injurious, detrimental or objectionable to the public health, safety or welfare of the neighborhood or community.

3.11.3.3 Accessory warehousing and/or sales uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use.

3.11.3.4 Off-Street Parking and Loading: In accordance with Section 5.1 herein; except that off-street parking, loading, and vehicular access areas shall be provided in the manner and to the extent determined by the Board to be adequate for any mixed use building, notwithstanding the applicable provisions of Section 5.1.4 herein.

3.11.3.5 Signs: In accordance with Section 5.3 herein.

3.11.4 Lot and Building Requirements:

- (1) Lot Area: 1 acre
- (2) Lot Width: 100 feet
- (3) Lot Depth: 200 feet

3.11.4.1 Minimum Yard & Open Space Requirements:

(1) Principal Uses:

- (a) Front Yard: 30 feet
- (b) Side Yard: None required but at least 4 feet if provided.
- (c) Rear Yard: None required but at least 15 feet if provided.

(2) Accessory Buildings:

- (a) Side Yard: None required but at least 4 feet if provided.
- (b) Rear Yard: None required but at least 10 feet if provided.

(3) Accessory Uses: Front yards for parking areas shall not be less than 20 feet. Front yards for all other accessory uses, exclusive of signs, shall not be less than 30 feet.

(4) Buffer Strip: An adequate buffer strip shall be provided adjacent to any Residential District. Said buffer shall be equal to or greater than 10 percent of the average lot width for side yards or average lot depth for rear yards, whichever is applicable, but not less than 20 feet. Landscaping within buffer strips shall comply with Article V, Section 5.14.

(5) Landscaping: The front yard of buildings and/or parking lots shall be appropriately landscaped except for required access ways. Landscaping shall comply with Article V, Section 5.14.

3.11.4.2 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.
- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed 120 feet in height.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-third the sum of the heights of the affected buildings; exclusive of parking structures which are designed to function in conjunction with the principal building.
- (5) Building Area: A maximum of 50 per cent or less as required by off-street parking and loading regulations.
- (6) Floor Area Ratio: A maximum of 2.0 FAR, exclusive of accessory parking garages or structures.

3.11.5 Prohibited Uses: The following uses shall be expressly prohibited:

3.11.5.1 No dwellings or dwelling units shall be permitted; except for accommodations for watchmen, caretakers or custodians in conjunction with a principal use on the same premises.

3.11.5.2 No parking or loading area shall be used for the storage of new or used vehicles for sale or hire or for the storage of unregistered vehicles.

3.11.5.3 No gasoline station, new or used automobile dealerships, vehicle washing and/or detailing establishment or other similar uses shall be permitted.

3.11.5.4 No storage of petroleum shall be permitted; except for petroleum in locations and tanks of a size approved by the Fire Department.

3.11.5.5 No building or use which will be dangerous, injurious, detrimental or objectionable to the public health, safety or welfare of the neighborhood or community.

3.11.5.6 Any building or use which will not comply with the Performance Standards of Section 5.11, shall be prohibited.

3.11.5.7 Any building or use prohibited in Section 3.10.5.7.

SECTION 3.12 HOUSATONIC DESIGN DISTRICT HDD

3.12.1 Permitted Uses: Subject to all other applicable provisions and limitations of these regulations, the Board shall permit the following buildings or uses in the Housatonic Design District, subject to Site Plan Approval in accordance with ARTICLE VII and Section 3.10.1.11, herein.

3.12.1.1 Any building or use as permitted and regulated in Industrial District, Section 3.11.1 herein.

3.12.2 Special Uses: Subject to all other applicable provisions and limitations of these regulations, the Board may allow the following buildings or uses subject to Special Permit in accordance with ARTICLE VII and Section 3.10.1.11, herein.

3.12.2.1 Any building or uses as provided and regulated in Industrial Districts, Section 3.11.2, herein; but not including principal trucking terminal facilities in Section 3.11.2.5, thereof.

3.12.2.2 Boat clubs, marinas or boat yards per Section 3.7 herein.

3.12.2.3 Hotels or motels as provided and regulated in CDD District -1, Section 3.16, herein.

3.12.2.4 Extended stay hotels.

3.12.2.5 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.12.3 Accessory Uses: The following accessory uses shall be allowed.

3.12.3.1 Any accessory building or use as provided for principal use in Industrial Districts, Section 3.11.3, herein.

3.12.3.2 Any accessory building or use, as provided for principal boat clubs, marinas or boat yards in the Boating Business District, Section 3.7.2.2, herein when in conjunction with Section 3.7.1.1.

3.12.3.3 Off-Street Parking and Loading: In accordance with Section 5.1 herein; except that off-street parking, loading, and vehicular access areas shall

be provided in the manner and to the extent determined by the Board to be adequate for any mixed use building, notwithstanding the applicable provisions of Section 5.1.4, herein. Landscaping in parking areas shall comply with Article V, Section 5.14.

3.12.3.4 Signs: In accordance with Section 5.3, herein.

3.12.4 Lot and Building Requirements: Hotels or motels shall comply with all lot and building requirements for such uses located in CDD-1, Section 3.16, herein. Other buildings and uses shall comply with all lot and building requirements as set forth hereinafter.

3.12.4.1 Minimum Lot Requirements:

- (1) Lot Area: 1 acre
- (2) Lot Width: 100 feet
- (3) Lot Depth: 200 feet

3.12.4.2 Minimum Yard and Open Space Requirements:

(1) Principal Uses:

- (a) Front Yard: 30 feet
- (b) Side and Rear Yards: 20 feet except side and rear yards option when abutting navigable water.

(2) Accessory Uses: Front, side and rear yards for parking not less than 20 feet. Front, side and rear yards for all other accessory uses, exclusive of signs, shall not be less than the established principal use yard requirements.

(3) Buffer Strip: An adequate buffer strip shall be provided adjacent to any Residential District. Said buffer strip shall be equal to or greater than 10 percent of the average lot width for side yards or average lot depth for rear yards, whichever is applicable, but not less than 30 feet. The landscaping in buffer strips shall comply with Article V, Section 5.14.

3.12.4.3 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.
- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed 120 feet in height.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-third the sum of the heights of the affected buildings; exclusive of parking structures which are designed to function in conjunction with a principal building.
- (5) Building Areas: A maximum of 50 percent or less as required by off-street parking and loading regulations.
- (6) Floor Area Ratio: A maximum 0.75 FAR, exclusive of accessory parking garages or structures.

3.12.5 Prohibited Uses: The following uses shall be expressly prohibited.

3.12.5.1 Any building or use prohibited in Industrial Districts, Section 3.11.5, herein except as provided for in 3.11.5.1.

3.12.5.2 No trucking terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own use.

3.12.5.3 Trash hauling, solid waste processing, construction and demolition debris storage and processing, recycling plants, and volume reduction facilities. To the extent that these uses are accessory to the permitted principal uses, they shall be allowed.

SECTION 3.13 WATERFRONT DESIGN DISTRICT: WDD

There exists in the City of Milford, community assets of such character that it is not in the public interest to establish specific development characteristic for each parcel of land. The Plan of Conservation and Development recognizes the asset of shorefront property and its great value to the community. Therefore, in harmony with the principles of the Plan of Conservation and Development, a special district known as "Waterfront Design District" is hereby established in areas which are found to comply with the conditions and safeguards as set forth hereinafter.

3.13.1 Permitted Uses: All uses in Waterfront Design Districts shall be deemed to be Special Uses.

3.13.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings or uses in Waterfront Design Districts, subject to Special Permit and Site Plan approval in accordance with ARTICLE VII, herein.

3.13.2.1 One-Family dwellings as provided and regulated in One-Family Residential Districts, Section 3.1 herein; subject to the limitations of Section 3.13.4, herein.

3.13.2.2 Boarding houses, as provided and regulated in One Family Residential Districts, Section 3.1.2.2 herein.

3.13.2.3 Multiple-family dwellings as provided and regulated in RMF-16 Residential Districts, Section 3.3.2.2(5) and (6), 3.3.3.1, 3.3.4.2(1) and 3.3.4.3(1), (3) & (6), thereof, subject to the limitations of Section 3.13.4, herein.

3.13.2.4 Marinas as provided and regulated in the Boating Business District, Section 3.7 herein; but not including outdoor boat storage.

3.13.2.5 Retail businesses as provided and regulated in Milford Center Design Development District, Section 3.21.1.1, herein.

3.13.2.6 A private beach with accessory uses including bath houses, swimming pool or off-street parking areas.

3.13.2.7 Public buildings, uses or facilities.

3.13.2.8 Public utility buildings or facilities.

3.13.2.9 Mixed use buildings containing one or more Special Uses, but not including any dwelling units.

3.13.2.10 A change in the use of interior space of an existing building in a Waterfront Design District shall not require either an amendment to a Special Permit and/or Site Plan Approval provided that such use is listed in Section 3.13.2 or 3.13.3 and further provided that no exterior structural changes to the existing building shall be made in connection with such changed use; and further provided that a public hearing shall be required for all uses regulated by this section (indoor places of entertainment and other similar indoor uses). Requests for change of use to be considered under the provisions of this section shall be in accordance with Section 8.8.2 Change of Use.

3.13.2.11 Use Conditions: Notwithstanding any other applicable provisions of these Regulations, the above Special Uses shall be subject to the following additional conditions and safeguards:

- (1) Site Plan Requirement: Any application for new buildings or structural alterations shall be accompanied by building plans, floor plans and elevations prepared by a Registered Architect and/or Professional Engineer, and by a detailed landscaping plan showing all grading, drainage, fences, walls, shrub and tree plantings, and other landscaping features.
- (2) Exterior Lighting: Only exterior lighting of a type, nature and intensity approved by the Board shall be permitted on the premises. Permitted exterior lighting shall be provided by the applicant only at locations deemed necessary for public safety, as determined by the Board.
- (3) Street Access: No use shall be approved by the Board unless the lot and/or subdivision has suitable frontage on a street which is adequate to accommodate the potential traffic generation from such use.
- (4) Utilities: No use shall be approved by the Board unless the use is served by an approved public sanitary sewerage system and supplied with water from an approved public water supply.

3.13.2.12 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.13.3 Accessory Uses: The following accessory uses shall be allowed:

3.13.3.1 Any accessory building or use as otherwise provided for principal uses in Section 3.13.2 above.

3.13.3.2 Accessory storage of equipment, material or supplies within completely enclosed buildings.

3.13.3.3 Other accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with the principal use.

3.13.3.4 Off-Street Parking and Loading: In accordance with the applicable provisions of Section 5.1, herein, subject to the following additional conditions and safeguards:

- (1) Off-street parking shall be so located that it is within reasonable walking distance of any relationship to the use served. Off- street parking areas shall be set back at least 10 feet from any street or lot line and the space between said street or lot line and such parking area shall be suitably landscaped.
- (2) Under no condition shall a parking lot be designed to contain more than 50 spaces, and if more spaces are required in the general area, a suitably landscaped area, at least 10 feet wide, shall separate the parking areas. Landscaping in parking areas shall conform with Article V, Section 5.14.

3.13.3.5 Signs: In accordance with the applicable provisions of Section 5.3, herein.

3.13.4 Lot and Building Requirements: The allowable uses shall comply with all applicable lot and building requirements governing such use as specified in Section 3.13.2, herein; except where the lot and building requirements as set forth hereinafter, are more restrictive. The Board shall determine which provisions may be construed to be more or less restrictive.

3.13.4.1 Minimum Lot Requirements:

- (1) Lot Area: 2 acres
- (2) Lot Width: Optional
- (3) Lot Depth: 300 feet
- (4) Water Frontage: At least 1/5 of the perimeter of the site must abut navigable tidal water body and/or public lands which abut said water body.

3.13.4.2 Minimum Yard & Open Space Requirements:

- (1) Principal & Accessory Uses: Front, side and rear yards for:
 - (a) All residential and accessory residential buildings shall be not less than 30 feet and not less than the height of the building.
 - (b) All non-residential buildings shall be not less than 20 feet.
- (2) Usable Open Space: Subject to all other applicable provisions and limitations of these Regulations, the Board shall require recreation areas suitable for all facilities.

3.13.4.3 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.
- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed the applicable height limitations governing such use as specified by reference to Section 3.3.4.3(3) in Section 3.13.2, herein.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-third the sum of the heights of the affected buildings; exclusive of parking structures which are designed to function in conjunction with a principal building.

- (5) Building Area: A maximum of 30 percent; provided that no more than 20 percent of the lot shall be occupied by mid-rise residential buildings.
- (6) Dwelling Units: The maximum permitted number of dwelling units to be contained in any combination of residential buildings shall not exceed a net density of 10 dwelling units per acre, nor 22 bedrooms per acre, where net density refers to the parcel of land exclusive of street rights-of-way. The Board shall determine which rooms may be construed to be bedrooms.

3.13.5 Prohibited Uses: Any building or use which will not comply with the Performance Standards of Section 5.11, shall be prohibited.

SECTION 3.14 OPEN SPACE DISTRICT: OS

Definition: Land that is dedicated to remain largely in an undeveloped state for purposes of providing passive or active recreation, wildlife or nature preserves, farmland, forests, and other open space purposes, shall be classified as Open Space.

The following classes of land dedicated to remain in an undeveloped state shall be classified as Open Space:

3.14.1 Municipally owned beaches, forests, wetlands, parks or outdoor recreation areas, excluding recreation areas of public schools.

3.14.2 State or Federal parks, forests, wetlands, beaches, wildlife or nature preserves, and other areas permanently dedicated to open space.

3.14.3 Private forests, wildlife or nature preserves or other areas held in open space or conservation use in perpetuity by the Milford Land & Conservation Trust or similar organizations.

3.14.4 Farmland dedicated to farming through the transfer of development rights pursuant to Section 22-26CC of the Connecticut General Statutes.

3.14.5 Land reserved for open space in accordance with Section 3.10 of the Subdivision Regulations of the City of Milford.

3.14.6 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

SECTION 3.15 BEACH EROSION ZONE: BEZ

The Beach Erosion Zone shall include all land area created by fill operations or other engineering works after January 1, 1955, as part of any beach improvement, beach maintenance, erosion control, or flood control program instituted by a public agency and located to the water side of the mean high watermark of Long Island Sound as it existed or exists on the date such project is begun, and as shall be more specifically determined by the Director of Public Works. Such map of the existing mean high watermark will be part of these Regulations.

3.15.1 Permitted Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board shall permit the following uses, but not including buildings, in Beach Erosion Zones, subject to Site Plan Approval in accordance with ARTICLE VII, herein.

3.15.1.1 Public parks or playgrounds or public beach facilities, and accessory uses to such public facilities.

3.15.1.2 Private beach or recreation facility accessory to a residential use located on the same lot or an adjoining lot, provided such facility shall not be operated as a club.

3.15.1.3 Private beach or recreation facility accessory to a club, association, or similar organization not operated for compensation.

3.15.1.4 Parking area accessory to a use allowed on the lot or an adjoining lot.

3.15.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may permit the following structures or uses, subject to Special Permit and Site Plan approval in accordance with ARTICLE VII, herein.

3.15.2.1 Structures, piers, seawalls, bulkheads, docks or fences constructed as part of a public program for beach maintenance or protection.

3.15.2.2 Groins or jetties constructed by non-public persons, clubs or associations, for the purpose of preventing erosion, may not be erected higher than two feet above mean high watermark. Groins and jetties shall comply with the Milford Coastal Management Plan and the Connecticut Coastal Management Act, where applicable.

3.15.2.3 Such other structures intended and designed to protect the beach and/or uplands from erosion, may be constructed after Special Exception and consent of the Planning and Zoning Board.

3.15.2.4 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.15.3 Accessory Uses: Only accessory structures or uses as provided in Section 3.15.1 and 3.15.2 above, shall be permitted in Beach Erosion Zones.

3.15.4 Lot and Building Requirements: Structures and uses shall comply with all lot and building requirements, as determined by the Board; except for approved flood and erosion control works and structures.

3.15.5 Prohibited Uses: Any building, structure, or use which will not comply with the Flood Hazard Regulations of Section 5.8, shall be prohibited.

SECTION 3.16 **CORRIDOR DESIGN DEVELOPMENT DISTRICT 1 – COMMUNITY DESIGN: CDD-1**

Purpose: The purpose of the Corridor Design Development District 1 – Community Design is to enhance a section of U.S. Route 1 which serves as a gateway to Milford as well as a location of uses which support the tax base, provide goods and services, and housing development which transitions to adjacent neighborhoods. As is the case with all Corridor Design Development Districts, a high level of design is established for the review of development proposals within the Site Plan review procedure.

3.16.1 Permitted Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings or uses in the Corridor Design Development District 1 – Community Design, subject to Site Plan Approval in accordance with ARTICLE VII, herein.

3.16.1.1 Stores for sale of goods or for performance of personal services, provided that the floor area shall not exceed 10,000 square feet nor have a drive-up window service.

3.16.1.2 Food or beverage service establishments, without the sale of alcoholic liquor, except as otherwise provided herein. This shall not include fast food restaurants as defined in Article XI, 11-2.

3.16.1.3 Offices for business, financial, professional or personal services or other similar offices, provided that the floor area shall not exceed 10,000 square feet.

3.16.1.4 Building equipment, merchandise, materials or supply businesses, provided that the principal use is within a completely enclosed building.

3.16.1.5 Printing or publishing establishments, provided that the floor area shall not exceed 3,000 square feet per establishment.

3.16.1.6 Metal, woodworking or other similar shops or repair services, provided that the floor area shall not exceed 3,000 square feet per shop.

3.16.1.7 Self-service laundry not using steam, provided that the floor area shall not exceed 1,500 square feet per establishment.

3.16.1.8 Dry cleaning or dyeing establishments using non-flammable solvents, provided that the floor area shall not exceed 3,000 square feet per

establishment and subject to approval of the cleaning solvents by the Fire Department and approval of the method of waste disposal by the Departments of Public Works and Public Health.

3.16.1.9 Off-street parking garages or lots.

3.16.1.10 Mixed Use buildings containing two or more Permitted Uses.

3.16.1.11 Sale of alcoholic liquor subject to the applicable provisions of Section 5.5 herein.

3.16.1.12 Commercial schools as defined herein.

3.16.1.13 Health centers or clubs, including reducing salons, steam baths or other similar uses.

3.16.1.14 Outdoor places of entertainment, amusement, recreation or assembly such as miniature golf, golf driving range or other similar open space uses.

3.16.1.15 Drive-in establishments, as defined herein and including retail sales with curb service and carry out food service.

3.16.1.16 Eating places containing a minimum floor area of 2,000 square feet, subject to the provisions of Section 5.5 herein, notwithstanding Sections 5.5.1.2 and 5.5.4.1.

3.16.1.17 Veterinary hospitals.

3.16.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII herein.

3.16.2.1 Mixed use buildings containing dwelling units, subject to the following conditions and safeguards:

- (1) No mixed use building shall have more than 67% of the total gross floor area devoted to residential use.
- (2) Each dwelling unit shall comply with the following minimum floor area requirements:

- (a) Efficiency bedroom unit: 425 square feet
- (b) One bedroom unit: 575 square feet
- (c) Two bedroom unit: 750 square feet
- (d) Three bedroom units: 925 square feet
- (e) Plus 175 square feet for each additional bedroom over three.

3.16.2.2 Multi-family residential buildings when at least 30% of the units are defined as affordable housing in accordance with Section 8-30g of the Connecticut General Statutes.

- (1) Such developments shall be limited to efficiency, one bedroom and two bedroom units.
- (2) The maximum number and designation of all units by type shall be determined by allocating the total area of the tract of land in accordance with the following schedule:
 - (a) 1,000 square feet per one bedroom or efficiency unit; and
 - (b) 2,000 square feet per two-bedroom unit.
- (3) The maximum building coverage shall be twenty five percent (25%); maximum lot coverage shall be sixty percent (60%).
- (4) The minimum size of the living area of each type of unit shall be determined in accordance with the following schedule:
 - (a) Two-bedroom Units - 900 sq. ft. minimum;
 - (b) One-bedroom Units - 800 sq. ft. minimum;
 - (c) Efficiency Units - 450 square feet per unit minimum.
- (5) The minimum lot size shall be 40,000 square feet.
- (6) No building shall exceed three (3) stories nor forty (40) feet in height.

3.16.2.3 Commercial garage, gasoline station, vehicle repair and/or service garage, vehicle dealership, vehicle washing establishment, or other similar uses; subject to all applicable provisions of Section 5.4 herein.

3.16.2.4 Hotels or motels containing a minimum of fifty (50) rooming units, subject to the following conditions and safeguards:

- (1) Rooming Units: Each rooming unit shall have a minimum floor area of 250 square feet and shall contain private bathing, lavatory and flush toilet facilities.
- (2) Common Floor Area: There shall be provided lobby and common floor area, excluding hallways, equal to at least 5% of the total floor area of all rooming units, but not less than 300 square feet.
- (3) Site Plan Requirements: Any application for new buildings or structural alterations shall be accompanied by building plans, floor plans and elevations prepared by a Registered Architect and/or Professional Engineer and by a detailed landscaping plan showing all grading, drainage, fences, walls, shrub and tree plantings, and other landscaping features.
- (4) Utilities: No hotel or motel shall be approved by the Board unless the building is served by an approved public sanitary sewerage system.
- (5) Minimum Lot Requirements: Lot Area per rooming unit: 1,100 square feet.
- (6) Minimum Yard and Open Space Requirements:
 - (a) Principal Uses: Front Yards: 50 feet; Side and Rear yards: 10 feet, or 25 feet if contiguous to any Residential District.
 - (b) Accessory Uses: Front, side and rear yards for parking, loading and vehicular access areas shall not be less than 10 feet. Front, side and rear yards for other accessory uses, exclusive of signs, shall not be less than the principal use yard requirements.
 - (c) Buffer Strip: A Buffer Strip shall be required in accordance with Section 3.16.4.2(4) herein.
- (7) Building Requirements: Building requirements shall be subject to the provisions of Section 3.16.4.3 herein, except that the building area shall not exceed 25 percent.

3.16.2.5 Clubs, lodges or fraternal organizations in accordance with the provisions of Section 3.8.2.1 herein.

3.16.2.6 Churches or religious institutions.

3.16.2.7 Public charitable institutions.

3.16.2.8 Library, community center or other public buildings.

3.16.2.9 Parks, playgrounds or other public facilities.

3.16.2.10 Public utility buildings or facilities.

3.16.2.11 Mixed use buildings containing one or more Special Uses.

3.16.2.12 Indoor places of entertainment, amusement, recreation or assembly, such as theaters, billiard rooms, bowling or other similar indoor uses.

3.16.2.13 The manufacturing, fabricating, assembling or processing of goods and products; provided that the use, as well as storage and accessory uses, are completely within an enclosed building.

3.16.2.14 Stores for sale of goods or for the performance of personal services when the floor area exceeds 10,000 square feet or has drive-up window service.

3.16.2.15 Fast food restaurants as defined in Article XI, 11-2.

3.16.2.16 Restaurants with an outdoor customer dining area as defined in Section 11-2.

3.16.2.17 Offices for business, financial, professional or personal services or other similar offices when the floor area exceeds 10,000 square feet.

3.16.2.18 Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing Special Uses may be approved by the Board in the same manner as a Permitted Use, unless the Board requires a public hearing. Those not complying with 3.16.3.3 shall require a Special Permit.

3.16.2.19 Extended stay hotels.

3.16.2.20 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.16.2.21 Any building may be converted to 100% residential use exceeding the 50% limitation imposed by Section 3.16.2.1(1). Such building shall be subject to the provisions of 3.16.2.2.

3.16.3 Accessory Uses: The following accessory uses shall be allowed:

3.16.3.1 Converting, altering, finishing, cleaning, assembly or other processing of products which is clearly subordinate and customarily incidental to the principal use and where goods so produced or processed are used or sold exclusively on the premises; provided that the area used for such purposes shall be within a completely enclosed building.

3.16.3.2 Accessory outside storage of equipment, merchandise, materials or supplies which is clearly subordinate and customarily incidental to the principal use and where goods so stored are used or sold exclusively on the premises; provided that the area used for outside storage shall be limited to 15% of the lot area and shall be effectively screened on all sides by appropriate structures, fencing, walls or landscaping of suitable type, density and height, as determined by the Board.

3.16.3.3 Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety and welfare.

3.16.3.4 Off-street parking and loading in accordance with Section 5.1, herein; except that off-street parking, loading, and vehicular access shall be provided in the manner and to the extent determined by the Board to be adequate for any mixed use building notwithstanding the applicable provisions of Section 5.1.4, herein.

3.16.3.5 Signs: In accordance with Section 5.3, herein.

3.16.4 Lot and Building Requirements: Buildings and uses shall comply with all lot and building requirements as set forth hereinafter.

3.16.4.1 Minimum Lot Requirements:

- (1) Lot Area: 10,000 square feet
- (2) Lot Width: 50 feet
- (3) Lot Depth: 100 feet

3.16.4.2 Minimum Yard and Open Space Requirements:

(1) Principal Uses:

- (a) Front Yard: 20 feet
- (b) Side & Rear Yards: None required, but at least 4 feet if provided. Lots adjacent to any Residential District shall comply with 3.16.4.2(4).

(2) Accessory Buildings: Front yard same as for principal uses. Side and rear yards are not required, but shall be at least four (4) feet, if provided.

(3) Usable Open Space Per Dwelling Unit:

- (a) Efficiency Unit: 300 sq. ft.
- (b) One Bedroom Unit: 400 sq. ft.
- (c) Two Bedroom Unit: 800 sq. ft.
- (d) Three or More Bedroom Unit: 1,200 sq. ft.

(4) Buffer Strip: An adequate buffer strip, in accordance with Article V Section 5.14 shall be provided adjacent to any Residential District. Said buffer strip shall be equal to or greater than 10% of the average lot width for side yards or average lot depth for rear yards, whichever is applicable but not less than 20 feet; except that the Board may substitute, for a required 10 foot buffer, appropriate fencing or landscaped berm of suitable type and height which shall be installed and maintained by the applicant to effectively screen the use from adjoining Residential Districts.

3.16.4.3 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood. Specific attention shall be given to the physical relationship to adjacent residential areas as well as the view from such areas.

- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed 40 feet in height.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-third the sum of the heights of the affected buildings; exclusive of parking structures which are designed to function in conjunction with a principal building.
- (5) Building Area: A maximum of 50 percent or less as required by off-street parking and loading regulations.
- (6) Floor Area Ratio: A maximum of 1.0 FAR, exclusive of accessory parking garages and structures.
- (7) Access Management: The points of vehicular access to Route 1 shall be limited to one (1) for each fifty (50) feet of street frontage.
- (8) Landscaping: All site landscaping must comply with the provisions of Article V, Section 5.14

3.16.5 Prohibited Uses: The following uses shall be expressly prohibited.

3.16.5.1 No required parking or loading area shall be used for the storage of new or used vehicles for sale or hire, or for the storage of unregistered vehicles.

3.16.5.2 No principal warehouse or storage, junk yard, or principal outside storage yards shall be permitted.

3.16.5.3 No trucking terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own uses.

3.16.5.4 Any building or use which will not comply with the Performance Standards of Section 5.11 shall be prohibited.

SECTION 3.17 CORRIDOR DESIGN DEVELOPMENT DISTRICT 2 – DEVON CENTER –
NAUGATUCK AVENUE : CDD-2

Purpose: The purpose of the Corridor Design Development District 2 – Devon – Naugatuck Avenue Center is to establish the area as a neighborhood center to provide goods and services for the surrounding area as well as specialty retailing with a broader market area. Development in this area must balance this neighborhood center use with the corridor functions of Route 1 as well as Naugatuck Avenue. Development in Devon Center should be based around sound design principles as well as integration with adjacent residential areas. It must be recognized that successful development of Devon as a neighborhood center may require some expansion of the Corridor Design Development District boundaries into some residential districts.

3.17.1 Permitted Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings or uses in the Corridor Design Development District 2 – Devon – Naugatuck Avenue Center, subject to Site Plan approval in accordance with ARTICLE VII, herein.

3.17.1.1 Single family or two-family dwellings.

3.17.1.2 Stores for sale of goods or for performance of personal services, but not including health centers or clubs, including reducing salons, steam baths or similar uses provided that the floor area shall not exceed 5,000 square feet nor have a drive up window service.

3.17.1.3 Food or beverage service establishments without the sale of alcoholic liquor, except as otherwise provided herein.

3.17.1.4 Offices for business, financial, professional or personal services or other similar offices provided that the floor area shall not exceed 5,000 square feet.

3.17.1.5 Dry cleaning or dyeing establishments using non-flammable solvents; provided that the floor area shall not exceed 3,000 square feet per establishment, and subject to approval of the cleaning solvents by the Fire Department and approval of the method of waste disposal by the Departments of Public Works and Public Health.

3.17.1.6 Printing or publishing establishments; provided that the floor area shall not exceed 3,000 square feet per establishment.

3.17.1.7 Off-street parking garages or lots.

3.17.1.8 Mixed use buildings containing two or more permitted uses.

3.17.1.9 Mixed use building containing dwelling units as well as one other permitted use, subject to the following conditions and safeguards:

(1) Each dwelling unit shall comply with the following minimum floor area requirements:

- | | | |
|-----|-------------------------|-----------------|
| (a) | Efficiency bedroom unit | 425 square feet |
| (b) | One bedroom unit | 575 square feet |
| (c) | Two bedroom unit | 750 square feet |

(2) No residential use shall be permitted on the ground floor level.

(3) The number of bedrooms per building shall not exceed a total of six (6).

3.17.1.10 Sale of alcoholic liquor subject to the applicable provisions of Section 5.5 herein.

3.17.1.11 Eating places containing a minimum floor area of 2,000 sq. ft. subject to the provisions of Section 5.5 where applicable, not withstanding Sections 5.5.1.2 and 5.5.4.1.

3.17.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings or uses, subject to Special Permit and Site Plan Approval, in accordance with ARTICLE VII.

3.17.2.1 Clubs or fraternal organizations in accordance with the provisions of Section 3.8.2.1, herein.

3.17.2.2 Boarding houses, as provided and regulated in One Family Residential Districts, Section 3.1.2.2 herein.

3.17.2.3 Indoor places of entertainment, amusement, recreation or assembly such as theaters, clubs, museums, art galleries, billiard rooms, bowling alleys or other similar indoor uses.

3.17.2.4 Multi-family residential buildings when at least 30% of the units are defined as affordable housing in accordance with Section 8-30g of the Connecticut General Statutes.

(1) Such developments shall be limited to efficiency, one bedroom and two bedroom units.

(2) The maximum number and designation of all units by type shall be determined by allocating the total area of the tract of land in accordance with the following schedule:

(a) 2,000 square feet per unit.

(3) The maximum building coverage shall be twenty five percent (25%); maximum lot coverage shall be sixty percent (60%).

(4) The minimum size of the living area of each type of unit shall be determined in accordance with the following schedule:

(a) Two-bedroom Units - 900 sq. ft. minimum;

(b) One-bedroom Units - 800 sq. ft. minimum;

(c) Efficiency Units - 450 square feet per unit minimum.

(5) The minimum lot size shall be 40,000 square feet.

(6) No building shall exceed three (3) stories nor forty (40) feet in height.

(7) Such development shall only be permitted at locations where 50% or greater of the block street frontage is in non-residential use.

3.17.2.5 Health center or clubs, including reducing salons, steam baths or similar uses.

3.17.2.6 Public charitable institutions, churches or religious institutions.

3.17.2.7 Parks, playgrounds or other public facilities; library, community center or other public buildings.

3.17.2.8 Public utility buildings or facilities with completely enclosed service or storage areas.

3.17.2.9 Mixed use buildings containing one or more Special Uses.

3.17.2.10 Commercial garage, gasoline station, vehicle repair and/or service garage, vehicle dealership, vehicle washing establishment or other similar uses; subject to all applicable provisions of Section 5.4 herein.

3.17.2.11 Stores for sale of goods or for performance of personal services, but not including health centers or clubs, including reducing salons, steam baths or similar uses when the floor area exceeds 5,000 square feet or have a drive up window service.

3.17.2.12 Offices for business, financial, professional or personal services or other similar offices when the floor area exceeds 5,000 square feet.

3.17.2.13 Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing Special Uses may be approved by the Board in the same manner as a Permitted Use, unless the Board requires a public hearing.

3.17.2.14 Bed and breakfast establishments.

3.17.2.15 Restaurants with an outdoor customer dining area as defined in Section 11-2.

3.17.2.16 Mixed-residential use lots containing low-rise multiple family dwellings and one or more of the additional uses described in Section 3.17.2.16 (4), subject to the following conditions and safeguards:

(1) A mixed-residential use shall only be allowed on lots of two or more acres meeting the following minimum lot requirements:

- a) Lot width: 200 feet
- b) Lot depth: 200 feet

(2) Not more than 80% of the total gross floor area of the lot in a mixed-residential use shall be devoted to residential use.

(3) Each dwelling unit shall comply with the following minimum floor area requirements:

- a) Efficiency bedroom unit: 425 square feet

- b) One bedroom unit: 575 square feet
- c) Two bedroom unit: 750 square feet
- d) Three bedroom unit: 925 square feet

(4) At least 20% of the total gross floor area of the buildings in a mixed-residential use shall contain one or more of the following uses:

- a) Stores for sale of goods or for the performance of personal services, but not including health centers or clubs, reducing salons, steambaths and similar uses, provided that the floor area shall not exceed 4,800 square feet;
- b) Eating places, with or without outside dining, containing a minimum floor area of 600 sq.ft. subject to the provisions of Section 5.5 where applicable, notwithstanding Sections 5.5.1.2, 5.5.4.1 and 5.5.4.2;
- c) Sale of alcoholic liquor subject to the applicable provisions of Section 5.5. herein, notwithstanding Sections 5.5.1.2, 5.5.4.1 and 5.5.4.2; however, there shall be only one tavern per lot;
- d) Offices for business, financial, professional and personal services and other similar offices provided that the floor area shall not exceed 3,200 sq.ft.; and
- e) Art galleries provided that the floor area shall not exceed 4,800 square feet.

(5) Accessory uses to a mixed-residential use shall be permitted to the same extent as provided in Section 3.17.3.

(6) Off-street parking, loading, and vehicular access areas shall be provided in the manner and to the extent determined by the Board to be adequate for any mixed-residential use, except that where public, on-street parking is available there shall be no off-street parking or loading requirement for commercial storefront uses, notwithstanding the applicable provisions of Section 5.1.4, herein. In addition, parking may be provided on a lot other than the building lot either in a public lot or as private lot within 500 feet of the building lot with evidence of a signed lease.

(7) The following minimum setback and open space requirements shall apply to a mixed-residential use:

a) Principal Uses

- (i) Front yard: 10 feet or the same as the lowest average front yard of existing structures on the same block or any adjacent block, including blocks separated by a public right-of-way, whichever is less.
- (ii) Side and Rear Yards: None required, but must comply with Section 3.17.4.2 (4).

b) Accessory Buildings: Front yard; same as for principal uses. Side and rear yards are not required, but must comply with Section 3.17.4.2 (4).

c) Buffer Strip: Must comply with Section 3.17.4.2 (4).

d) Open Space: A mixed-residential use shall provide not less than 1,000 square feet of open space per residential dwelling unit.

(8) The building and site requirements for a mixed-residential use shall be the same as provided in Section 3.17.4.3 for the CDD-2 generally, except that the maximum permitted number of dwelling units to be contained in any combination of residential buildings shall not exceed a density of 12 dwelling units per acre, or 28 bedrooms per acre. The Board shall determine which rooms may be construed to be bedrooms.

3.17.2.17 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.17.2.18 Public or parochial school, private non-profit school, licensed child-care center.

3.17.3 Accessory Uses: The following accessory uses shall be allowed:

3.17.3.1 Converting, altering, finishing, cleaning, assembly or other processing of products which is clearly subordinate and customarily incidental to the principal use and where goods so produced or processes are used or sold exclusively on the premises; provided that the area used for such purposes shall be within a completely enclosed building.

3.17.3.2 Accessory outside storage of equipment, merchandise, materials or supplies which is clearly subordinate and customarily incidental to the principal use and where goods so stored are used or sold exclusively on the premises; provided that the area used for outside storage shall be effectively screened on all sides by appropriate structures, fencing, walls, or landscaping of suitable type, density and height, as determined by the Board.

3.17.3.3 Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety and welfare.

3.17.3.4 Off-Street Parking and Loading in accordance with Section 5.1, herein; except that off-street parking, loading, and vehicular access areas shall be provided in the manner and to the extent determined by the Board to be adequate for any mixed use building, notwithstanding the applicable provisions of Section 5.1.4, herein. In addition, parking may be provided on a lot other than the building lot either in a public lot or a private lot with evidence of a signed lease.

3.17.3.5 Signs: In accordance with Section 5.3, herein.

3.17.4 Lot and Building Requirements: Buildings and uses shall comply with all lot and building requirements as set forth hereinafter.

Section 3.17.4.1 Minimum Lot Requirements:

- | | | |
|-----|------------|---|
| (1) | Lot Area: | 2,000 square feet;
4,000 square feet for two-family dwellings. |
| (2) | Lot Width: | 20 feet |
| (3) | Lot Depth: | 70 feet |

3.17.4.2 Minimum Yard and Open Space Requirements:

- (1) Principal Uses:
 - (a) Front Yard: 10 feet or the same as the average front yard of existing structures on the block.
 - (b) Side and Rear Yards: None required, but at least 4' if provided. If the subject use abuts a residential zone, the required yard shall not encroach on any required buffer strip.
- (2) Accessory Buildings and Accessory Uses: Front yard: same as principal uses. Side and rear yards are not required, but shall comply with Section 3.17.4.2(1)(b) above.
- (3) Buffer Strip: At least 10 feet adjacent to any Residential District; except that the Board may substitute appropriate fencing or landscaped berm of suitable type and height which shall be installed and maintained by the applicant to effectively screen the use from adjoining Residential Districts. The buffer strip shall be planted in accordance with Article V Section 5.14.

3.17.4.3 Building and Site Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood. All buildings and other improvements shall be constructed in accordance with the Corridor Design Development District 2 – Devon Center-Naugatuck Avenue Design Guidelines attached hereto as Appendix A.
- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed three (3) stories or 40 feet in height.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-third the sum of the heights of the affected

buildings; exclusive of parking structures which are designed to function in conjunction with a principal building.

- (5) Building Area: A maximum of 50 percent or less as required by off-street parking and loading regulations.
- (6) Floor Area Ratio: A maximum of 1.5 FAR, exclusive of accessory parking garages and structures
- (7) All site development shall be consistent with and enhance the Master Plan For Devon Center dated September 22, 2000.
- (8) Access driveways to Route 1 shall be limited to 1 per lot. One additional driveway shall be permitted for each additional 50 feet of lot width.

3.17.5 Prohibited Uses: The following uses shall be expressly prohibited:

3.17.5.1 No drive-in establishment shall be permitted; except for drive-in banks.

3.17.5.2 No parking or loading area shall be used for the storage of new or used vehicles for sale or hire; or for the storage of unregistered vehicles.

3.17.5.3 No principal warehouse or storage; junkyard; or principal outside storage yards shall be permitted.

3.17.5.4 No trucking distribution centers or other principal terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own use.

3.17.5.5 No principal manufacturing, fabricating, assembling or processing of goods or products shall be permitted.

3.17.5.6 Any building or use which will not comply with the Performance Standards of Section 5.11 shall be prohibited.

SECTION 3.18 CORRIDOR DESIGN DEVELOPMENT DISTRICT 3 – BRIDGEPORT
AVENUE DESIGN CORRIDOR DISTRICT : CDD-3

Purpose: The purpose of the Corridor Design Development District 3 – Bridgeport Avenue Design District is to enhance a section of U.S. Route 1 which serves as a critical transportation link between Milford Center and the southwestern area of the City, as well as a location of uses which support the tax base, provide goods and services, and transition to adjacent neighborhoods. As is the case with all Corridor Design Development Districts, a high level of design is established for the review of development proposals within the Site Plan review procedure.

3.18.1 Permitted Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings or uses in the Corridor Design Development District 3 – Bridgeport Avenue Design District, subject to Site Plan Approval in accordance with ARTICLE VII, herein.

3.18.1.1 Commercial garage, gasoline station, vehicle repair and/or service garage, vehicle dealership, vehicle washing establishment, or other similar uses, subject to the following:

- (a) No display or parking of vehicles shall be permitted within buffer or pedestrian areas within the parcel or within any public right-of-way.
- (b) All applicable provisions of Section 5.4 herein.

3.18.1.2 Stores for sale of goods or for performance of personal services.

3.18.1.3 Food or beverage service establishments, without the sale of alcoholic liquor, except as otherwise provided herein. This shall not include fast food restaurants as defined in Article XI, 11-2.

3.18.1.4 Offices for business, financial, professional or personal services or other similar offices.

3.18.1.5 Building equipment, merchandise, materials or supply businesses, provided that the principal use is within a completely enclosed building.

3.18.1.6 Printing or publishing establishments.

3.18.1.7 Metal, woodworking or other similar shops or repair services

3.18.1.8 Self-service laundry.

3.18.1.9 Dry cleaning or dyeing establishments using non-flammable solvents, subject to approval of the cleaning solvents by the Fire Department and approval of the method of waste disposal by the Departments of Public Works and Public Health.

3.18.1.10 Off-street parking garages or lots, provided that no display or parking of vehicles shall be permitted within buffer or pedestrian areas or within any public right-of-way.

3.18.1.11 Mixed use buildings containing two or more Permitted Uses.

3.18.1.12 Sale of alcoholic liquor subject to the applicable provisions of Section 5.5 herein.

3.18.1.13 Commercial schools as defined herein.

3.18.1.14 Health centers or clubs, including reducing salons, steam baths or other similar uses.

3.18.1.15 Outdoor places of entertainment, amusement, recreation or assembly such as miniature golf, golf driving range or other similar open space uses.

3.18.1.16 Drive-in establishments, as defined herein and including retail sales with curb service and carry-out food service.

3.18.1.17 Eating places containing a minimum floor area of 2,000 square feet subject to the provisions of Section 5.5 herein, notwithstanding Sections 5.5.1.2 and 5.5.4.1.

3.18.1.18 Veterinary hospitals.

3.18.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII herein.

3.18.2.1 Clubs, lodges or fraternal organizations in accordance with the provisions of Section 3.8.2.1 herein.

- 3.18.2.2** Churches or religious institutions.
- 3.18.2.3** Public charitable institutions.
- 3.18.2.4** Library, community center or other public buildings.
- 3.18.2.5** Parks, playgrounds or other public facilities.
- 3.18.2.6** Public utility buildings or facilities.
- 3.18.2.7** Mixed use buildings containing one or more Special Uses.
- 3.18.2.8** Indoor places of entertainment, amusement, recreation or assembly, such as theaters, billiard rooms, bowling or other similar indoor uses.
- 3.18.2.9** The manufacturing, fabricating, assembling or processing of goods or products, provided that the use as well as storage or accessory uses are completely within an enclosed building.
- 3.18.2.10** Fast food restaurants as defined in Article XI, 11-2.
- 3.18.2.11** Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing Special Uses may be approved by the Board in the same manner as a Permitted Use, unless the Board requires a public hearing. Those not complying with 3.16.3.3 shall require a Special Permit.
- 3.18.2.12** Restaurants with an outdoor customer dining area as defined in Section 11-2.
- 3.18.2.13** Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.18.3 Accessory Uses: The following accessory uses shall be allowed:

3.18.3.1 Converting, altering, finishing, cleaning, assembly or other processing of products which is clearly subordinate and customarily incidental to the principal use and where goods so produced or processed are used or sold exclusively on the premises, provided that the area used for such purposes shall be within a completely enclosed building.

3.18.3.2 Accessory outside storage of equipment, merchandise, materials or supplies which is clearly subordinate and customarily incidental to the principal use and where goods so stored are used or sold exclusively on the premises, provided that the area used for outside storage shall be limited to 15% of the lot area and shall be effectively screened on all sides by appropriate structures, fencing, walls or landscaping of suitable type, density and height, as determined by the Board and in accordance with Article V, Section 5.14.

3.18.3.3 Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety and welfare.

3.18.3.4 Off-street parking and loading in accordance with Section 5.1, herein; except that off-street parking, loading, and vehicular access shall be provided in the manner and to the extent determined by the Board to be adequate for any mixed use building notwithstanding the applicable provisions of Section 5.1.4, herein.

3.18.3.5 Signs: In accordance with Section 5.3, herein.

3.18.4 Lot and Building Requirements: Buildings and uses shall comply with all lot and building requirements as set forth hereinafter.

3.18.4.1 Minimum Lot Requirements:

- (1) Lot Area: 10,000 square feet
- (2) Lot Width: 50 feet
- (3) Lot Depth: 100 feet

3.18.4.2 Minimum Yard and Open Space Requirements:

- (1) Principal Uses:

- (a) Front Yard: 20 feet.
 - (b) Side & Rear Yards: None required, but at least 4 feet if provided. Lots adjacent to any Residential District shall comply with 3.18.4.2(3).
- (2) Accessory Buildings: Front yard: 20 feet. Side and rear yards are not required, but shall be at least four (4) feet, if provided.
- (3) Buffer Strip: An adequate buffer strip shall be provided adjacent to any Residential District. Said buffer strip shall be equal to or greater than 10% of the average lot width for side yards or average lot depth for rear yards, whichever is applicable, but not less than 20 feet; except that the Board may substitute, for a required 10 foot buffer, appropriate fencing or landscaped berm of suitable type and height which shall be installed and maintained by the applicant to effectively screen the use from adjoining Residential Districts.
- (4) Landscaping: All site landscaping must comply with the provisions of Section 5.14 and Section 3.19.4.2(5) below.
- (5) Landscaping of Surface Parking Lots: In addition to the site landscaping requirements provided in Section 5.14, the following provisions shall apply to vehicle dealership establishments in regard to the landscaping of surface parking lots.
- (a) Portions of a land parcel used for the outdoor display of vehicles for sale or lease shall not be required to provide internal landscaping for such display areas.
 - (b) In lieu of internal landscaping in outdoor vehicle display areas, a ten (10) foot-wide buffer strip, landscaped in accordance with Section 5.14, shall be provided along the length of those sides of the display area that face a street or other public right-of-way, and along the length of those sides of the display area that face any lot line shared with an adjacent non-residential use.
 - (c) In lieu of internal landscaping in outdoor vehicle display areas, a twenty (20) foot-wide buffer strip, landscaped in accordance with Section 5.14, shall be provided along the length of those sides of the display area

that face any residential zone boundary line or lot line shared with an adjacent residential use.

- (d) Portions of a land parcel used for parking purposes for customers and employees shall be landscaped in accordance with Section 5.14.

3.18.4.3 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood. Specific attention shall be given to the physical relationship to adjacent residential areas as well as the view from such areas.
- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed 40 feet in height.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-third the sum of the heights of the affected buildings; exclusive of parking structures which are designed to function in conjunction with a principal building.
- (5) Building Area: A maximum of 50 percent or less as required by off-street parking and loading regulations.
- (6) Floor Area Ratio: A maximum of 1.0 FAR, exclusive of accessory parking garages and structures.
- (7) Access Management: The points of vehicular access to Route 1 shall be limited to one vehicular access point per property, plus one additional vehicular access point for every 100 feet of frontage beyond the minimum lot width.

3.18.5 Prohibited Uses: The following uses shall be expressly prohibited.

3.18.5.1 No trucking terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own uses.

3.18.5.2 Residential uses of any type shall be prohibited.

3.18.5.3 Any building or use which will not comply with the Performance Standards of Section 5.11 shall be prohibited.

SECTION 3.19 CORRIDOR DESIGN DEVELOPMENT DISTRICT 4 – NEW HAVEN AVENUE DESIGN CORRIDOR DISTRICT: CDD-4

Purpose: The purpose of the Corridor Design Development District 4 – New Haven Avenue Design District is to facilitate good urban design and sensible land use patterns which will provide an aesthetically and functionally smooth transition from the high density uses of Milford Center to the lower density residential neighborhoods in the southeastern section of the City, while supporting New Haven Avenue’s role as a vibrant commercial area that provides goods and services to residents and supports the City’s tax base. As is the case with all Corridor Design Development Districts, a high level of design is established for the review of development proposals within the Site Plan review procedure.

3.19.1 Permitted Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings or uses in the Corridor Design Development District 4 – New Haven Avenue Design District, subject to Site Plan Approval in accordance with ARTICLE VII, herein.

3.19.1.1 Mixed use building containing dwelling units, subject to the following conditions and safeguards:

- (1) No mixed use building shall have more than 67% of the total gross floor area devoted to residential use.
- (2) Each dwelling unit shall comply with the following minimum floor area requirements:

- | | | |
|-----|-------------------------|-----------------|
| (a) | Efficiency bedroom unit | 425 square feet |
| (b) | One bedroom unit | 575 square feet |
| (c) | Two bedroom unit | 750 square feet |

3.19.1.2 Single-family or two-family housing.

3.19.1.3 Stores for sale of goods or for performance of personal services provided that the floor area shall not exceed 10,000 square feet nor have a drive up window service.

3.19.1.4 Food or beverage service establishments, without the sale of alcoholic liquor, except as otherwise provided herein. This shall not include fast food restaurants as defined in Article XI, 11-2.

3.19.1.5 Offices for business, financial, professional or personal services or other similar offices, provided that the floor area shall not exceed 10,000 square feet.

3.19.1.6 Building equipment, merchandise, materials or supply businesses, provided that the principal use is within a completely enclosed building.

3.19.1.7 Printing or publishing establishments, provided that the floor area shall not exceed 5,000 square feet per establishment.

3.19.1.8 Metal, woodworking or other similar shops or repair services.

3.19.1.9 Self-service laundry.

3.19.1.10 Dry cleaning or dyeing establishments using non-flammable solvents, provided that the floor area shall not exceed 5,000 square feet per establishment and subject to approval of the cleaning solvents by the Fire Department and approval of the method of waste disposal by the Departments of Public Works and Public Health.

3.19.1.11 Off-street parking garages or lots.

3.19.1.12 Mixed use buildings containing two or more Permitted Uses.

3.19.1.13 Sale of alcoholic liquor subject to the applicable provisions of Section 5.5 herein.

3.19.1.14 Commercial schools as defined herein.

3.19.1.15 Health centers or clubs, including reducing salons, steam baths or other similar uses.

3.19.1.16 Outdoor places of entertainment, amusement, recreation or assembly such as miniature golf, golf driving range or other similar open space uses.

3.19.1.17 Eating places containing a minimum floor area of 2,000 square feet subject to the provisions of Section 5.5 herein, notwithstanding Sections 5.5.1.2 and 5.5.4.1.

3.19.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII herein.

3.19.2.1 Multi-family residential buildings when at least 30% of the units are defined as affordable housing in accordance with Section 8-30g of the Connecticut General Statutes.

- (1) Such developments shall be limited to efficiency, one bedroom and two bedroom units.
- (2) The maximum number and designation of all units by type shall be determined by allocating the total area of the tract of land in accordance with the following schedule:
 - (a) 1,000 square feet per one bedroom or efficiency unit; and
 - (b) 2,000 square feet per two-bedroom unit.
- (3) The maximum building coverage shall be twenty-five percent (25%); maximum lot coverage shall be sixty percent (60%).
- (4) The minimum size of the living area of each type of unit shall be determined in accordance with the following schedule:
 - (a) Two-bedroom Units - 900 sq. ft. minimum;
 - (b) One-bedroom Units - 800 sq. ft. minimum;
 - (c) Efficiency Units - 450 square feet per unit minimum.
- (5) The minimum lot size shall be 40,000 square feet.
- (6) No building shall exceed three (3) stories or forty (40) feet in height.

3.19.2.2 Multi-family housing of seven (7) or more dwelling units.

- (1) Such developments shall be limited to efficiency, one bedroom, two bedroom and three bedroom units.
- (2) The maximum number and designation of all units by type shall be determined by allocating the total area of the tract of land in accordance with the following schedule:

- (a) 2,000 square feet per one bedroom or efficiency unit; and
 - (b) 3,000 square feet per two-bedroom and three-bedroom unit.
- (3) The maximum building coverage shall be twenty-five percent (25%); maximum lot coverage shall be sixty percent (60%).
- (4) The minimum size of the living area of each type of unit shall be determined in accordance with the following schedule:
- (a) Three-bedroom Units - 1,000 sq. ft. minimum
 - (b) Two-bedroom Units - 900 sq. ft. minimum;
 - (c) One-bedroom Units - 800 sq. ft. minimum;
 - (d) Efficiency Units - 450 square feet per unit minimum.
- (5) No building shall extend within less than fifty (50) feet of any street line, fifty (50) feet of any sideline and fifty (50) feet of any rear line. No free-standing garage shall extend within less than fifty (50) feet of any street line.
- (a) No building shall exceed three (3) stories or forty (40) feet in height.

3.19.2.3 Boarding houses, as provided and regulated in One Family Residential Districts, Section 3.1.2.2 herein.

3.19.2.4 Clubs, lodges or fraternal organizations in accordance with the provisions of Section 3.8.2.1 herein.

3.19.2.5 Churches or religious institutions.

3.19.2.6 Public charitable institutions.

3.19.2.7 Library, community center or other public buildings.

3.19.2.8 Parks, playgrounds or other public facilities.

3.19.2.9 Public utility buildings or facilities.

3.19.2.10 Mixed use buildings containing one or more Special Uses.

3.19.2.11 Indoor places of entertainment, amusement, recreation or assembly, such as theaters, billiard rooms, bowling or other similar indoor uses.

3.19.2.12 The manufacturing, fabricating, assembling or processing of goods or products; provided that the use as well as storage or accessory uses are completely within an enclosed building.

3.19.2.13 Fast food restaurants as defined in Article XI, 11-2.

3.19.2.14 Stores for sale of goods or performance of personal services where the floor area exceeds 10,000 square feet or has a drive-up window service.

3.19.2.15 Offices for business, financial, professional or personal services or similar offices where the floor area exceeds 10,000 square feet.

3.19.2.16 Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing Special Uses may be approved by the Board in the same manner as a Permitted Use, unless the Board requires a public hearing. Those not complying with 3.16.3.3 shall require a Special Permit.

3.19.2.17 Veterinary hospitals.

3.19.2.18 Restaurants with an outdoor customer dining area as defined in Section 11-2.

3.19.2.19 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.19.3 Accessory Uses: The following accessory uses shall be allowed:

3.19.3.1 Converting, altering, finishing, cleaning, assembly or other processing of products which is clearly subordinate and customarily incidental to the principal use and where goods so produced or processed are used or sold exclusively on the premises, provided that the area used for such purposes shall be within a completely enclosed building.

3.19.3.2 Accessory outside storage of equipment, merchandise, materials or supplies which is clearly subordinate and customarily incidental to the

principal use and where goods so stored are used or sold exclusively on the premises, provided that the area used for outside storage shall be limited to 15% of the lot area and shall be effectively screened on all sides by appropriate structures, fencing, walls or landscaping of suitable type, density and height, as determined by the Board and in accordance with Article V, Section 5.14.

3.19.3.3 Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety and welfare.

3.19.3.4 Off-street parking and loading in accordance with Section 5.1, herein; except that off-street parking, loading, and vehicular access shall be provided in the manner and to the extent determined by the Board to be adequate for any mixed use building notwithstanding the applicable provisions of Section 5.1.4, herein.

3.19.3.5 Signs: In accordance with Section 5.3, herein.

3.19.4 Lot and Building Requirements: Buildings or uses shall comply with all lot and building requirements as set forth hereinafter.

3.19.4.1 Minimum Lot Requirements:

- (1) Lot Area: 7,500 square feet
- (2) Lot Width: 50 feet
- (3) Lot Depth: 75 feet

3.19.4.2 Minimum Yard and Open Space Requirements:

(1) Principal Uses:

(a) Front Yard: 20 feet.

(b) Side & Rear Yards: None required, but at least 4 feet if provided. Lots adjacent to any Residential District shall comply with 3.20.4.2(4).

(2) Accessory Uses: Front yard: 20 feet. Side and rear yards are not required, but shall be at least four (4) feet, if provided.

(3) Usable Open Space Per Dwelling Unit: Section 3.16.4.2 (3) herein shall apply.

(4) Buffer Strip: An adequate buffer strip shall be provided adjacent to any Residential District. Said buffer strip shall be equal to or greater than 10% of the average lot width for side yards or average lot depth for rear yards, whichever is applicable, but not less than 20 feet; except that the Board may substitute, for a required 10 foot buffer, appropriate fencing or landscaped berm of suitable type and height which shall be installed and maintained by the applicant to effectively screen the use from adjoining Residential Districts.

(5) Landscaping: All site landscaping must comply with the provisions of Section 5.14.

3.19.4.3 Building Requirements:

(1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood. Specific attention shall be given to the physical relationship to adjacent residential areas as well as the view from such areas.

(2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.

(3) Height: No building or structure shall exceed 30 feet in height.

(4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-third the sum of the heights of the affected buildings; exclusive of parking structures which are designed to function in conjunction with a principal building.

(5) Building Area: A maximum of 50 percent or less as required by off-street parking and loading regulations.

(6) Floor Area Ratio: A maximum of 1.0 FAR, exclusive of accessory parking garages and structures.

(7) Access Management: The points of vehicular access to New Haven Avenue shall be limited to one (1) for each fifty (50) feet of street frontage.

3.19.5 Prohibited Uses: The following uses shall be expressly prohibited.

3.19.5.1 No trucking terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own uses.

3.19.5.2 No commercial garage, gasoline station, vehicle repair and/or service garage, vehicle dealership, vehicle washing establishment, or other similar uses shall be permitted.

3.19.5.3 Any building or use which will not comply with the Performance Standards of Section 5.11 shall be prohibited.

3.19.5.4 No junkyard; or outside storage yards shall be permitted.

SECTION 3.20 CORRIDOR DESIGN DEVELOPMENT DISTRICT 5 – REGIONAL BUSINESS DESIGN CORRIDOR DISTRICT : CDD-5

Purpose: The purpose of this district is to provide sites for the development of uses which are high-traffic generating and value the direct access to Route I-95 and regional markets. These uses also may require large parking areas due to the size of buildings. The specific use is less important than the provision of well designed development with access to I-95 and limited impact on adjacent residential areas.

3.20.1 Permitted Uses: All uses permitted in the Corridor Design Development District 5 – Regional Business Design Corridor District shall be deemed to be Special Uses.

3.20.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may permit the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII, herein.

3.20.2.1 Hotels, motels or extended stay hotels.

3.20.2.2 A retail store containing at least 20,000 square feet of floor area.

3.20.2.3 A shopping center containing at least 40,000 square feet of floor area and containing stores for sale of goods at retail or for performance of personal services clearly subordinate and customarily incidental to retail sales.

3.20.2.4 Eating places subject to the provisions of Section 5.5 where applicable.

3.20.2.5 Sale of alcoholic liquor, subject to the applicable provisions of Section 5.5 herein.

3.20.2.6 Stores for sale of goods at wholesale containing at least 20,000 square feet of floor area.

3.20.2.7 Indoor places of entertainment, amusement, recreation or assembly such as theaters, billiard rooms, bowling alleys or other similar indoor uses.

3.20.2.8 Commercial garage, gasoline station, vehicle repair and/or service garage, vehicle dealership, vehicle washing establishment, or other similar uses; subject to all applicable provisions of Section 5.4 herein.

3.20.2.9 Warehousing and/or wholesaling business, provided the principal use is within a completely enclosed building.

3.20.2.10 Multi-family residential buildings when at least 30% of the units are defined as affordable housing in accordance with Section 8-30g of the Connecticut General Statutes.

- (1) Such developments shall be limited to efficiency, one bedroom and two bedroom units.
- (2) The maximum number and designation of all units by type shall be determined by allocating the total area of the tract of land in accordance with the following schedule:
 - (a) 1,000 square feet per one bedroom or efficiency unit; and
 - (b) 2,000 square feet per two-bedroom unit.
- (3) The maximum building coverage shall be twenty-five percent (25%); maximum lot coverage shall be sixty percent (60%).
- (4) The minimum size of the living area of each type of unit shall be determined in accordance with the following schedule:
 - (a) Two-bedroom Units - 900 sq. ft. minimum;
 - (b) One-bedroom Units - 800 sq. ft. minimum;
 - (c) Efficiency Units - 450 square feet per unit minimum.
- (5) No building shall extend within less than fifty (50) feet of any street line, fifty (50) feet of any sideline and fifty (50) feet of any rear line. No free standing garage shall extend within less than fifty (50) feet of any street line.
 - (a) No building shall exceed three (3) stories or forty (40) feet in height.

3.20.2.11 Off-street parking garages or lots.

3.20.2.12 Restaurants with an outdoor customer dining area as defined in Section 11-2.

3.20.2.13 Eating places containing a minimum floor area of 2,000 square feet subject to the provisions of Section 5.5 herein, notwithstanding Sections 5.5.1.2 and 5.5.4.1.

3.20.2.14 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.20.3 Accessory Uses: The following accessory uses shall be allowed:

3.20.3.1 Converting, altering, finishing, cleaning, assembly or other processing of products which is clearly subordinate and customarily incidental to a principal use and where goods so produced or processed are used or sold exclusively on the premises provided that the area used for such purposes shall be within a completely enclosed building.

3.20.3.2 Accessory vehicle repair and/or service garages, subject to the applicable provisions of Section 5.4 herein.

3.20.3.3 Accessory storage of equipment, merchandise, materials or supplies within completely enclosed buildings.

3.20.3.4 Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety and welfare.

3.20.3.5 Off-street parking and loading in accordance with Section 5.1, herein; except that off-street parking, loading, and vehicular access shall be provided in the manner and to the extent determined by the Board to be adequate for any mixed use building notwithstanding the applicable provisions of Section 5.1.4, herein.

3.20.3.6 Signs: In accordance with Section 5.3 herein.

3.20.4 Lot and Building Requirements: Subject to all other applicable provisions and limitations of these Regulations, buildings and uses shall comply with all lot and building requirements as set forth herein.

3.20.4.1 Minimum Lot Requirements:

(1) Lot Area: 40,000 sq. ft.

- (2) Lot Width: 150 feet
- (3) Lot Depth: 150 feet

3.20.4.2 Minimum Yard and Open Space Requirements:

- (1) Principal Uses: Front, side and rear yards for all principal uses shall not be less than 50 feet.
- (2) Accessory Uses: Front, side and rear yards for all accessory uses, exclusive of signs, shall not be less than 25 feet.
- (3) Buffer Strip: At least 10 feet adjacent to any Residential District for the first 50 required off-street parking spaces or any portion thereof, plus an additional 10 feet of buffer strip adjacent to any Residential District for each additional 50 required off-street parking spaces, or major fraction thereof, up to a maximum of 100 feet of buffer strip.

3.20.4.3 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.
- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed 5 stories or 60 feet in height.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-third the sum of the heights of the affected buildings; exclusive of parking structures which are designed to function in conjunction with a principal building.
- (5) Building Area: A maximum of 50 percent or less as required by off-street parking and loading regulations.
- (6) Floor Area Ratio: A maximum of 2.5 FAR, exclusive of accessory parking garages or structures.

3.20.5 Prohibited Uses: The following uses shall be expressly prohibited:

3.20.5.1 No principal manufacturing, fabricating, assembly or processing of goods or products shall be permitted.

3.20.5.2 No junk yard; or outside storage yards shall be permitted.

3.20.5.3 No trucking terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own use.

3.20.5.4 Any building or use which will not comply with the Performance Standards of Section 5.11 shall be prohibited.

3.20.6 Other Requirements

3.20.6.1 Traffic Study: All uses generating over one hundred (100) vehicle trips during a peak hour shall submit a traffic study prepared by a licensed traffic engineer.

3.20.6.2 Landscaping: All Site Plans shall conform with the requirements of Section 5.14 Landscaping, Screening and Buffer Area Standards.

SECTION 3.21 MILFORD CENTER DESIGN DEVELOPMENT DISTRICT: MCDD

Purpose: The purpose of the Milford Center Design Development District is to preserve the unique character of Milford Center including the natural and built environment. The vision for Milford Center is one of economic and social vitality with a mixture of uses which brings people together as a community within the heart of Milford.

3.21.1 Permitted Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board shall permit the following buildings or uses in the Milford Center Design Development District, subject to Site Plan approval in accordance with ARTICLE VII, herein.

3.21.1.1 Stores for sale of goods or for performance of personal services, but not including health centers or clubs, including reducing salons, steam baths or similar uses.

3.21.1.2 Food or beverage service establishments without the sale of alcoholic liquor, except as otherwise provided herein.

3.21.1.3 Offices for business, financial, professional or personal services or other similar offices.

3.21.1.4 Dry cleaning or dyeing establishments using non-flammable solvents, provided that the floor area shall not exceed 3,000 square feet per establishment, and subject to approval of the cleaning solvents by the Fire Department and approval of the method of waste disposal by the Departments of Public Works and Public Health.

3.21.1.5 Printing or publishing establishments, provided that the floor area shall not exceed 3,000 square feet per establishment.

3.21.1.6 Off-street parking garages or lots.

3.21.1.7 Mixed use buildings containing two or more permitted uses.

3.21.1.8 Mixed use buildings containing dwelling units, subject to the following conditions and safeguards:

(1) Each dwelling unit shall comply with the following minimum floor area requirements:

- | | |
|-----------------------------|-----------------|
| (a) Efficiency bedroom unit | 425 square feet |
| (b) One bedroom unit | 575 square feet |
| (c) Two bedroom unit | 750 square feet |

(2) There shall be no first floor residential use in mixed use buildings.

(3) The number of bedrooms per building shall not exceed a total of six (6) without an approved Site Plan in accordance with Article VII.

3.21.1.9 Sale of alcoholic liquor subject to the applicable provisions of Section 5.5 herein.

3.21.1.10 Eating places containing a minimum floor area of 2,000 sq. ft. subject to the provisions of Section 5.5 where applicable, not withstanding Sections 5.5.1.2 and 5.5.4.1.

3.21.1.11 Funeral home or mortuary.

3.21.1.12 Public or parochial schools.

3.21.1.13 Private non-profit schools.

3.21.1.14 Cemeteries.

3.21.1.15 Single family or two-family dwellings.

3.21.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings or uses, subject to Special Permit and Site Plan Approval, in accordance with ARTICLE VII.

3.21.2.1 Clubs, lodges or fraternal organizations in accordance with the provisions of Section 3.8.2.1, herein.

3.21.2.2 Indoor places of entertainment, amusement, recreation or assembly such as theaters, clubs, museums, art galleries, billiard rooms, bowling alleys or other similar indoor uses.

3.21.2.3 Business schools including teaching of shorthand, typing, bookkeeping, office skills, accounting, computer services, language skills or similar activities as determined by the Board as well as commercial schools.

3.21.2.4 Health center or clubs, including reducing salons, steam baths or similar uses.

3.21.2.5 Public charitable institutions, churches or religious institutions.

3.21.2.6 Parks, playgrounds or other public facilities; library, community center or other public buildings.

3.21.2.7 Railroad, bus, taxi, or other similar passenger terminals or stations.

3.21.2.8 Public utility buildings or facilities with completely enclosed service or storage areas.

3.21.2.9 Mixed use buildings containing one or more Special Uses.

3.21.2.10 Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing Special Uses may be approved by the Board in the same manner as a Permitted Use, unless the Board requires a public hearing.

3.21.2.11 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.21.2.12 Multi-family residential buildings:

(1) The maximum number and designation of all units by type shall be determined by allocating the total area of the tract of land in accordance with the following schedule:

- (a) 1,000 square feet per one bedroom or efficiency unit; and
- (b) 2,000 square feet per two-bedroom unit.
- (c) 2,500 square feet per three-bedroom unit or larger.

(2) The maximum building coverage shall be thirty percent (30%); maximum lot coverage shall be seventy-five percent (75%).

(3) The minimum size of the living area of each type of unit shall be determined in accordance with the following schedule:

- (a) Three-bedroom units – 1,000 sq. ft. plus 100 square feet for each additional bedroom over three (3).
- (b) Two-bedroom Units - 900 sq. ft. minimum;
- (c) One-bedroom Units - 800 sq. ft. minimum;
- (d) Efficiency Units - 450 square feet per unit minimum.

(4) The minimum lot area shall be 5,000 square feet.

(5) No building shall exceed three (3) stories or forty (40) feet in height.

3.21.2.13 Restaurants with an outdoor customer dining area as defined in Section 11-2.

3.21.2.14 Bed and breakfast establishments.

3.21.2.15 Boarding houses, as provided and regulated in One Family Residential Districts, Section 3.1.2.2 herein.

3.21.3 Accessory Uses: The following accessory uses shall be allowed:

3.21.3.1 Converting, altering, finishing, cleaning, assembly or other processing of products which is clearly subordinate and customarily incidental to the principal use and where goods so produced or processes are used or sold exclusively on the premises, provided that the area used for such purposes shall be within a completely enclosed building.

3.21.3.2 Accessory outside storage of equipment, merchandise, materials or supplies which is clearly subordinate and customarily incidental to the principal use and where goods so stored are used or sold exclusively on the premises, provided that the area used for outside storage shall be effectively screened on all sides by appropriate structures, fencing, walls, or landscaping of suitable type, density and height, as determined by the Board.

3.21.3.3 Accessory buildings or uses for principal hotels or motels may include the following:

- (1) Facilities for conventions and/or group meetings.
- (2) A restaurant, subject to the applicable provisions of Section 5.5, herein.
- (3) An inside concession stand for the sale of refreshments, tobacco products, souvenirs or similar items.
- (4) A swimming pool or other recreation facilities.

3.21.3.4 Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety and welfare.

3.21.3.5 Off-Street Parking and Loading in accordance with Section 5.1, herein; except that off-street parking, loading, and vehicular access areas shall be provided in the manner and to the extent determined by the Board to be adequate for any mixed use building, notwithstanding the applicable provisions of Section 5.1.4, herein. Furthermore, the Board may determine that parking located in a publicly owned or managed facility may meet the parking requirements of a particular use.

3.21.3.6 Signs: In accordance with Section 5.3 herein.

3.21.4 Lot and Building Requirements Buildings and uses shall comply with all lot and building requirements as set forth hereinafter.

3.21.4.1 Minimum Lot Requirements:

- (1) Lot Area: 2,000 square feet
- (2) Lot Width: 20 feet
- (3) Lot Depth: 70 feet

3.21.4.2 Minimum Yard and Open Space Requirements:

(1) Principal Uses:

- (a) Front Yard: None required, but shall be no greater than the average front yard as measured at 100 feet in either direction.
- (b) Side and Rear Yards: None required, but at least 4 feet, if provided.

(2) Accessory Buildings: Front yard: same as for principal uses. Side and rear yards are not required, but shall be at least 4 feet if provided.

- (3) Accessory Uses: Front yard: none required. Side and rear yards are not required, but shall be at least 4 feet if provided.
- (4) Buffer Strip: At least 10 feet adjacent to any Residential District; except that the Board may substitute appropriate fencing of suitable type and height which shall be installed and maintained by the applicant to effectively screen the use from adjoining Residential Districts. Said buffer strips shall be planted in accordance with the requirements of Article V Section 5.14 Landscaping, Screening and Buffer Area Standards.

3.21.4.3 Building Requirements:

- (1) Height: No building or structure shall exceed 40 feet in height.
- (2) Floor Area Ratio: A maximum of 3.0 FAR, including accessory parking garages and structures based on the gross floor area of all structures. The gross floor area shall not include an underground parking area.

3.21.4.4 Design Guidelines

All buildings and other improvements shall be constructed in accordance with the Milford Center Design Development District Guidelines attached hereto as Appendix B.

3.21.5 Prohibited Uses: The following uses shall be expressly prohibited:

3.21.5.1 No drive-in establishment shall be permitted; except for drive-in banks.

3.21.5.2 No commercial garage, gasoline station, vehicle repair and/or service garage, vehicle dealership, vehicle washing and/or detailing establishment or other similar use shall be permitted, including accessory gasoline stations.

3.21.5.3 No parking or loading area shall be used for the storage of new or used vehicles for sale or hire; or for the storage of unregistered vehicles.

3.21.5.4 No principal warehouse or storage; junkyard; or principal outside storage yards shall be permitted.

3.21.5.5 No trucking distribution centers or other principal terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own use.

3.21.5.6 No principal manufacturing, fabricating, assembling or processing of goods or products shall be permitted.

3.21.5.7 No hotels or motels shall be permitted.

3.21.5.8 Any building or use which will not comply with the Performance Standards of Section 5.11 shall be prohibited.

SECTION 3.22 INTERCHANGE COMMERCIAL DISTRICT: ICD

Purpose: The purpose of the Interchange Commercial District is to provide sites for the development of uses which are high traffic-generating and value the direct access to Route I-95. These uses also may require large parking areas to serve both trucks and automobiles. The specific use is less important than the provision of well designed development with access to I-95 and limited impact on the local street network.

3.22.1 Permitted Uses: All uses permitted in the Interchange Commercial District shall be deemed to be Special Uses.

3.22.2 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may permit the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII, herein.

3.22.2.1 Hotels, motels or extended stay hotels.

3.22.2.2 A retail store containing at least 10,000 square feet of floor area.

3.22.2.3 A shopping center containing at least 40,000 square feet of floor area and containing stores for sale of goods at retail or for performance of personal services clearly subordinate and customarily incidental to retail sales.

3.22.2.4 Eating places subject to the provisions of Section 5.5 where applicable.

3.22.2.5 Sale of alcoholic liquor, subject to the applicable provisions of Section 5.5 herein.

3.22.2.6 Stores for sale of goods at wholesale containing at least 20,000 square feet of floor area.

3.22.2.7 Indoor places of entertainment, amusement, recreation or assembly such as theaters, billiard rooms, bowling alleys or other similar indoor uses.

3.22.2.8 Commercial garage, gasoline station, vehicle repair and/or service garage, vehicle dealership, vehicle washing establishment, or other similar uses; subject to all applicable provisions of Section 5.4 herein.

3.22.2.9 Off-street parking garages or lots.

3.22.2.10 Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing special uses shall be approved by the Board in the same manner as a Special Use.

3.22.2.11 Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.22.3 Accessory Uses: The following accessory uses shall be allowed:

3.22.3.1 Converting, altering, finishing, cleaning, assembly or other processing of products which is clearly subordinate and customarily incidental to a principal use and where goods so produced or processed are used or sold exclusively on the premises, provided that the area used for such purposes shall be within a completely enclosed building.

3.22.3.2 Accessory vehicle repair and/or service garages, subject to the applicable provisions of Section 5.4 herein.

3.22.3.3 Accessory storage of equipment, merchandise, materials or supplies within completely enclosed buildings.

3.22.3.4 Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety and welfare.

3.22.3.5 Signs: In accordance with Section 5.3 herein.

3.22.4 Lot and Building Requirements: Subject to all other applicable provisions and limitations of these Regulations, buildings and uses shall comply with all lot and building requirements as set forth herein.

3.22.4.1 Minimum Lot Requirements:

- | | |
|----------------|----------------|
| (1) Lot Area: | 40,000 sq. ft. |
| (2) Lot Width: | 150 feet |
| (3) Lot Depth: | 150 feet |

3.22.4.2 Minimum Yard and Open Space Requirements:

- (1) Principal Uses: Front, side and rear yards for all principal uses shall not be less than 50 feet.
- (2) Accessory Uses: Front, side and rear yards for all accessory uses, exclusive of signs, shall not be less than 25 feet.
- (3) Buffer Strip: At least 10 feet adjacent to any Residential District for the first 50 required off-street parking spaces or any portion thereof, plus an additional 10 feet of buffer strip adjacent to any Residential District for each additional 50 required off-street parking spaces, or major fraction thereof, up to a maximum of 100 feet of buffer strip.

3.22.4.3 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood.
- (2) Length: Buildings shall not be of such unreasonable length as to adversely affect the general character and appearance of the surrounding neighborhood.
- (3) Height: No building or structure shall exceed 10 stories or 120 feet in height.
- (4) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-third the sum of the heights of the affected buildings; exclusive of parking structures which are designed to function in conjunction with a principal building.
- (5) Building Area: A maximum of 50 percent or less as required by off-street parking and loading regulations.
- (6) Floor Area Ratio: A maximum of 1.5 FAR, exclusive of accessory parking garages and structures.

3.22.5 Prohibited Uses The following uses shall be expressly prohibited:

3.22.5.1 No residential uses other than hotels or motels shall be permitted.

3.22.5.2 No principal manufacturing, fabricating, assembly or processing of goods or products shall be permitted.

3.22.5.3 No junk yards or outside storage yards shall be permitted.

3.22.5.4 No trucking terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own use.

3.22.5.5 Any building or use which will not comply with the Performance Standards of Section 5.11 shall be prohibited.

3.22.6 Other Requirements

3.22.6.1 Traffic Study: All uses generating over one hundred (100) vehicle trips during a peak hour shall submit a traffic study prepared by a licensed traffic engineer.

3.22.6.2 Landscaping: All Site Plans shall conform with the requirements of Section 5.14 Landscaping, Screening and Buffer Area Standards.

SECTION 3.23 CASCADE BOULEVARD DESIGN DISTRICT: CBDD

Purpose: The purpose of the Cascade Boulevard Design District is to enable the creation of a residential area in an area of the City where there are features appropriate for environmental protection. Because of these natural features, including extensive wetland areas and topographic variations, sites with more densely clustered single family housing developments in exchange for the retention of large areas of open space are encouraged to protect these important natural features. As is the case with the Corridor Design Development Districts, a high level of design is established for the review of development proposals within the Site Plan review procedure.

3.23.1 Special Uses: Subject to all other applicable provisions and limitations of these Regulations, the Board may allow the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII herein.

3.23.1.1 One family detached dwellings.

3.23.1.2 Single family cluster housing developments, subject to the provisions and regulations of Section 5.9 herein and the following conditions:

- (1) Minimum Gross Site Area: 10 acres.
- (2) Maximum Number of Lots: The maximum number of lots allowed in a cluster housing development shall be based upon a minimum lot area of 3,000 square feet. The number of lots allowed shall be calculated using the method stated in Section 5.9.4.2 herein. This method deducts wetlands from the computation of its gross site acreage.
- (3) Minimum Ground Floor Area: 550 square feet.
- (4) Landscaping: All site landscaping must comply with the provisions of Section 5.14 herein.

3.23.1.3 Boarding houses, as provided and regulated in One Family Residential Districts, Section 3.1.2.2 herein.

3.23.2 Accessory Uses: The following accessory uses shall be allowed:

3.23.2.1 Private garage with space for not more than one vehicle for each 2,000 square feet of lot area and not exceeding three spaces.

3.23.2.2 Off-street parking and loading in accordance with Section 5.1, herein.

3.23.2.3 Other accessory uses clearly subordinate and customarily incidental to and located on the same lot with the principal use and that will not be hazardous to the public health, safety and welfare.

3.23.2.4 Signs: In accordance with Section 5.3, herein.

3.23.3 Lot and Building Requirements: Buildings and uses shall comply with all lot and building requirements as set forth hereinafter.

3.23.3.1 Minimum Lot Requirements:

- (1) Lot Area: 10,000 square feet
- (2) Lot Width: 50 feet
- (3) Lot Depth: 100 feet

3.23.3.2 Minimum Yard and Open Space Requirements:

(1) Principal Uses:

- (a) Front Yard: 25 feet.
- (b) Rear Yard: 25 feet. Lots adjacent to any Residential District shall comply with 3.23.3.2(4).
- (c) Side Yards: 10 feet. Lots adjacent to any Residential District shall comply with 3.23.3.2(4).

(2) Accessory Buildings: Front yard: 25 feet. Side and rear yards are not required, but shall be at least four (4) feet, if provided.

(3) Buffer Strip: An adequate buffer strip shall be provided adjacent to any commercial or industrial district. Said buffer strip shall be equal to or greater than 10% of the average lot width for side yards or average lot depth for rear yards, whichever is applicable, but not less than 20 feet; except that the Board may substitute, for a required 10 foot buffer, appropriate fencing or landscaped berm of suitable type and height which shall be installed and maintained by the applicant to effectively screen the use from adjoining commercial or industrial districts.

- (4) Landscaping: All site landscaping must comply with the provisions of Section 5.14 herein.

3.23.3.3 Building Requirements:

- (1) Design: Buildings shall be designed in such a manner as to be compatible with the lot and in harmony with the general character and appearance of the surrounding neighborhood. Specific attention shall be given to the relationship between the buildings and the natural environment, particularly topography and wetlands.
- (2) Bulk: Individual buildings shall not be of such unreasonable size along any dimensions as to adversely affect the general character and appearance of the surrounding neighborhood. Visual or physical variations should be provided along any dimension (length, height or width) of a building's façade that is greater than 150% of the average of such dimension for all adjacent properties.
- (3) Height: No building or structure shall exceed 25 feet in height.
- (4) Building Area: A maximum of 40 percent or less as required by off-street parking.

3.23.4 Prohibited Uses: The following uses shall be expressly prohibited.

3.23.4.1 No trucking terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own uses.

3.23.4.2 Any building or use which will not comply with the Performance Standards of Section 5.11 shall be prohibited

SECTION 3.24 OPEN SPACE AFFORDABLE HOUSING DEVELOPMENT - MULTI-FAMILY DISTRICT: OSAHD-MF

3.24.1 Purpose: This Section provides a District which encourages flexibility in housing construction; provides a variety of housing opportunities to meet the needs of the community; encourages the construction of housing that is “affordable” as defined by state statutes, consistent with design and construction standards present in the community; and assists in meeting the City’s need for affordable residential alternatives. A further purpose and intent of this Section is to encourage the preservation of natural resources of the City through the maximum protection of woodlands, waterbodies, watercourses, steep slopes, scenic vistas, conservation areas, recreation areas, and similar natural features, characteristics and open spaces.

3.24.2 Definitions

3.24.2.1 “Affordable Housing Development” means a proposed housing development, as defined by Section 8-30g(a) of the Connecticut General Statutes, (A) which is “assisted housing” as defined in Section 8-30g(a)(3) of the Connecticut General Statutes; or (B) in which not less than twenty-five percent of the dwelling units will be conveyed by deeds containing covenants or restrictions which shall require that such dwelling units be sold or rented at, or below, prices which will preserve the units as affordable housing, as defined in Section 8-39a of the Connecticut General Statutes, for persons and families whose income is less than or equal to eighty percent of the area median income or eighty percent of the state median income, whichever is less, for at least thirty years after the initial occupation of the proposed development.

3.24.2.2 “Open Space Affordable Housing Development,” as used in this Section, means a multi-family residential site development that provides, at minimum, the requisite number of Affordable Housing Units necessary to qualify as an Affordable Housing Development as provided by Section 8-30g of the Connecticut General Statutes, as may be amended, and further satisfies all requirements of this Section.

3.24.2.3 “Open Space Affordable Housing Development - Multi-Family District” (“OSAHD-MF”) is a zoning district within which multi-family open space affordable housing developments are permitted in accordance with the requirements set forth in this Section.

3.24.2.4 “Affordable Housing Unit.” As used in this Section, “Affordable Housing Unit” means housing for which persons and families pay thirty

percent (30%) or less of their annual income, where such income is less than or equal to the area median income for the City of Milford, as determined by the U. S. Department of Housing and Urban Development.

3.24.2.5 “Monthly Payment,” as used in connection with an Affordable Housing Unit for sale, shall mean the amount paid monthly for mortgage principal and interest, property taxes and insurance, and common charges in the case of ownership in a common interest community; and utility costs, including hot water and electricity, but excluding telephone and cable television. The maximum allowable monthly payment for an Affordable Housing Unit that is rented shall include the cost of rent; common charges if the tenant is directly responsible; heat and utility costs, including hot water and electricity, but excluding telephone and cable television.

3.24.3 Permitted Uses: The Board may allow open space affordable housing developments, with Affordable Housing Units, subject to Special Permit approval, in accordance with Article VII, herein, and the standards provided in this Section. If there is a conflict between a standard of another Section of these zoning regulations and this Section, the standards of this Section shall control and apply to the proposed site development.

3.24.4 General Standards: In order to increase the supply of affordable housing in the City of Milford, and promote the preservation of open space, the lot, prior to a request for approval of a change of zone to an Open Space Affordable Housing Development - Multi-Family District (“OSAHD-MF”) as provided by this Section, must be located in a residential zoning district, and/or in an industrial zoning district that permits a residential use, and any specific affordable housing site development proposal, shall be subject to the following standards:

3.24.4.1 Site Plan Requirement: A detailed landscaping plan shall be required showing all grading, drainage, fences, walls, shrub and tree plantings, and other landscaping features.

3.24.4.2 Exterior Lighting: Exterior lighting shall be provided by the applicant at all access points to street, parking areas, building entrances and elsewhere, where required for the safety of vehicular or pedestrian traffic.

3.24.4.3 Street Access: No open space affordable housing development shall be approved by the Board for a lot unless the lot is located within one mile of a designated interstate highway, which distance shall be measured from the closest point of the lot to an interstate highway, and the lot has access to an

adequate collector or arterial street. No zoning permit shall be issued by the Zoning Enforcement Officer for any open space affordable housing site development until any required street improvements have been suitably guaranteed.

3.24.4.4 Utilities: No open space affordable housing site development shall be approved by the Board unless each dwelling unit in such building is: (a) served by an approved public sanitary sewerage system; and (b) supplied with water from an adequate public water supply. No Certificate of Zoning Compliance shall be issued by the Zoning Enforcement Officer for any dwelling unit until such unit has been connected to said utilities.

3.24.4.5 Improvement Standards: Plans and specifications for the construction and/or improvement of all streets, curbs and gutters, sidewalks, storm drainage facilities, sanitary sewerage facilities, water supply facilities, electric and telephone facilities, and other improvements shall comply with all applicable City and State laws, codes, ordinances, and regulations, and shall be submitted to the Board for approval.

3.24.4.6 Ownership and Maintenance: All private streets, parking areas, sidewalks, utilities, recreation facilities, and other private improvements, facilities and areas shall be owned, maintained and operated by the applicant, owner, association or corporation without expense to the City. Open space areas are subject to Section 3.24.7.3. If required by the Board during the public hearing process, legal documentation shall be submitted assuring the ownership, maintenance and operation of such private improvements, facilities, and areas. Suitable restrictive covenants, particularly with regard to the minimum open space area requirements, may be required by the Board during the public hearing process, and such covenant(s) shall be included in all post-approval legal conveyances as a condition of a site development approval. The entire lot of an open space affordable housing development shall, at all times, be maintained in a safe, sanitary and presentable condition.

3.24.4.7 Compliance with Chapter 126a of the Connecticut General Statutes:

- (1) Affordable Housing Units shall be of a construction quality and size that is comparable to market-rate units within the development, and shall be dispersed throughout the development.
- (2) If the development is to be built in phases, the Affordable Housing Units will be built on a pro rata basis as construction proceeds.

- (3) An Affordable Housing Unit shall be occupied only as the purchaser's or tenant's primary residence. To the extent that subletting is permitted by the lease, subletting at a rental greater than the "maximum monthly payment" as defined in this Section shall be strictly and specifically prohibited in the lease for each Affordable Housing Unit.
- (4) The developer or its successor may change the designation of which units within the development shall be set aside as affordable, provided that the minimum twenty-five percent (25 %) set aside shall be maintained, for a thirty (30) year period as provided by Section 8-30g(a)(1)(B) of the Connecticut General Statutes, as may be amended, and the development as a whole shall continue to comply with all paragraphs of this Section.
- (5) At the same time that the market-rate units in an Open Space Affordable Housing Development are first advertised to the general public, notice of availability of such units shall be provided by advertising such availability in the real estate section of a newspaper of general circulation in the City of Milford, and by providing notice to the City of Milford Municipal/City Clerk, Mayor of the City of Milford, and the Milford Planning and Zoning Board.
- (6) Each deed or lease for an Affordable Housing Unit shall contain substantially the following provision:

This unit is sold or rented as an "affordable housing unit" as defined in Sections 8-30g and 8-39a of the Connecticut General Statutes, and is available only to persons or families whose income is at or below eighty percent (80%) of the area median income for Milford, or of the state median income, whichever is less, as determined by the Connecticut Department of Housing and the U.S. Department of Housing and Urban Development. This development has been approved by agencies of the City of Milford based in part on the condition that a defined percentage of units will be preserved as affordable housing units. The restrictions related to affordability are required by law to be strictly enforced.

Any deed for the lot shall contain restrictive language substantially the same as the aforementioned.

As part of the public hearing process, the Board may require the applicant to provide a draft deed, restrictive covenant, and/or lease associated with the open space affordable housing development, incorporating the

aforementioned language, or substantially the same language, of this Section 3.24.4.7(6). Such deed, restrictive covenant, and/or lease may be incorporated by the Board as a condition of an approval of an open space affordable housing development.

- (7) The monthly rent for an Affordable Housing Unit includes a monthly allowance for utilities, which includes heat, hot water and electricity, but excludes telephone and cable television. Heat and utility costs may be calculated by reasonable estimate.
- (8) The thirty (30) year affordability period shall be calculated separately for each Affordable Housing Unit in the open space affordable housing site development, and the period shall begin on the date of occupancy of the Affordable Housing Unit.
- (9) The Board may, as a condition of approval, require an annual report from the owner of the open space affordable housing development verifying unit occupant income and compliance with the requirements of this Section 3.24.4.7. As part of this report, the Board may further require, as a condition of approval, that the owner provide a written statement including, but not limited to, the procedure utilized by the owner to verify unit occupant income, and further information to ensure compliance with the requirements of this Section 3.24.4.7.

3.24.5 Accessory Uses: The following accessory uses shall be allowed:

3.24.5.1 Accessory buildings and uses, such as tennis courts, swimming pools, recreation facilities and buildings, meeting halls, model unit and office, maintenance, storage and utility buildings, parking garages, or garage bay structures, but not necessarily limited to these uses, shall be permitted for open space affordable housing developments when provided as an integral part of the overall development.

3.24.6 Signs: The following requirements apply to signage within the open space affordable housing development:

3.24.6.1 Signs shall be permitted whereby any individual sign panel shall not exceed 35 sq. ft., and the aboveground support structure of any individual sign panel shall not exceed 350 sq. ft., whereby such support structure may include fencing and wall structure material.

3.24.6.2 Accessory signs, including, but not limited to, directional and informational signs, necessary for the public safety or convenience of the open space affordable housing development, shall be permitted whereby any individual sign panel shall not exceed 20 sq. ft.

3.24.7 Lot and Building Requirements: A open space affordable housing development must comply with the following lot and building requirements:

3.24.7.1 Minimum Lot Requirements:

(1) Lot Area: 20 acres
[the lot must have existed as a single lot, comprising at least 20 acres, for at least two years prior to an application being filed pursuant to this Section 3.24]

Lot area per dwelling unit:

(a) efficiency bedroom 2,000 sq.ft.

(b) one bedroom 2,500 sq. ft.

(c) two bedroom 5,000 sq. ft.

(3) Lot Width: 150 feet

(4) Lot Depth: 150 feet

3.24.7.2 Minimum Yard Requirements:

(1) Principal Uses:

(a) front yard 50 feet

(b) side yard 25 feet

(c) rear yard 30 feet

(2) Accessory Uses:

(a) front yard 25 feet

(b) side yard 25 feet

(c) rear yard 25 feet

(d) for community buildings, swimming pools and similar recreational buildings, the minimum front, side and rear yard setbacks shall be 50 feet.

3.24.7.3 Open Space Requirements:

- (1) Minimum Open Space Requirements: For an open space affordable housing development, under this Section, there shall be a minimum of 40% of the total lot area dedicated to open space.
- (2) Open Space Reservations: Any land area allocated as open space shall be permanently reserved as open space for purposes approved by the Board. The areas to be reserved for open space shall be land with suitable access, shape, dimensions, character, location, topography and/or improvements for an open space affordable housing development as deemed necessary by and acceptable to the Board. All open space areas shall be shown on the applicable approved final site development plan and shall be appropriately identified to indicate that they are not intended for use as building sites.
- (3) Means of Open Space Reservations: Such open space reservations shall be permanently reserved as open space by one or more of the following means; provided that the proposed means are acceptable to and approved by the Board:
 - (a) Deeded to the City of Milford or deeded to the Milford Land Conservation Trust, Inc., or similar non-profit organization acceptable to the Planning and Zoning Board. Where open space areas are intended to be conveyed to the City or said non-profit organization, the applicant shall convey them at the stage and in the condition agreed upon in connection with processing and approval of the development. Title to the land shall be unencumbered. The City, or said non-profit organization, shall take title to such land at a time approved by the Board as a condition of the site development approval. Acceptance of an open space area, when conveyed by the applicant, shall be endorsed upon the deed by the Chairman of the Planning and Zoning Board, or the president of said non-profit organization, and shall be duly recorded with the deed stating that such land is reserved for use as open space in perpetuity.
 - (b) Held in corporate ownership by owner(s) of the lot, and/or dwelling units, within the development. Where open space areas are intended to be held in corporate ownership, the Board may require, during the public hearing process, the applicant to file with the Board a statement verifying the intended means by which title to such open space area will be transferred. Each deed or lease conveyance to unit or lot

owners in said development shall include this stipulation, the beneficial right to use of the open land, and all other restrictions pertaining thereto. The applicant shall record such deeds with all necessary legal documents in the City land records as a condition of approval of any site development.

(c) A combination of the above means.

3.24.7.4 Building Requirements:

- (1) Design: There shall be no less than ten dwelling units per site complex. In addition, there shall be no less than three (3) units in any building. A completely enclosed storage area shall be provided for each dwelling unit, but it shall not be computed as part of the minimum required floor area for such dwelling unit.
- (2) Length: No building shall exceed 225 feet in its greatest dimension, unless physical design considerations related to site conditions make this requirement impractical, as determined by the Board.
- (3) Height: Building shall not exceed four stories, excluding basement, nor 55 feet.
- (4) Spacing: The space between any buildings, principal or accessory, located on the same lot shall be not less than one-half the sum of the heights of the affected buildings; accessory parking structures designed in conjunction with a principal building shall be excluded from this requirement.
- (5) Lot Coverage: Maximum lot coverage shall not exceed 40%.
- (6) Minimum Floor Area Contained Within Each Dwelling Unit:
 - (a) Efficiency bedroom unit 450 sq. ft.
 - (b) One bedroom unit 575 sq. ft.
 - (c) Two bedroom unit 750 sq. ft.

3.24.8 Parking Requirements: To accommodate the purpose of this Section, specifically, to maximize open space area consistent with the needs associated with the proposed open space affordable housing site development, all provisions of Section 5.1 area hereby incorporated, subject to the following exception for minimum off-street parking requirements for multi-family dwellings:

- (1) one bedroom unit 1.5 space per unit
- (2) two bedroom unit 2 spaces per unit

3.24.9 Enforcement: The Board retains all enforcement powers granted by the Connecticut General Statutes, including, but not limited to, Section 8-12 of the Connecticut General Statutes, to ensure that the ownership, maintenance and operation of the open space affordable housing site development provided by this Section, is, at all times, in compliance with this Section, and Chapter 126a of the Connecticut General Statutes entitled “Affordable Housing Land Use Appeals”.

3.24.10 Application of OSAHD - Multi-Family District to Lot Area Previously Zoned LI-30

If a lot, with any area zoned LI-30, is approved for a change of zone to OSAHD-MF as provided by this Section, then that area of the lot previously zoned LI-30 will retain all permitted uses as provided by these regulations for LI-30 zoned lot area, in addition to those uses permitted by this Section, within the discretion of the Board. The open space affordable housing development use permitted by this Section 3.24, shall not be prohibited, nor limited, by any provision that applies to LI-30 zoned lot area. However, any LI-30 use in a OSAHD-MF zone shall be limited to all standards that apply to a LI-30 zoning district under these regulations, and shall not be limited by the standards of this Section 3.24.

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ARTICLE IV GENERAL REGULATIONS

SECTION 4.1 GENERAL LOT, YARD, HEIGHT AND USE REGULATIONS

4.1.1 Structures or Accessory Buildings in Residential Districts: Structures or accessory buildings shall conform to the following requirements governing their location upon a lot:

4.1.1.1 No structure or accessory building shall be located in any required front yard.

4.1.1.2 Side and rear yard requirements in accordance with the applicable Residential District.

4.1.1.3 No structure or accessory building shall exceed 15 feet in height.

4.1.1.4 No structure or accessory building shall be less than 8 feet from a dwelling unit.

4.1.1.5 In the event that a garage or accessory storage building is damaged, by any means, to an extent which would preclude continued use as determined by the Zoning Enforcement Officer, the owner or tenants leasing the property, may locate a transient storage trailer on the site for a period not exceeding 3 months from the date of the initial damage occurred which caused the garage or accessory building to become unusable. Before being placed on the property, said transitory storage trailer shall require a zoning permit. Applicants applying for approval under this section shall further agree to:

- (1) Locate the temporary trailer in compliance with the required accessory structure setbacks as applicable;
- (2) Limit the size/bulk of the temporary trailer not to exceed the size/bulk of the building, which is to be repaired or not to exceed 400 square feet, whichever is less;
- (3) Limit the use of the temporary trailer for storage only, i.e., not for use as construction or contractor's trailer or habitation.

4.1.1.6 In the aggregate, all such structures or accessory buildings on a lot together with the principal building shall not occupy a greater percentage of the lot than is allowable in the zone. (See Building Area as % of Lot, Sections 3.1.4 and 3.2.4.)

4.1.1.7 No structure or accessory building shall be constructed to house animals unless such buildings are located at least 100 feet from any street and 50 feet from any lot line.

4.1.1.8 Any structure or accessory building with all dimensions six feet or less, shall be exempt from these Regulations provided that no such structure or building shall be located in any front yard, nor within 4 feet of any lot line.

4.1.2 Corner Lots: On a corner lot, front yards are required on both street frontages, and one yard other than the front yard shall be deemed to be a rear yard and the others, side yards.

4.1.3 Through Lots: On a through lot, front yards are required on all streets.

4.1.4 Projections into Required Yards: The space in any required yard shall be open and unobstructed except for the ordinary projection of open entries, steps, decks, stoops, or porches, cantilever roofs, eaves, cornices, chimneys, belt courses, window sills, balconies, decks and similar architectural features as defined and generally used in architectural or building construction vernacular, provided that such features shall not project more than four (4) feet into any required yard nor more than a distance equal to twenty percent (20 %) of the required yard.

4.1.4.1 Any open entries or porches constructed or for which a permit was issued prior to 12/2/70, which comply with the reduced yard requirements of the Section may be enclosed.

4.1.4.2 Porches which do not meet the required setbacks and which appear on the 1948 Assessor's cards shall be allowed to be enclosed provided they are not extended farther into any required yard.

4.1.4.3 Notwithstanding the provisions of ARTICLE VI, Section 6.3 of these Regulations, a zoning permit may be issued to allow the height of an existing structure to be increased when said dwelling does not conform to current required yards caused by adoption of subsequent zoning regulations,

subsequent to the dwelling's construction. The provisions of the prior sentence shall also include the minimal stairway/landing extensions necessitated if the building is being raised to comply with the flood hazard provisions of Section 5.8.

This section shall not apply to any building additions erected in violation of the zoning regulations attached garages, porches, accessory buildings or structures, or structures and additions which have received approval from the Zoning Board of Appeals.

4.1.5 Paved Areas: Open, uncovered terraces, patios and similar paved areas, exclusive of access drives, shall not project within 15 feet of a street line or four feet of any lot line.

4.1.6 Fire Escapes and Stairways: Open fire escapes and outside stairways may extend not more than six feet into any required rear or side yard; provided that such fire escape or stairway shall not be closer than four feet to any lot line.

4.1.7 Fences and Walls: Fences and walls not exceeding three feet in height in any front yard (see 4.1.2) nor six feet in height in any side or rear yard may be erected without a zoning permit.

4.1.7.1 Fences and walls more than three feet, but less than six feet in height, other than retaining walls, may be erected in a required front yard subject to the granting of a Variance by the Zoning Board of Appeals in accordance with ARTICLE IX, herein.

4.1.7.2 Notwithstanding the foregoing, wire, chain link or similar fences, which do not impair visibility, may be 4 feet in height in any front yard.

4.1.7.3 In the case of any yard which abuts Long Island Sound only, no fences/walls or shrub rows shall be permitted within the area located between the mean high water mark (boundary) and the applicable wall of the principal structure and a line extension projected perpendicular from the side property lines to the rear corners of the principal building except where required by the State of Connecticut building code as interpreted by the City of Milford Building Official. The maximum height of the fence is the minimum required by the building code. The fence will be of such design as to minimize obstructions to view as interpreted by the City Planner and approved by the Planning & Zoning Board. Privacy style fencing is prohibited. Said prohibition

shall include fences/walls and shrub rows proposed to be located on property lines.

Sec. 4.1.7.4 The following requires a permit to be issued by the Planning and Zoning Office. In the HDD, ID and LI zones, an eight (8) foot chain link or similar security fence that does not obscure visibility may be erected along the property line and behind the front set back requirement for the district. Barbed wire or similar security wire may be allowed atop the fence, provided the parcel does not abut a residential district. The maximum 8 foot height shall include the barbed or similar security wire.

4.1.8 Existing Setback Lines: If on one side of the street within a given block and within 150 feet of any lot there is pronounced uniformity of a building setback line greater than the minimum required front yard, a front yard shall be required in connection with any new building which shall conform, as nearly as practical, with those existing on the adjacent lots; except that no such building shall be required to be set back from the street a distance greater than 50 feet.

4.1.9 Existing Narrow Streets: (Not applicable in R-5, R-7.5 and R-10 zones.) On streets with less than a 50 foot right-of-way, the minimum required front yard setback shall be measured from the center line of the existing street right-of-way. In such instances, 25 feet shall be added to the minimum required front yard setback for the applicable Zoning District.

4.1.10 Side Yards for Dwellings: Wherever practical, new dwellings proposed without garages, shall be located on the lot so that all yard requirements may be complied with if an attached garage is later constructed.

4.1.11 Waiver of Yards: In any non-residential district, no side or rear yard shall be required where such yards abuts an operating railroad right-of-way.

4.1.12 Courts: The minimum horizontal distance between facing walls of any inner court shall not be less than twice the height of the facing wall having the greatest height, and the depth of any outer court shall not exceed its width.

4.1.13 Exceptions to Height Requirements: No structure shall be erected or altered to exceed the height limit herein established for the Zoning District in which such structure is located; except that penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain a building, and fire or parapet walls, skylights, spires, belfries, towers, steeples,

stage lofts and screens, flag staffs, chimneys, flues, smokestacks, individual domestic radio, television aerials and wireless masts, water tanks, standpipes, or other similar structures may be erected above the height limits herein prescribed. No such structure shall be erected to exceed by more than fifteen feet, the height limits of the Zoning district in which it is located; nor shall such structures have a total area greater than ten percent of the roof area of the building; nor shall such structure be used for any residential purpose or any commercial or industrial purpose other than a use incidental to the principal use of the building.

4.1.14 Trailer Coaches: Trailer coaches which are in fact or construed to be dwellings shall be subject to these Zoning Regulations as they pertain to dwellings. (See ARTICLE XI, Definitions of Dwellings: Trailer Coaches.)

4.1.15 Flood Protection: No land, building, structure or use shall be developed, constructed, or occupied below the regulatory flood protection elevation, except in accordance with the Flood Hazard Regulations, Section 5.8 herein.

4.1.16 Waterbodies and Watercourses: Unless and until the Planning and Zoning Board has previously approved a Site Plan and authorized the issuance of a Special Permit in accordance with ARTICLE VII, herein.

4.1.16.1 No fill shall be deposited in or within 25 feet of any tidal waterbody, watercourse, or wetland except in accordance with the Earth Fill and Removal Regulations, Section 5.7 herein.

(1) Any fill to be deposited within 150 feet of an inland wetland shall be subject to review by the Milford Inland Wetlands Agency.

4.1.16.2 No building or structure shall be constructed or located within 25 feet of the seasonal high water level, mean high watermark, or legally established boundary of any tidal waterbody, watercourse, wetland or flood hazard area (natural or man-made and named or unnamed) per the Milford Coastal Management Plan and the Connecticut Coastal Management Act, where applicable; and further provided that:

(1) Any building or structure to be constructed or located within 150 feet of any wetland shall be subject to review by the Milford Inland Wetlands Agency.

- (2) No revetment, seawall, bulkhead, fence or similar flood and erosion control works shall be erected higher than two feet above the regulatory flood protection elevations.

4.1.16.3 No structure of any type nor the performance of any type of work incidental thereto shall be permitted on the water side of the seasonal high water level, mean high watermark or legally established boundary of any water body, watercourse, wetland or flood hazard area (natural or manmade and named or unnamed); and further provided that:

- (1) No groin, jetty or similar structure shall be extended into any water body, watercourse wetland, or flood hazard area further than the mean low water mark, nor shall such structure be constructed at an elevation higher than two feet above the mean high water mark.
- (2) No watercourse or open drainage ditch shall be walled up, filled in, narrowed down, altered, or otherwise obstructed, except for necessary clearing of debris, unless a favorable report from the City Engineer is first received by the Planning and Zoning Board.
- (3) No watercourse or open drainage ditch shall be piped or otherwise enclosed unless the size, type, grade and nature of such enclosure is first approved in writing by the City Engineer; and
- (4) Any new drainage ditch shall be so constructed that it shall have a flat bottom of sufficient width to carry the normal flow of water, and shall have sides sloping at a grade of not greater than one foot vertical to one and one-half feet horizontal, and such sides shall be adequately protected by revetment, bulkheads, rip-rap, planting suitable vegetation, or other protective measures.

ARTICLE V SUPPLEMENTARY REGULATIONS

SECTION 5.1 PARKING AND LOADING REGULATIONS

5.1.1 General Procedure: It is the intention of these Regulations that all buildings and uses be provided with a sufficient amount of off-street parking and loading space to meet the needs of persons employed at or making use of such buildings or uses. No permit for the erection or substantial alteration of a building, or for the development of a use, shall be issued unless off-street parking and loading facilities shall have been laid out in a plot plan in accordance with the appropriate requirements for buildings and uses set forth in this Section and until the drainage plan for such parking and/or loading area, except in conjunction with single family dwellings not located in flood hazard areas, shall have been approved by the City Engineer.

5.1.2 Zoning Permits: The plot plans for any new building or any replacement or reconstruction of any existing buildings, when submitted to the Zoning Enforcement Officer for a Zoning Permit in accordance with ARTICLE VII, herein, shall show specifically the location and size of the off-street parking and/or loading areas required to comply with this Section, and the means of access to such space from the public streets or highways. The drainage plan of such parking and/or loading area shall be approved by the City Engineer with regard to safety to the area and adjoining properties. The Zoning Enforcement Officer shall not issue a Zoning Permit until the drainage plan of such parking and/or loading area has been endorsed with such approval.

5.1.3 Completion of Required Parking and Loading Areas: The use of any property for a principal or accessory off-street parking and/or loading area shall not commence until all work required in connection therewith is either completed or until the Zoning Enforcement Officer approves postponement of the improvements, or portion thereof, and accepts satisfactory surety in order to guarantee the completion of such postponed work.

5.1.4 Off-Street Parking Requirements: Adequate off-street parking spaces, open or enclosed, shall be provided for any building or use in accordance with the minimum requirements of this Section. Any land which is developed as a unit under single ownership and control shall be considered a single lot for the purpose of these parking regulations. Reasonable and appropriate off-street parking requirements for buildings and uses which do not fall within the categories listed shall be determined in each case by the Board upon consideration of all factors entering into the parking needs of such use.

Figure 4: Minimum Off-Street Parking Requirements

Type of Building or Use	Minimum Required Parking Spaces
(1) One Family Dwellings	2 spaces
(2) Two Family Dwellings	4 spaces
(3) Multiple Family Dwellings	
(a) Efficiency bedroom units	2 space minimum per dwelling unit
(b) One bedroom unit	2 space minimum per dwelling unit
(c) Two bedroom units	3 space minimum per dwelling unit
(d) Three bedroom units	3 space minimum per dwelling unit
(4) Housing for elderly	1 space per dwelling unit
(5) Home occupation or accessory professional or home office	2 spaces in addition to dwelling requirements.
(6) Places of assembly, including but not limited to churches, auditoriums, theaters, and stadiums	1 space for each 4 fixed to seats or equivalent gross floor area. (50 sf/space)
(7) Food and beverage establishments including, but not limited to restaurants, outdoor luncheonettes, soda fountains, clubs (public and private), coffee houses, and fraternal organizations	1 space for each 75 sq. ft. of gross floor area, including service areas if any.
(8) Take Out Restaurants	1 space for each 250 sq. ft.
(9) Taverns, Cafes	1 space for each 50 sq. ft. of gross floor area including outdoor service areas, if any
(10) Health Clubs	1 space for each 50 sq. ft.
(11) Hotels, motels and boarding houses	1 space for each rooming unit, plus required parking for facilities used for eating, drinking, assembly, and other such uses.
(12) Automotive services, including but not limited to gas stations, auto accessories, auto repair, auto body and paint shop, muffler installation, tire and engine and transmission overhaul shops	1 space for each 250 sq. ft. of gross floor area; or 3 spaces per bay, lift or equivalent for customer and employee parking only, whichever is greater.
(13) Vehicular dealerships including, but not limited to, those which sell new and used: motor vehicles, trailers, watercraft and mobile homes.	1 space for each 250 sq. ft. of gross floor area, or 1 space for each 1,500 sq. ft. of open sales display lot, whichever is greater.
(14) Open or outdoor businesses, including but not limited to those businesses, which sell new and used: motor vehicles, trailers, mobile homes; building supplies, machinery, equipment, swimming pools, nurseries and garden supplies.	1 space for each 250 sq. ft. of enclosed sales floor area plus 1 space for each 1,000 sq. ft. of open sales display lot area.
(15) Boat docks, marinas and boat yards	1 space for each boat dock or mooring facility.
(16) Appliance, carpet, furniture, electrical,	1 space for each 500 sq. ft. of gross floor area.

Figure 4: Minimum Off-Street Parking Requirements

<u>Type of Building or Use</u>	<u>Minimum Required Parking Spaces</u>
heating, plumbing and glass retail sales	
(17) Other retail sales and service establishments	1 space for each 250 sq. ft. of gross floor area.*
(18) General business and professional offices	1 space for each 250 sq. ft. of gross floor area or two spaces for each office or tenant, whichever is greater, or 3 spaces per 1,000 sq. ft. of gross floor area in a DO-10 or DO-25 zone district with the reserve parking area of 1 space for each 1,000 sq. ft. of gross floor area retained in suitably located open space areas so as to be utilized for required parking at such time as the Planning and Zoning Board shall require.*
(19) General Hospital	1 space per patient bed plus 1 space per employee during the maximum work shift, plus 1.5 spaces per operating and/or treatment room that is part of an outpatient surgical facility or wing of a hospital.
(20) Convalescent, nursing or rest home	1 space per four patient beds plus 1 space per employee during the maximum work shift
(21) Wholesale and distribution, warehousing and storage, truck terminals, and other enclosed storage uses, and manufacturing and industrial establishments	1 space for each 750 sq. ft. of gross floor area or 1 space for each employee on the maximum work shift, whichever is greater.
(22) Schools - Public, Parochial, Private Non-Profit commercial (Elementary, Middle or Junior High School)	1 space for each 6 seats or equivalent.
(23) Schools – Public, Parochial, Private Non-Profit commercial (High School)	1 space for each 2 seats or equivalent.
(24) Regional Shopping Malls	1 space for each 250 sq. ft. of gross buildable area. Storage areas of more than 10,000 sq. ft. per store unit shall not be included in the parking calculations and shall be a deduction from gross buildable area.
<p>* An establishment may reduce its parking requirement down to a minimum of 1 space for each 400 sq. ft. of gross floor area, in exchange for an increase in buildable floor area equal to one-half of the difference between the reduced parking requirement and the general minimum of 1 space for each 250 sq. ft. of gross floor area. The remaining one-half of this difference must be maintained as additional landscaped open space on the site, in accordance with Article V, Section 5.14 of these Regulations. The Board, if it determines upon review of a Site Plan for such establishment that a reduction in the number of parking spaces is suitable and proper for the site, may grant this reduction by way of a Special Exception.</p>	

5.1.4.1 Drive-In Establishments:

- (1) A drive-in bank window shall have at least ten waiting positions between the street line and said window for cars approaching and at least two waiting positions for cars leaving said window. Such approach(es) shall be so arranged so as not to conflict with required off-street parking facilities and access thereto.
- (2) An attendant-operated or self-service car wash shall have at least ten waiting positions for each bay between the street line and such bay for cars approaching and at least two waiting positions for cars leaving said bays.
- (3) A fast-food drive-through window shall have at least ten waiting positions between the street line and said window for cars approaching and at least two waiting positions for cars leaving said window. Such approach(es) shall be so arranged so as not to conflict with required off-street parking facilities and access thereto.
- (4) A pharmacy drive-through window shall have at least five waiting positions between the street line and said window for cars approaching and at least two waiting positions for cars leaving said window. Such approach(es) shall be so arranged so as not to conflict with required off-street parking facilities and access thereto.

5.1.5 Off-Street Loading Requirements: Adequate off-street loading berths, open or enclosed, shall be provided for any building or use in accordance with the minimum requirements of this Section. Any land which is developed as a unit under single ownership and control shall be considered a single lot for the purpose of these minimum loading requirements. Reasonable and appropriate off-street loading requirements for buildings and uses which do not fall within the categories listed shall be determined in each case by the Board upon consideration of all factors entering into the loading needs of such use.

5.1.5.1 Every hospital, institution, hotel, retail store, office building, wholesale house, warehouse, or industrial building, or additions thereto, totaling 8,000 square feet or more in floor area hereafter erected or established, shall have on the lot one permanently maintained loading space, and one additional loading space for each additional 16,000 square feet of floor area, or major portion thereof, excluding basements. Except that the

Planning and Zoning Board may determine that optional proposals for providing service entrance areas or space may be allowed.

5.1.6 Space Computations: When units of measurements determining the number of required parking and/or loading spaces result in the requirement of a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one additional space.

5.1.7 Size of Spaces: Any off-street parking spaces as used herein shall be a space of not less than 9 feet in width and 18 feet in length. A waiting position shall be a 9 ft. by 18 ft. space in a line of approach. An off street loading space as used herein shall be a space of not less than 12 feet in width, 40 feet in length, and 14 feet in height.

5.1.7.1 Parking Structures: The Board may permit smaller parking spaces for any area located within or under a principal building or located within a multi-level parking structure; provided that such parking area shall contain at least three parking spaces. In general, such smaller parking spaces shall not be less than 8 feet in width and 18 feet in length.

5.1.7.2 Attendant Parking: The Board may, subject to Special Permit and Site Plan Approval, in accordance with ARTICLE VII, herein, permit smaller aisle and spaces for any use which will be served by attendant parking; provided that: (a) such attendant parking is customarily incidental to the principal use; and (b) adequate waiting positions are provided for vehicles approaching and leaving the principal use. In general, such smaller parking spaces shall not be less than 8 feet in width and 18 feet in length.

5.1.8 Multiple Uses and Facilities: When two or more different uses are located on a single lot, the total amount of parking and/or loading spaces to be provided shall be the sum of the requirements for each individual use on the lot. The Board may, subject to Site Plan review in accordance with ARTICLE VII, herein, approve the joint use of space by two or more establishments on the same or on contiguous lots where the total capacity of such space is less than the sum of the spaces required for each use; provided that the Board finds that the capacity to be provided will substantially meet the intent of the requirements by reason of variation in the probable time of maximum use by patrons or employees among such establishments, and further provided that such approval of such joint use shall be automatically terminated upon the termination of any such establishments.

5.1.9 Location and Ownership: Required parking and/or loading spaces shall be provided upon the same lot as the principal building or use which they serve. If the Board determines that it is impractical to provide all or part of the parking spaces on the same lot with the principal building or use, it may permit all or part of the parking spaces to be located on any lot which is within 250 feet of the principal building or use, measured along access ways to the lot. In all such cases, such parking spaces shall be in the same ownership as the use to which they are accessory and shall conform to all the regulations of the Zoning District in which they are located; but in no event shall such parking spaces be located in any Residential District unless the use which the spaces serve are allowed in such Residential Districts. Any such approval by the Board shall be subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII, herein, and shall be recorded in the Land Records of the City as an encumbrance on the land designated for off-street parking, and such land shall not be released from parking use unless and until alternative space is provided and approved elsewhere.

5.1.10 General Layout and Design: The general layout and traffic circulation of parking and loading areas shall be designed so as to avoid unsafe conditions and traffic congestion in the streets upon which the area has access and to provide for the safety and adequacy of access for vehicles and pedestrians using the area.

5.1.10.1 Parking spaces and aisles shall be laid out in accordance with the "Design Standards for Off Street Parking", as set forth hereinafter. All proposed curb cuts, access drives, and parking areas shall comply with all applicable requirements of the State Department of Transportation.

5.1.10.2 All parking lots for new buildings or existing buildings to be substantially renovated, except as noted below, shall provide parking spaces for handicapped individuals according to the following schedule:

Figure 5: Required Number of Accessible Parking Spaces	
Total Parking Spaces In Lot	Required Number of Accessible Spaces
up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 % of total
over 1,000	20 plus 1 for each 100 over 1,000

5.1.10.2.1 If a curb exists between a parking lot surface and sidewalk surface, an inclined curb approach or a curb cut flush with the parking lot surface having textured or rippled surface shall be provided for wheelchair access.

5.1.10.2.2 Parking spaces for the physically handicapped shall be located as close as possible to elevators, ramps, walkways and entrances. These spaces should also be located so that physically handicapped persons are not compelled to wheel or walk behind parked cars to reach entrances, ramps, walkways and elevators.

5.1.10.2.3 These provisions shall not be mandatory for high hazard buildings, low or moderate storage buildings, residential hotels or multi-family dwellings having less than 25 units; or one or two family structures.

5.1.10.2.4 If a question should arise as to which use group, as described above, a building belongs, the decision of the Building Inspector shall prevail.

5.1.10.3. Any enclosed loading space shall be located at least 30 feet from any street line and any open loading space shall be so designed that trucks when loading or unloading will not project over any street line.

5.1.10.4 Individual parking and loading spaces, maneuvering areas, entrances and exits shall be suitably identified with lines and arrows, as deemed necessary by the Zoning Enforcement Officer.

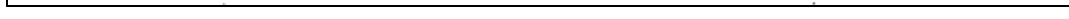


Diagram 2: Parking Space Striping Requirements With Striping Detail

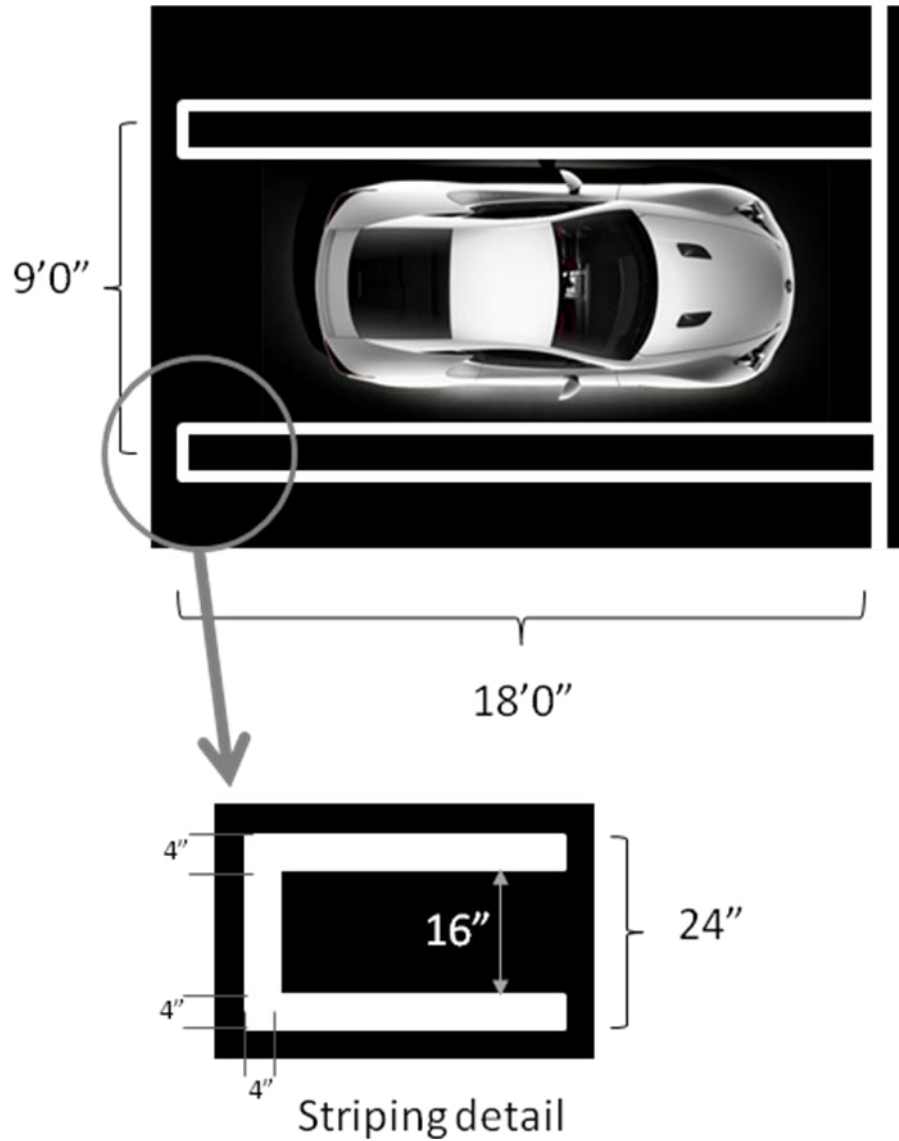
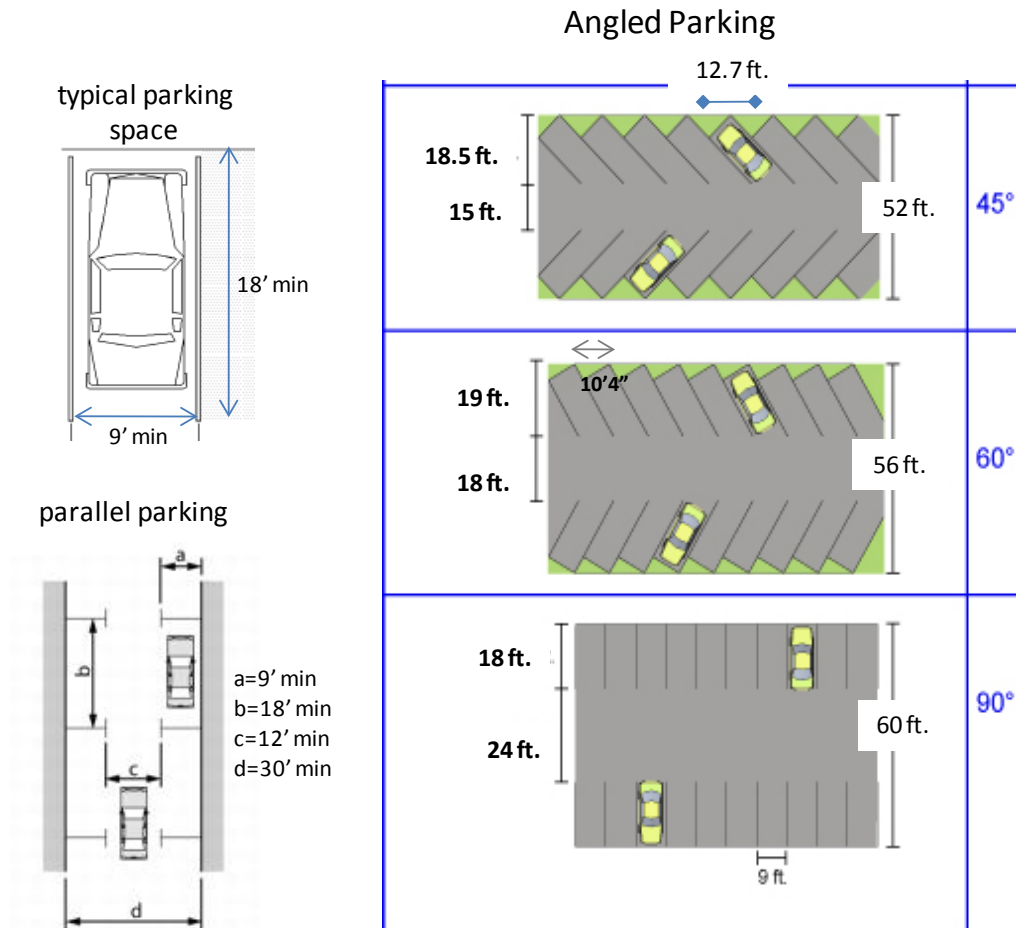
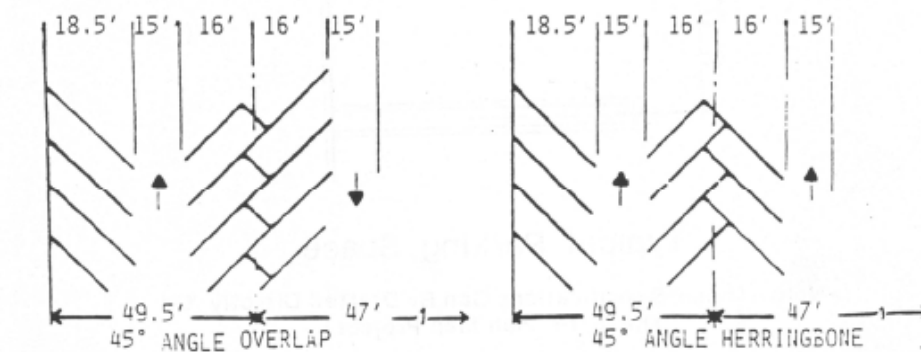


Diagram 3: Design Standards for Off-Street Parking



Angled Overlapping



5.1.11 Access Drives: No driveway or access road, to or from any property shall be so located at its juncture with a street as to create a danger or menace to the community or to the convenience or proper use of the adjoining property. No driveway shall provide access through a residential district to a lot located in another Zoning District.

5.1.11.1 No driveway approach shall be less than 10 feet in width nor greater than 30 feet in width at the street line.

5.1.11.2 No driveway shall be located closer than 25 feet to any street intersection measured along the street lines. In any nonresidential district, no two driveways on the same lot shall be located closer than 25 feet to each other at their closest limits.

5.1.11.3 No lot having less than 200 feet of street frontage shall have more than two driveway entrances and/or exits on each street abutting the lot. Lots with more than 200 feet of street frontages may have up to one driveway entrance and/or exits for each 100 feet of additional street frontage.

5.1.12 Drainage and Surfacing: All off-street parking and loading areas, whether open or enclosed, shall be suitably graded, surfaced, curbed, drained and maintained as deemed necessary by the Zoning Enforcement Officer and approved by the City Engineer to avoid hazards or nuisances of dust, erosion, damage to any buffer strip planting or storm water flow onto public streets.

5.1.13 Buffer Strips and Screening: All parking areas with more than 5 spaces and/or loading areas shall be bordered on all sides that are contiguous to or across the street from a Residential District, with a suitable buffer strip on which shall be located and maintained appropriate fencing and landscaping of suitable type density and height to effectively screen the parking area and the lights of motor vehicles adjoining residential areas, as deemed necessary by the Zoning Enforcement Officer. All landscaping shall be in accordance with Article V Section 5.14.

5.1.14 Landscaping: Where 10 or more surface parking spaces are provided on any lot, the lot containing those spaces shall be suitably landscaped in accordance with Article V, Section 5.14.

5.1.15 Lighting: Necessary lighting of parking areas shall be permitted subject to Section 5.2 Exterior Lighting Regulations. The Board may limit the hours of lighting and the number and location of lights for any parking and/or loading area that is subject to Site Plan Approval in accordance with ARTICLE VII, herein.

5.1.16 Operation and Maintenance: Required off-street parking and/or loading facilities shall be maintained with any required markings thereon so long as the building or use which the facilities are designed to serve exists. Required parking areas shall be available to those who make use of buildings and uses for which they are required. Required off-street parking and/or loading areas which after development are later offered to and accepted by the City, shall be deemed to continue to serve the buildings or uses to meet the requirements for which they were originally approved.

5.1.16.1 No motor vehicle sales or service and no motor vehicle storage or display shall be permitted on any required parking and/or loading areas in any Zoning District.

5.1.16.2 No display or parking of vehicles shall be permitted within buffer or pedestrian areas within the parcel or within any public right-of-way.

5.1.16.3 In approving any off-street parking and/or loading areas that are subject to Site Plan Approval in accordance with ARTICLE VII, herein, the Board may also require satisfactory evidence that the parking and loading areas including buffer and landscape areas will be maintained in full compliance with these requirements. The Zoning Enforcement Officer shall inspect the parking and loading areas on an annual basis. If the areas are not being maintained in accordance with the Site Plan, the owner of record shall be required to improve the property to the level in the Site Plan.

5.1.17 Tandem Parking: Any application that proposes a parking plan where one car is parked in front of the other, whether open or enclosed, shall be subject to Section 7.2. This section shall not apply to single family residences in single family residential zones.

SECTION 5.2 EXTERIOR LIGHTING REGULATIONS

5.2.1 General Purpose: This regulation of outdoor lighting applies to both permanently installed outdoor light fixtures and temporary installation of lighting for special events (i.e. carnivals, grand openings), and is necessary to prevent misdirected or excessive artificial light, caused by inappropriate or misarranged light fixtures that produce direct glare, light trespass, and also that such regulation is necessary to improve or maintain nighttime public safety, utility and security.

5.2.1 Design Standard

5.2.2.1 Where used for security purposes or to illuminate walkways, and parking lots, only shielded light fixtures shall be used and mounted no higher than 20 feet.

5.2.2.2 Where used for commercial and industrial purposes such as in merchandise display area, work areas, platforms, signs, architectural, landscape, or sports or recreational facilities, all light fixtures shall be equipped with automatic timing devices and comply with the following:

- (1) Indirect uplighting of signs shall be limited to two (2) seventy-five (75) watt incandescent bulbs per sign. If the sign is double-faced, the same type and amount of lighting may be used on each side. The seventy-five (75) watt incandescent bulbs shall be limited to seven hundred fifty (750) lumens per bulb, and shall be completely shielded from view at the nearest property line or street line. All lighting must be shielded to prevent direct glare and/or light trespass. The lighting must also be, as much as physically possible, contained to the target area. Internally lighted signs are acceptable. Indirect uplighting may be included as part of landscaping, walls or other architectural features.
- (2) Recreational and sports facility lighting shall comply with IES recommendations and shall be shielded.
- (3) All other outdoor light fixtures shall be shielded to prevent misdirected or excessive artificial light.
- (4) Merchandise display area lighting shall be turned off within 30 minutes after closing of the business. Under no circumstances shall the full illumination of the display area be permitted after 11:00 p.m. Any lighting used after 11:00 p.m. shall be used for security purposes only.

(5) All outdoor lighting fixtures necessary for security purposes shall be activated by motion sensor devices, or turned off during non-operating hours. Illuminated signs are excluded from this requirement.

5.2.2.3 Foundations supporting lighting poles shall not be less than 24 inches above grade.

5.2.2.4 Light fixtures shall not be mounted on the lighting pole higher than 20 feet from grade

5.2.3 Light Trespass: All light fixtures shall be designed, installed, and maintained to prevent light trespass, as specified in Section 5.2.3.1 and 5.2.3.2 below.

5.2.3.1 At the property line of the originating property (light source), illumination from light fixtures shall not exceed 0.1 foot-candle on residentially zoned property or 0.5 foot-candle on business zoned property, measured in a vertical plane.

5.2.3.2 Exterior light fixtures properly installed and thereafter maintained shall be directed so that there will be no direct glare light emissions.

Exterior light fixtures in close proximity to adjacent property may require special shielding devices to prevent light trespass.

5.2.4 Submission of Lighting Plans: All applications for subdivisions and Site Plan reviews shall include a lighting plan. The lighting plan shall include the following items:

5.2.4.1 Location, size, height, orientation, design, and plans for all illuminated signs and outdoor lighting. A detail drawing showing type of fixture and level of wattage shall be provided. For Site Plans showing a high level of illumination the board shall require an Iso-Lux plan indicating the levels of illumination in foot-candles, at ground level.

5.2.4.2 Show location of all security lighting on the site.

5.2.4.3 Show foundation details and location of poles when applicable.

5.2.4.4 The hours of operation for the business at the site location shall be indicated.

SECTION 5.3 SIGN REGULATIONS

5.3.1 General Procedure:

It is the intention of these sign regulations to promote the public safety, protect property values, create an attractive business climate and enhance the physical appearance of the community. No sign, except as provided in Section 5.3.3 hereof, shall be erected or structurally altered unless an application for a Zoning Permit has been approved by the Zoning Enforcement Officer, in accordance with ARTICLE VIII, herein. The Zoning Enforcement Officer shall act on all sign permit applications within 30 days after receipt exclusive of weekends and holidays. Failure of the Zoning Enforcement Officer to approve or deny the application within said period shall constitute approval of the application.

5.3.2 General Requirements:

5.3.2.1 Maintenance: All signs together with their supports, braces, guys, and anchors shall be kept in good repair and in safe condition. The owner of the premises on which a sign is erected shall be directly responsible for keeping such sign and premises around it in a safe, sanitary, neat and clean condition.

5.3.2.2 Any commercial sign now or hereafter existing which no longer identifies or advertises a bonafide business conducted, product sold, or activity or campaign being conducted shall be taken down and removed by the owner, agent or person having beneficial use of the building, structure, or lot upon which sign is located within 65 days of such cessation.

5.3.2.3 Illumination: Any illuminated sign or lighting device shall employ only lights emitting a light of constant intensity and shall be designed, located, erected and maintained only for the purposes of illuminating the subject sign and/or premises.

5.3.2.4 Any non-residential building or use that requires Site Plan review subject to Section 7.1 herein shall include a freestanding sign displaying the street address number or numbers of the building or use placed perpendicular to the roadway on which the building or use has its primary frontage. Such freestanding sign shall have a minimum size of 0.5 square feet and a maximum size of 2 square feet, shall be clearly visible from the roadway and shall have street address numbers that are a minimum of 5 inches in height. The area of such freestanding sign shall not count toward the total allowed signage area for the property.

5.3.3 Signs Exempted from these Regulations:

Subject to the conditions applicable in each instance and provided they are maintained in a safe, sanitary, neat and clean condition, the following signs shall not be subject to Section 5.3.1 and 5.3.2.1 hereof.

5.3.3.1 Purpose and Findings:

The City of Milford Planning & Zoning Board is enacting this Regulation to establish reasonable regulations for the posting of temporary signs on public and private property. The Board finds that temporary signs provide an important medium through which individuals may convey a variety of noncommercial and commercial messages. However, left completely unregulated, temporary signs can become a threat to public safety as a traffic hazard and detriment to property values and the City's overall public welfare as an aesthetic nuisance. By enacting this Regulation the Board intends to:

- (1) balance the rights of individuals to convey their messages through temporary signs and the right of the public to be protected against the unrestricted proliferation of signs;
- (2) further the objectives of the City's Plan of Conservation and Development;
- (3) protect the public health, safety, and welfare;
- (4) reduce traffic and pedestrian hazards;
- (5) protect property values by minimizing the possible adverse effects and visual blight caused by temporary signs;
- (6) promote economic development; and
- (7) ensure the fair and consistent enforcement of the temporary sign regulations specified below.

5.3.3.2 Definitions. For the purposes of this Regulation, the following words have the meanings respectively ascribed to them in this Section only, except where the context clearly indicates a different meaning:

- (1) BUILDING LOT means any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record, that is recognized and intended as a unit for the purposes of transfer of ownership.
- (2) COMMERCIAL SIGN means a sign which identifies, advertises, or directs attention to a business, or is intended to induce the purchase of goods, property, or service, including, without limitation, any sign naming a brand of goods or service and real estate signs, as further defined below.
- (3) POST means to erect, attach, or affix in any manner, including without limitation nailing, tacking, tying, gluing, pasting, painting, staking, marking or writing.
- (4) PUBLIC RIGHT-OF-WAY means the entire area between property boundaries; which is owned by a government, dedicated to public use, or impressed with an easement for public use; which is primarily used for pedestrian or vehicular travel; and which is publicly maintained, in whole or in part, for such use; and includes without limitation the street, gutter, curb, shoulder, sidewalk, sidewalk area, parking or parking strip, planting strip, and any public way.
- (5) REAL ESTATE SIGN means a sign indicating the availability for sale, rent, or lease of the specific lot, building, or portion of a building upon which the sign is posted.
- (6) CONSTRUCTION SIGN means a sign identifying the development of land or construction or alteration of buildings. Such signs must be set back at least 10 feet from any street line and may not exceed 32 square feet in area.
- (7) SIGN means any writing, pictorial representation, illustration, decoration (including any material used to differentiate sign copy from its background), landscaping form, emblem, symbol, design, trademark, banner, flag, pennant, captive balloon, streamer, spinner, ribbon, sculpture, statue, or any other figure or character that:
 - (a) Is a structure or any part thereof (including the roof or wall of a building); or
 - (b) Is written, printed, projected, painted, constructed, or otherwise placed or displayed upon or designed into landscaping or a structure or

- a board, plate, canopy, awning, marquee, or vehicle, or upon any material object or device whatsoever; and
- (c) By reason of its form, color, wording, symbol, design, illumination, or motion attracts or is designed to attract attention to the subject thereof or is used as a means of identification, advertisement, or announcement or political or artistic expression or decoration; but
- (d) Landscaping constitutes a sign only to the extent that it is planted, trimmed, graded, arranged or installed in such a manner as to convey an explicit commercial message.

(8) TEMPORARY SIGN means a sign that is:

- (a) Intended for a temporary period of posting on public or private property;
- (b) Typically constructed from nondurable materials, including paper, cardboard, cloth, plastic, and/or wallboard.

5.3.3.3 Temporary Signs Permitted in All Zones. Temporary signs may be posted on property in all zones, subject to the following requirements and those applicable provisions stated elsewhere in the Regulations.

- (1) A permit shall be required for all temporary signs posted in the City of Milford, with the exception of temporary political and real estate signs. Each individual temporary sign proposed for posting shall require its own temporary sign permit. Permitted temporary signs may be posted for a period of 14 days from the date of the temporary sign permit. No owner or leaseholder of a commercial establishment shall be granted more than one temporary sign per allowed time period and no more than six (6) temporary sign permits in a single calendar year.
- (2) The total square footage for temporary signs posted on a building lot in a residential zone, in the aggregate, shall not exceed 16 square feet, with no individual sign exceeding 8 square feet. The total square footage for temporary signs posted on a building lot in all other zones, in the aggregate, shall not exceed 32 square feet, with no individual sign exceeding 8 square feet. The total square footage of a sign is measured to include all of the visible display area of one side of the sign.

- (3) No temporary sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant or any other type of street furniture, or otherwise create a hazard, including a tripping hazard.
- (4) A temporary sign shall be designed to be stable under all weather conditions, including high winds.
- (5) No temporary sign shall be illuminated or painted with light reflecting paint.
- (6) A temporary sign shall only be posted with the consent of the property owner or occupant.
- (7) Temporary signs shall not be subject to the provisions of Section 5.3.2.1.

5.3.3.4 Temporary Signs. Time period for posting.

- (1) Temporary political signs shall be posted no earlier than 90 days prior to the voting day to which the political party, election issue or candidate for public office identified on said sign pertains. Such signs shall be removed within five (5) days following said voting day.
- (2) Temporary signs advertising a cultural, civic, charitable, educational or entertainment event, or any event operated by a non-profit, social service, educational or religious organization, shall be posted no earlier than 30 days prior to the day of any such event, or the first day of a multiple day event. Such signs shall be removed within three (3) days following the day of the event, or the last day of a multiple day event.
- (3) Temporary signs advertising a commercial sales event or promotion, or any function or event conducted and operated by a commercial enterprise, shall be posted no earlier than fourteen (14) days prior to the day of any such event, promotion or function, or the first day of a multiple day event, promotion or function. Such signs shall be removed within two (2) days following the day of the event, promotion or function, or the last day of a multiple day event, promotion or function.
- (4) Temporary signs advertising the grand opening of a commercial enterprise shall be posted for a maximum of 45 days. Such signs shall be posted no

earlier than 30 days prior to the date of the grand opening, and shall be removed within 21 days following the day of the grand opening, with the aggregate of the two time periods not to exceed 45 days.

- (5) Temporary signs advertising a temporary commercial activity or event on a residential property, including, but not limited to, yard sales and tag sales, shall be posted no earlier than five (5) days prior to the day of the activity or event, or the first day of a multiple day event. Such signs shall be removed within two (2) days following the day of the activity or event, or the last day of a multiple day activity or event.

5.3.3.5 Temporary signs, real estate.

In addition to the requirements of this Section, real estate signs shall also conform to the following standards:

- (1) Individual lots. On lots that are for sale or for rent, not more than two temporary signs may be erected. These signs may advertise the land or premises and the sale or rental agent. Such signs shall be removed within fourteen (14) days following the sale or rental of such property. The foregoing signs shall not exceed the following sizes:
 - a) A single residential lot: six square feet; an approved subdivision of three or more lots: 10 square feet; and an approved subdivision of six or more lots: 20 square feet.
 - b) Commercial or industrial lots: six square feet in area per acre (or fractional acre), not exceeding 20 square feet in area in any commercial district or 30 square feet each in any industrial district.
 - c) Directional signs indicating the location of private real properties or facilities for sale or rent may be erected for open houses, provided that each sign shall not exceed four square feet in area. The sign locations shall not obstruct traffic or traffic visibility and shall be maintained by the applicant for the duration of the activity. Not more than four such temporary signs shall be allowed for a single lot or facility for sale or rent or for subdivision lots or homes for sale.

5.3.3.6 Removal of Signs.

- (1) The person who has posted or directed the posting of a temporary sign is responsible for the removal of that sign in accordance with this Regulation.
- (2) If that person does not remove the temporary sign in accordance with this Regulation then the property owner or occupant of the building lot where the sign is posted is responsible for the sign's removal.
- (3) The Zoning Enforcement Officer is authorized to physically remove any temporary signs posted in violation of this Regulation that are not removed in accordance with the provisions above. Temporary signs posted on private property in violation of this Regulation shall be deemed a public nuisance.

5.3.3.7 Severability.

This Regulation or any portion shall be severable from all or any portion of the City of Milford Zoning Regulations if any portion of these regulations shall be adjudged invalid by a court of competent jurisdiction.

5.3.4 Signs Allowable in Residential, Residential-Multiple Family, Residential-Office.

In addition and subject to all other applicable provisions and limitations contained in these regulations, the following signs shall be allowable in One and Two Family Residential, Medium Density Multiple-Family Residential, and Residential-Office.

5.3.4.1 One non-illuminated or indirectly illuminated identification sign for each separate street line not to exceed 9 square feet in area nor 8 feet in height; and further limited as follows: said sign shall be located not less than 10 feet from the front property line; the height of such sign shall not be greater than the distance it is located from any lot line. Noncommercial speech may be placed on any sign permitted by this portion of the Regulations.

5.3.4.2 Other signs shall be limited to directional signs necessary for public safety or convenience and shall be designed and approved only as an integral part of the Site Plan.

5.3.5 Signs Allowable in Office, Business and Industrial Districts:

In addition and subject to all other applicable provisions and limitations contained in these Regulations, the following on-premise signs shall be allowable in Office, Limited Industrial, Industrial, Business, Corridor Design Districts, Interchange Commercial, Design Office, *Milford Center Design District* and Housatonic Design District in accordance with Section 8.3 herein, and shall be allowable in Shopping Center Design and Waterfront Design Districts. On-premise signs shall be allowable along each separate street frontage, but no such sign shall be allowed within required side or rear yards adjoining a residential district, nor within the part of any front yard within 35 feet of a residential district.

5.3.5.1 Ground Signs: There shall be only one sign along any front property line.

- (1) Minimum setback shall be 10 feet except as follows: DO, BD, LI, ID, HDD, ICD, SCD, WDD, 15 feet.
- (2) Maximum Sign Area shall be 40 square feet except as follows: MCDD, 20 square feet; CDD-1, CDD-3, CDD-5, ID, HDD, ICD, 100 square feet; SCD and WDD, identification of shopping center, 75 square feet, tenant identification, 16 square feet.
- (3) Maximum height shall be 18 feet except as follows: MCDD, 12 feet; ID, LI, CDD-1, CDD-3, CDD-5 and HDD, 25 feet; SCD and WDD, 20 feet.

5.3.5.2 Wall Signs: The total sign area on each building façade viewable from a public street or way, or from a parking area, shall not exceed 10 percent of the gross area of said wall, except as follows: ID, CDD-1, CDD-3, CDD-5 and HDD, 15 percent. The Board may, as deemed appropriate in its judgment, allow additional wall signs in the same manner as above on a building wall which faces and adjoins an accessory off-street parking structure or lot.

5.3.5.3 Canopy Signs: One sign along any building façade viewable from a public street or way, or from a parking area, shall be allowable for each separate use of the building provided that the sign area is included as part of the total allowable sign area for wall signs and provided it is located under a roof over a walkway. No such sign shall exceed 16 square feet.

5.3.5.4 Other signs shall be limited to those necessary for directional or safety purposes and shall be approved only as an integral part of a Site Plan.

5.3.5.5 Window Signs: Window signs shall not exceed 35% of the total window display area for each building façade viewable from a public street or way, or from a parking area; with the exception of the Milford Center Design Development District, where window signs shall not exceed 25% of the total window display area for each building façade viewable from a public street or way, or from a parking area. Any internal wall sign that is clearly visible from the public right-of-way through any window shall count towards the 35% of the total window display area, or the 25% of the total window display area in the Milford Center Design Development District.

5.3.5.6 Directional Signs: No more than two traffic, directional or warning signs with no advertising thereon and not exceeding 4 square feet in area, may be located at each driveway entrance or exit, or anticipated hazard area, providing access to any parking, loading or building area.

5.3.5.7 Directory Signs: Directory signs shall be located internal to the site so as to require users to drive in off the main street to view the sign copy. Directory signs shall not exceed 32 square feet. However, more than one directory sign may be allowed if the number of tenants or number of company departments/divisions exceed 10. In general, such signs shall be located on internal site road or pedestrian intersections as necessary.

5.3.5.8 Clocks and Thermometers: The square footage of clocks and/or thermometers shall count as part of the total allowed sign square footage per establishment.

5.3.6 Commercial Advertising Signs in CDD-1, CDD-3, CDD-5, ICD & ID Zoning Districts:

Subject to all other provisions and limitations of these regulations, indirectly illuminated commercial advertising signs shall be allowed in CDD-1, CDD-3, CDD-5, Interchange Commercial and Industrial Districts, subject to Special Permit and Site Plan Approval and the following additional conditions and safeguards.

5.3.6.1 SIGN, COMMERCIAL ADVERTISING - Any sign owned or operated by any person, firm or corporation engaged in the business of outdoor advertising for compensation for the use of such signs.

5.3.6.2 Not more than one commercial advertising signs shall be permitted on any lot and the sign area of such sign shall not exceed an area of 672 square feet. All such commercial advertising signs shall be ground signs.

5.3.6.3 Such signs shall be located only where the applicable zoning districts extend at least 150 feet in all directions from the proposed sign and shall not be placed closer than 300 feet apart measured along the center line of the street or streets to any other such sign.

5.3.6.4 Such signs shall comply with all yard requirements for principal buildings in the applicable zoning district, but in no case shall such yard setback be less than 20 feet from any lot line and 50 feet from any intersection abutting the lot.

5.3.6.5 The maximum height of the structure shall not exceed the maximum height for principal buildings in the applicable zoning district nor shall it exceed a height of 40 feet above the ground level nor 24 feet above the pavement level of the street to which it is oriented.

5.3.6.6 When such signs are visible from the main traveled way of a limited access highway and are located within 150 feet of such highway, they shall not be placed closer than 50 feet from the right-of-way and shall be a minimum of 1,500 feet apart as measured on the same side of the road (along the center line of the road).

5.3.6.7 Where a non-conforming commercial advertising sign exists, the owner may apply to the Planning and Zoning Board to remove such sign and replace it with a new relocated commercial advertising sign which conforms to this section in all respects; except that such relocated sign may be 50% closer to other commercial signs than is otherwise required.

5.3.7 General Prohibitions:

The prohibitions contained in this Section shall apply to all signs in all zoning districts, regardless of designation, within the City of Milford.

5.3.7.1 No allowable sign, including canopy signs, shall be located in or project over, any street right-of-way.

5.3.7.2 No sign or advertising device shall be erected, used or maintained which in any way simulates official directional or warning signs erected or maintained by the Federal, State and City Governments for the protection of the public health and safety.

5.3.7.3 No sign or advertising device shall be erected or maintained in such a manner as to obstruct or interfere with the free and clear vision on any street, sidewalk, driveway or navigable channel.

5.3.7.4 No sign or advertising device shall be erected or maintained with any lighting or control mechanism which may cause radio or television interference.

5.3.7.5 No illuminated sign or lighting device shall be placed or directed on any property in a manner that would permit the light beams and illumination therefrom to be directed or beamed onto a public street or walkway, or onto adjoining properties so as to cause glare or reflection that might constitute a traffic hazard or public nuisance.

5.3.7.6 No animated sign or advertising device shall be allowed.

5.3.7.7 No advertising banner shall be attached to any on-premise light pole, utility pole, tree, or other free-standing vertical site element. Advertising banners shall only be permitted to be attached to building façades, at a minimum height of twelve (12) feet above grade.

5.3.7.8 No advertising balloon, inflatable sign or advertising streamer shall be allowed.

5.3.7.9 No flashing sign or advertising device which creates intermittent or varying light intensity shall be allowed.

5.3.7.10 No projecting sign shall extend more than 15 inches beyond the building walls or parts thereof, except as otherwise provided in these sign regulations.

5.3.7.11 No roof sign shall be erected, except that signs on architecturally detailed facades such as mansard roofs shall not be construed to be roof signs. Such signs shall not extend above the parapet of the structural roof.

5.3.7.12 No sign shall be painted or erected on any fence or retaining wall.

5.3.7.13 No building or part thereof, such as a gable, roof or wall shall be outlined by direct illumination for the purpose of commercial advertising.

5.3.7.14 No sign shall be attached to or be erected or maintained in such a manner as to obstruct any fire escape, windows, door or other building opening used for egress and ingress, ventilation or other fire fighting purposes.

5.3.7.15 No temporary pennants or A-frame signs shall be allowed as permanent signs.

5.3.7.16 Electronic message signs are prohibited. An electronic message sign shall not be defined to include clocks and/or thermometer displays.

SECTION 5.4 COMMERCIAL GARAGE AND SERVICE STATION REGULATIONS

5.4.1 General Procedure: Gasoline stations, vehicle dealerships and vehicle repair and/or service garages as defined by State Statutes, shall be subject to both Special Permit approval in accordance with ARTICLE VII, herein, and Approval of Location by the Planning and Zoning Board in accordance with the location requirements of Section 5.4.3 as well as the provisions of ARTICLE IX, herein.

5.4.2 General Conditions:

5.4.2.1 There shall be a minimum lot area of 22,000 square feet and a minimum lot width of 100 feet for all uses regulated by this Section except where zone district regulations may require a larger minimum lot size and/or width.

5.4.2.2 The storage of petroleum products in underground tanks not to exceed 40,000 gallons and the storage of fuel oils in above ground tanks not to exceed 275 gallons shall be the total allowable per lot.

5.4.2.3 Provisions shall be made for entering and leaving the lot in such a manner that traffic hazards are minimized. Driveway aprons shall be a minimum distance of 25 feet from any street intersection and 10 feet from any adjacent lot line.

5.4.2.4 Fuel pumps and above ground fuel storage tanks shall be located at least 25 feet from any street line or adjacent lot line.

5.4.2.5 Servicing, other than retail sale of gasoline and oil and minor services customarily incidental thereto, shall be conducted within a building. No repair work, except of an emergency nature, will be performed out-of-doors. No servicing or storage of any vehicle shall take place on any adjacent public street or sidewalk. Outside storage and display of vehicles shall be restricted to areas no closer than 10 feet from any street line or adjacent lot line.

5.4.2.6 Adequate area for parking, storage and servicing shall be provided on private property.

5.4.2.7 Appropriate and necessary lights shall be installed and maintained. All free-standing lights shall be designed so that lights are diffused and

shielded so that glare onto adjacent properties is minimized. No free-standing light shall be permitted in any required rear or side yard adjacent to a Residential District.

5.4.2.8 Appropriate landscaping and screening of suitable type, density and height shall be installed and suitably maintained in accordance with Article V, Section 5.14.

5.4.3 Location Requirements: Subject to Special Permit and Site Plan Approval, no commercial garage, gasoline station, vehicle dealerships, vehicle repair and/or service garages, or other similar commercial garages, shall be located on any lot until such location has been found suitable for the business intended, with due consideration to its location in reference to schools, churches, theaters, traffic conditions width of highway and effect on public travel.

5.4.3.1 No gasoline station shall be located on any lot within 300 feet, measured in a straight line between the nearest lot and/or boundary lines, from any Residential District boundary; except that no existing gasoline station shall be deemed to become a non-conforming use through the subsequent change of such Residential District boundary.

5.4.4 Modified Requirements for Special Fuel Retailers: Filling or service stations selling special fuels, as defined by State Statutes, shall comply with the foregoing regulations, except that locations where more than four (4) fuel filling devices are used for special fuels and/or where the use is designed, intended or arranged for service primarily to truck traffic, the following standards shall apply in lieu of Sections 5.4.2.1 through 5.4.2.3:

5.4.4.1 There shall be a minimum lot area of six (6) acres and a minimum frontage of 400 feet on a State highway.

5.4.4.2 The storage of special fuels in underground tanks not to exceed 100,000 gallons and the storage of fuel oils in above-ground tanks not to exceed 275 gallons shall be the total allowable per lot.

5.4.4.3 Provisions shall be made for entering and leaving the lot in such a manner that traffic hazards are minimized. Driveway aprons shall be a minimum distance of 100 feet from any street intersection and 25 feet from any adjacent lot line.

5.4.5 Prohibited Uses:

5.4.5.1 No alcoholic liquor shall be sold from the premises of or site area allocated to any use regulated in this Section.

5.4.5.2 Section 5.4.5.1 shall not apply to the sale of gasoline by a grocery store, as defined in Connecticut General Statutes Section 30-20(c), containing at least 40,000 square feet of gross floor area which sells only beer and other beverages pursuant to a grocery beer permit provided: (i) the premises shall be a minimum of five (5) acres and, (ii) the distance between any public entrance to the grocery store and any gasoline pump shall not be less than one hundred fifty feet (150').

SECTION 5.5 ALCOHOLIC LIQUOR REGULATIONS

5.5.1 General Requirements: The sale of alcoholic liquor as defined by State Statutes shall be regulated in accordance with the requirements hereinafter specified.

5.5.1.1 Endorsement of State Applications: The Zoning Enforcement Officer shall have authority to certify compliance with these Regulations on all applications for alcoholic liquor permits, when required under the provisions of the State Liquor Control Act or the regulations of the State Liquor Control Commission.

5.5.1.2 Restriction of Permit Locations: Except where specifically exempted by these Regulations, no establishment selling or serving alcoholic liquor shall be located on any lot within a distance of 300 feet measured in a straight line between the nearest lot lines of any public park or playground; public, parochial or private nonprofit or for-profit school; place of worship; public library, auditorium, theater, or other public assembly place; or hospital or other duly authorized health institution. No existing permit premises shall be deemed to become non-conforming by the subsequent establishment of the foregoing uses.

In any shopping center exceeding 40,000 square feet (see Section 5.4.5) notwithstanding the foregoing, an establishment selling or serving alcoholic liquor may be located at least 400 feet from the uses listed in this Section, i.e., public park, playground, public, parochial or nonprofit school; place of worship; public library, auditorium, theater, or other public assembly places; or hospital or other duly authorized health institution.

The required distance (400 feet) shall be measured from the nearest public entrance door of the proposed liquor establishment (closest point to closest point in a straight line) to the nearest common boundary line shared by the above listed uses, i.e., public park, or playground, public, parochial or private, non-profit school, place of worship; public library, auditorium, theater, or other public assembly places; or hospital or other duly authorized health institution.

5.5.1.3 Temporary Permits: The Planning & Zoning Board may approve applications for one day permits for the sale of beer or ale, subject to appropriate conditions and safeguards deemed necessary by the Board, notwithstanding the provisions of Section 5.5.1.2 above.

5.5.2 Warehouses and Wholesale Uses: Selling alcoholic liquor at wholesale as defined by State Statutes, shall be allowable in applicable Zoning Districts subject to the same conditions as any other warehouse or wholesale use in the respective zone, notwithstanding the provisions of Section 5.5.1.2 above.

5.5.3 Package Store, Drug Store and Grocery Stores: Permits shall be allowable in applicable Zoning Districts, provided that they are located 1,500 feet as measured from the nearest public entrance door to the nearest public entrance door (within street rights-of-way) of any other location at which alcoholic liquor is sold for off-premises consumption.

5.5.4 Restaurant, Tavern, Cafe, Hotel and Club Permits: Subject to the requirements of the applicable Zoning District for each type of use, the following shall be allowable:

5.5.4.1 Restaurant Permits: As defined by State Statutes may be allowed provided the use shall be located at least 1,500 feet as measured from the nearest public entrance door to nearest public entrance door (within street rights-of-way) of any other restaurant or from any tavern, cafe, or hotel permit, except as provided in these Regulations.

5.5.4.2 Tavern and Cafe Permits: As defined by State Statutes may be allowed provided the use shall be located at least 1,500 feet as measured from the nearest public entrance door to nearest public entrance door (within street rights-of-way) of any other tavern, cafe, or hotel permit or from any restaurant permit, except as provided in Section 5.5.5.

5.5.4.3 Hotel Permits: As defined by State Statutes shall be allowable in applicable Zoning Districts.

5.5.4.4 Clubs, Lodges and Fraternal Organizations: Serving alcoholic liquor shall be allowable in applicable Zoning Districts.

5.5.5 Shopping Centers Containing a Minimum of 40,000 Square Feet of Floor Area:

Notwithstanding the provisions of Sections 5.5.3 and 5.5.4, such shopping centers shall be allowed to have one liquor permit to each 40,000 square feet of floor area or major fraction thereof in said shopping center, except not more than one package or drug store permit shall be allowed in any such center. There shall be no limit to the number of

grocery beer permits nor shall they be counted as liquor permits as mentioned in the foregoing paragraphs.

5.5.6 Removal to New Location: Any permittee using any premises for serving or selling alcoholic liquor under a permit issued by the State Liquor Control Commission may move said place of business to another premise located in a Zoning District which allows such use, subject to the same procedures as a new location and the rules and regulations of the State Liquor Control Commission.

5.5.7 Change of Use: The change of an existing use of a building or structure, whether or not a liquor permit exists at the location, to a proposed use either serving or selling alcoholic liquor shall be subject to this Section in the same manner as a new use either serving or selling alcoholic liquor.

5.5.8 Outdoor entertainment decks may be permitted by Special Permit in accordance with ARTICLE VII provided all of the following criteria are met:

- (1) Decks must be constructed in accordance with all appropriate setbacks without variances.
- (2) Entertainment on the outside deck must be strictly limited to pre-recorded music via permanently mounted speakers attached to main building. Live entertainment such as musical bands, of any variety, disc jockeys or the like are prohibited. Volume of said music shall not exceed the level of normal personal conversation (i.e., background music).
- (3) The tranquility of the surrounding area is not violated.

The Planning & Zoning Board reserves the right to review all Special Permits issued under this section in order to insure that the aforementioned criteria is consistently adhered to by the applicant.

New owners must re-apply for a Special Permit before commencing any activities relating to this section.

SECTION 5.6 **ADULT ORIENTED ESTABLISHMENTS**

5.6.1 Legislative Findings and Statement of Purpose: The Planning and Zoning Board of the City of Milford has made the following findings of fact:

- (1) That the secondary effects and impacts from adult oriented establishments have been documented in other municipalities, as evidenced by studies, court decisions and testimony.
- (2) That adult oriented establishments, because of their very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of property values and other health, safety and welfare problems for the community.
- (3) That certain conduct occurring on the premises of adult oriented establishments is detrimental to the public health, safety, and general welfare of citizens of the City and, therefore, such conduct must be regulated as provided herein.
- (4) That adult oriented establishments are associated with and promote prostitution, illegal drug use and other criminal activity which constitutes an immediate threat to the public peace, health, morals and safety.
- (5) That adult oriented establishments are frequently used for unlawful sexual activities, including prostitution and sexual liaisons of a casual nature.
- (6) That commercial development in the Milford Center Design District and the Corridor Design Development District 2 – Devon Center-Naugatuck Avenue in Milford is unique in that development began prior to zoning and was designed to accommodate pedestrian, rather than vehicular traffic.
- (7) These regulations are based on evidence of the adverse secondary effects of adult uses that is within the common knowledge of municipalities and is widely reported in judicial opinions, media reports, land use studies, and crime impact reports made available to the Board, several of which are set forth herein. Additionally, the Board relies on repeated judicial findings of municipalities' reasonable reliance on this body of secondary effects evidence to support time, place, and manner regulations of sexually oriented businesses. The Board relies upon and incorporates the findings of secondary effects discussed in the following non-exhaustive list of cases from the U.S. Supreme Court and Federal Appellate and Trial Courts: *Pap's A.M. v City of Erie*, 529 U.S. 277 (2000); *City of Los Angeles v Alameda Books, Inc.*, 122 S. Ct. 1728 (2002); *City*

of *Renton v Playtime Theatres, Inc.*, 475 U.S. 41 (1986); *Young v American Mini Theatres*, 426 U.S. 50 (1976); *Barnes v Glen Theatre, Inc.*, 501 U.S. 560 (1991); *FW/PBS, Inc. v City of Dallas*, 493 U.S. 215 (1990); *California v. LaRue*, 409 U.S. 109 (1972); *Charette v Town of Oyster Bay*, 2001 U.S. App. LEXUS 746 (Jan. 18, 2001); *Beal v Stern*, 184 F.3d 117 (2d Cir. 1999); *Buzzetti v City of New York*, 140 F.3d 134 (1998); *Marty's Adult World v Town of Enfield*, 20 F.3d (512) (2nd Cir. 1994); *Hickerson v City of New York*, 146 F.3d 99 (2nd Cir. 1998); *United States v Kinzler*, 55 F.3d 70 (2nd Cir. 1995); *Derusso v City of Albany*, 205 F. Supp.2d 198 (E.D.N.Y. 1998); *DLS, Inc. v City of Chattanooga*, 107 F.3d 403 (6th Cir. 1997); *Colacurcio v City of Kent*, 163 F.3d 545 (9th Cir. 1998).

- (8) The Planning and Zoning Board further relies on reports concerning secondary effects occurring in and around sexually oriented businesses, including, but not limited to, Phoenix, Arizona – 1984; Minneapolis, Minnesota – 1980; Houston, Texas – 1997; Indianapolis, Indiana – 1984; Amarillo, Texas – 1977; Garden Grove, California – 1991; Los Angeles, California – 1977; Whittier, California – 1978; Austin, Texas – 1986; Seattle, Washington – 1989; Oklahoma City, Oklahoma – 1986; Cleveland, Ohio – 1977; Dallas, Texas – 1997; McCleary Report, Alliance, Ohio – 2002; Tucson, Arizona – 1990; Testimony, Warner-Robins, Georgia – 2000; St. Croix County, Wisconsin – 1993; Bellevue, Washington – 1998; Newport News, Virginia – 1996; St. Cloud, Minnesota – 1994; New York Times Square study – 1994; Phoenix, Arizona – 1995-98; and also on findings of physical abuse from the paper entitled “Stripclubs According to Strippers: Exposing Workplace Sexual Violence,” by Kelly Holsopple, Program Director, Freedom and Justice Center for Prostitution Resources, Minneapolis, Minnesota, and from “Sexually Oriented Businesses: An Insider’s View,” by David Sherman, presented to the Michigan House Committee on Ethics and Constitutional Law, Jan. 12, 2000, and the Report of the Attorney General’s Working Group On The Regulation of Sexually Oriented Businesses (June 6, 1989, State of Minnesota).

- (9) Further, the Planning & Zoning Board recognizes that there are Adult Oriented Establishments in existence prior to the enactment of these regulations. In the event that any of these establishments do not conform to the LOCATION requirements established in SECTION 5.6.3 the USE as an ADULT ORIENTED ESTABLISHMENT is hereby defined as NON-CONFORMING and subject to SECTION 7.2 of these regulations.

The Planning and Zoning Board has a substantial interest in minimizing and controlling the adverse and negative secondary effects of adult oriented establishments and desires to control these adverse effects in an effort to protect the health, safety and welfare of the general public; protect the citizen of the City of Milford from increased

crime; preserve the quality of life; preserve the property values and character of surrounding neighborhoods and deter the spread of urban blight.

It is not the intent of this regulation to suppress any speech activities protected by the First Amendment but to enact a content-neutral regulation which addresses the secondary effects of adult oriented establishments.

5.6.2 Definitions

For the purposes of this regulation the words and phrases used herein shall have the following meanings unless otherwise clearly or plainly required by context:

- (1) "Adult Oriented Establishment" shall include,
 - a) Adult Cabaret
 - b) Adult Bookstore, Adult Novelty Store, Adult Video Store
 - c) Adult Motion Picture Theater
 - d) Adult Mini-Motion Picture Theater
 - e) Any Commercial establishment that *regularly features* adult entertainment
- (2) "Adult Entertainment" means exhibition of motion pictures, displays or live performances which are characterized by an emphasis on "specified sexual activities" or "specified anatomical areas" as defined herein.
- (3) "Adult Bookstore, Adult Novelty Store, or Adult Video Store means a commercial establishment which has a significant or substantial portion of its inventory, or derives a significant or a substantial portion of its revenues, or maintains a significant or substantial section of its sales and display space, to the sale or rental, for any form of consideration, of any one or more of the following:
 - a) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides or other visual representations which are characterized by their emphasis upon the exhibition of description of "specified sexual activities" or "specified anatomical areas";
 - b) Instruments, devices or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others.

For purposes of this definition, “significant or substantial portion” means thirty (30%) percent or more of the term modified by such phrase.

- (4) “Adult Cabaret” means a nightclub, bar, juice bar, lounge, restaurant, bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features live conduct characterized by an emphasis on any specified anatomical areas, as defined herein.
- (5) “Regularly features” means a consistent course of conduct, such that the films or performances exhibited constitute a substantial portion of the films or performances offered as a part of the on-going business of the sexually oriented business.
- (6) "Adult Motion Picture Theater" means an enclosed building with a capacity of fifty (50) or more persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities, or "specified anatomical areas", and defined below, for observation by patrons therein.
- (7) "Adult Mini-Motion Picture Theater" means an enclosed building with a capacity of less than fifty (50) persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," as defined below, for observation by patrons therein.
- (8) "Entertainer" means any person who provides entertainment within an adult oriented establishment as defined in this section, whether or not a fee is charged or accepted for entertainment and whether or not entertainment is provided as an employee or as an independent contractor.
- (9) "Minor" means a person under the age of eighteen (18) years.
- (10) "Operator" means any person, or any proprietor, shareholder, general partner or limited partner who participates in the management or day-to-day operations and/or control of the establishment.
- (11) "Sexual Activity," as used in this regulation, is not intended to include any medical publications or films or bona fide educational publication or films, nor does it include any art or photography publications which devote at least twenty-five (25%) percent of the lineage of each issue to articles and advertisements dealing with

subjects of art or photography. Nor does this definition apply to any news periodical which reports or describes current events and which, from time to time publishes photographs of nude or semi-nude persons in connection with the dissemination of the news. Nor does this definition apply to publications or films which describe and report different cultures and which, from time to time, publish or show photographs or depictions of nude or semi-nude persons when describing cultures in which nudity or semi-nude is indigenous to the population.

(12) "Specified Anatomical Areas" means:

- (a) Less than completely and opaquely covered:
 - (i) human genitals, pubic region;
 - (ii) buttocks;
 - (iii) female breasts below a point immediately above the top of the areola; and
- (b) Human male genitals in a discernibly turgid state, even if completely opaquely covered.

(13) "Specified Sexual Activities" means and includes any of the following:

- (a) Human genitals in a state of sexual stimulation or arousal;
- (b) Sex acts, human masturbation of the clothed or unclothed genitals, sexual intercourse, or sodomy.

5.6.3 Location Requirements: Except as provided herein, no adult oriented establishment shall be permitted unless the following conditions exist:

(1) The premises for which an application for an adult oriented establishment has been made is not located within the following distances of pre-existing uses and zones:

- (a) 150 feet from any residential zone line boundary;
- (b) 300 feet from any public, private or parochial educational facilities including licensed day care facilities which serve persons age 17 or younger;
- (c) 300 feet from liquor or package store;
- (d) 300 feet from place of worship with certificate of occupancy;
- (e) 1,000 feet from other adult oriented establishment.

- (2) The above distances shall be measured from the nearest public entrance of the proposed establishment to the nearest public entrance of the existing uses set forth in (b) to (e) above. In the case of subsection (a) above, the distance shall be measured from the nearest public entrance to the nearest residential zone lot line. All of the above distances shall be measured commencing from the nearest public entrance of the proposed establishment in a straight line to the nearest street right of way, then proceeding along said street right of way to a point perpendicular to the uses set forth in Sections 5.6.3(1)(a) through (e) inclusive, thence proceeding in a straight line to the nearest public entrance or residential zone lot line.
- (3) The proposed use must conform to the uses permitted in underlying zone and to all other applicable zoning regulations. The submission of a complete application in accordance with the application form requirements shall be required.
- (4) Notwithstanding the foregoing, adult oriented establishments are specifically prohibited from the Milford Center Design Development District, the Corridor Design Development District 2 – Devon Center-Naugatuck Avenue and Shopping Center Districts.

5.6.4 Exterior Display: No adult oriented establishment shall be conducted in any manner so as to permit the observation of human genitals, sex acts, masturbation, sexual intercourse, or sodomy from a public right-of-way outside the establishment.

5.6.5 Severability: This Chapter and each section and provision of said chapter hereunder, are hereby declared to be independent divisions and subdivisions and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent of the City of Milford Board of Aldermen that if any provisions of said Chapter, or the application thereof to any person or circumstance is held to be invalid, the remaining sections or provisions and the application of such sections and provisions to any person or circumstances other than those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and provisions would have been passed independently of such section or provision so known to be invalid.

SECTION 5.7 **EARTH FILLING AND REMOVAL REGULATIONS**

5.7.1 General Procedure: The Planning and Zoning Board may permit the filling with and/or removal of any earth, loam, topsoil, sand, gravel, clay, stone or other material (hereafter referred to as earth products) in accordance with the procedures and requirements hereinafter specified.

5.7.2 Removal Permits: No removal of any earth products shall be permitted from any lot or property in any Zoning District until the Planning and Zoning Board approves a Special Permit in accordance with ARTICLE VII, herein.

5.7.3 Filling Permits: No filling with any earth products or any other material shall be permitted on any land located in or within a distance of 25 feet of any flood hazard area, waterbody, watercourse, or wetland until the Planning and Zoning Board approves a Special Permit in accordance with ARTICLE VII, herein.

5.7.3.1 Said distance of 25 feet shall be measured in a straight line from:

- (1) The regulatory flood protection elevation;
- (2) The mean high water watermark of tidal waterbodies and tidal watercourses;
- (3) The seasonal high water level of all other waterbodies, watercourses; or
- (4) The legally established wetland boundaries, as applicable.

5.7.3.2 The City Engineer shall approve said elevations, marks, levels, and boundaries when same are not otherwise established by an agency of the State and/or Federal Government.

5.7.4 Exemptions: The provisions of this Section and the requirements to obtain a Special Permit shall not apply to filling or removal in the following cases, provided that such will not otherwise be subject to Flood Hazard Regulations, Section 5.8 herein.

5.7.4.1 Necessary filling with or removal of earth products in direct connection with the building construction, structural alteration or site improvements on a lot for which a building permit has been issued or in direct connection with required site improvements in accordance with an approved subdivision plan, provided that the filling or removal shall be deemed the minimum quality necessary to make such site suitable for the proposed use.

5.7.4.2 Necessary filling with or removal of earth products in direct connection with street or utility improvements within a public right-of-way.

5.7.5 Site Plan Requirements: Applications for a Special Permit shall include a Site Plan, in accordance with ARTICLE VII, herein, showing the following additional information, where appropriate:

5.7.5.1 The amount, area, and type of proposed fill, other structure elevating techniques, retaining walls, levees, channel modifications, seawalls, rip rapping and other methods designed to overcome flood and/or erosion related hazards.

5.7.5.2 The amount, area and nature of proposed grading, dredging, excavating, or removing of earth products. It shall be the responsibility of the petitioner to justify the need for any earth product removal, and blasting associated therewith, and any processing required of earth products at the excavation site. It shall be the prerogative of the Board to deny or alter any such request if it deems that such has not been justified.

5.7.5.3 Grading plans, based on actual surveys and referenced to U.S.G.S. datum, indicating the elevations and extent and the slopes of all proposed contour lines at intervals of two feet or less or by other appropriate means.

5.7.5.4 Storm drainage plans showing the drainage area and estimated runoff of the area to be served by any existing drainage facilities, together with detailed plans and specifications of all proposed drainage facilities or other protective devices to be constructed in connection with the proposed use.

5.7.5.5 Landscaping plans showing the type, location and extent of all proposed planting or vegetation to be retained on or restored to the site for erosion prevention.

5.7.5.6 Proposed vehicular access to the site and proposed work roadways within the site.

5.7.5.7 The estimated number and types of trucks and other machinery including separators or processing equipment, where applicable, proposed to be used on the site.

5.7.5.8 The estimated starting and completion dates and the estimated hours and days of the week proposed for the operation on the site.

5.7.5.9 Approval by the Fire Department of plans for any proposed blasting and/or storing of explosives on the site.

5.7.5.10 Approval by the appropriate State Department for any regulated activity within a legally established wetland shall be submitted with the application.

5.7.5.11 The Board may, when deemed necessary to protect the public health, safety, and general welfare, environment, require a soils investigation, based on the most recent grading plan. Such reports shall include data regarding the nature, distribution, and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures, and the effect of soil conditions on the proposed development.

5.7.6 Standards and Conditions:

5.7.6.1 The filling or removal shall be carried out in accordance with the maps and plans as approved by the Board and within the limits shown thereon; and within the time limits imposed by the Board.

5.7.6.2 The filling or removal shall not result in steep slopes, pits or depressions, or soil erosion, drainage or sewage problems or conditions which would impair the reasonable reuse and development of the site.

5.7.6.3 At all stages of the work or operation, proper drainage shall be provided to avoid stagnant water, soil erosion problems, excessive runoff, silting of streams and damage to public property, streets or drainage facilities.

5.7.6.4 At all stages of the work or operation where any excavation or fill will have a depth of ten feet or more and/or will create a slope of more than 1 foot vertical to 2 feet horizontal, the Board may require a substantial fence enclosing the fill or excavation. Such fence shall be at least six feet in height with suitable gates and shall be located at least 25 feet from the edge or toe of the excavation or fill.

5.7.6.5 Truck access to the lot and the work area shall be so arranged as to minimize traffic hazards on streets and to avoid nuisance to residents of the neighborhood.

5.7.6.6 No grading, excavating or removal shall be carried to a depth below the regulatory flood protection elevation, nor to a depth below the mean high water level of any waterbody, watercourse, or seasonal high water table on the lot; unless:

- (1) The Board specifically authorized as an integral part of the Special Permit a proposed man made water area, or provisions to refill and compact the area with suitable material, or similar provision to otherwise protect the area from flood and erosion related hazards; and
- (2) Such grading, excavation or removal is in strict accordance with all applicable provisions of the Flood Hazard Regulations, Section 5.8, herein.

5.7.6.7 No grading, excavation or removal shall extend below the elevation of any abutting street or lot line; unless:

- (1) Either grading, excavation or removal is set back at least 100 feet from said street or lot line; or
- (2) The Board finds, after a study of the proposed Site Plan, that the public health, safety and general welfare would be best served by a lesser setback distance.

5.7.6.8 No filling shall extend above any street, lot or portion thereof, which is located below the regulatory flood protection level; unless:

- (1) Both such filling is authorized as an integral part of the Special Permit; and
- (2) Such filling is in strict accordance with all applicable provisions of the Flood Hazard Regulations, Section 5.8, herein.

5.7.6.9 The Board may require the applicant to reserve adequate slope and/or drainage easements on the lot in order to allow the necessary coordination of any grading, filling, excavating, or removal operations that might be permitted on any abutting lot or street.

5.7.6.10 No rock crushers, separators or processing machinery shall be allowed unless located on a lot which was zoned M-2 Heavy Industrial as of October 1, 1973 (Refer to Zoning Regulations of the City of Milford, Connecticut, 1968 and accompanying Map, Building Zones, July 1969 as amended) and unless the number, type, size and nature of machinery is specifically authorized by the Board as a integral part of a Special Permit.

Approval for removal of earth products. Any such machinery shall be set back from any street or lot line a minimum prescribed distance as deemed necessary by the Board to protect the health, safety and general welfare, but in no case shall such setback be less than 200 feet from a street and all lot lines and 250 feet from a Residential Zone. Any such machinery shall be used only for materials originating on the site covered by the Special Permit for removal operations, and shall be removed from the lot upon termination of the Special Permit. Further, allowance of such machinery shall be limited to a maximum of three years, subject to approval by the Planning and Zoning Board for each one year for continuation up to said three year maximum.

5.7.6.11 No materials shall be stockpiled and no equipment or structures authorized by the Special Permit shall be operated or located beyond the limits of the specific area approved for filling or removal.

5.7.6.12 All work in connection with filling or removal operations shall be limited to the hours and days of the week that may be specified by the Board.

5.7.6.13 In order to minimize any flooding hazard, the applicant shall comply with all applicable provisions of Section 5.8, Flood Hazard Regulations, herein.

5.7.6.14 In order to minimize any dust and/or noise pollution, the applicant shall comply with all applicable provisions of Section 5.11, Performance Standard Regulations, herein.

5.7.6.15 Upon completion of the work or operation authorized, the area graded, filled, removed or otherwise disturbed ground shall be prepared or restored as follows:

- (1) Materials used for filling shall have been approved by the Planning and Zoning Board and the City Engineer. All fills shall be adequately compacted to an acceptable density, as determined by the Board or its authorized agent, in order to safely support any buildings, structures or uses and to

aid in preventing the saturation, slipping or erosion of fill. Where wind or water erosion is a factor, fill shall be adequately protected by bulkheads, rip-rap, planting suitable grass or other vegetation, or other protective measures.

- (2) Such area shall be evenly graded to slopes not exceeding one foot vertical to two feet horizontal distance or to such lesser slope necessary for soil stability, safety and reasonable reuse and development of the lot; in addition, the area shall be evenly graded with sufficient slopes to assure adequate drainage of the area, so that stagnant pools of water will be avoided.
- (3) Suitable drainways of gradual slope shall be provided to assure adequate drainage.
- (4) All loose debris shall be incorporated into the improvement of the lot or shall be removed from the lot.
- (5) Sufficient topsoil or loam shall be retained on, or otherwise provided for, the lot and shall be spread over the entire area to a depth of at least 6 inches; and the area shall then be suitably seeded, planted, landscaped and maintained until the ground shall be completely stabilized with a dense cover of vegetation and there exists no danger of erosion; except that this provision shall not apply to areas of water nor to exposed areas of ledge either existing prior to the work or specifically authorized as part of the Special Permit.

5.7.6.16 The Board may require the applicant to submit periodic reports, prepared and certified by a professional engineer licensed in the State of Connecticut, showing the status and progress of the work or operation.

5.7.6.17 When a Special Permit is granted involving filling and/or removal of earth products over an area of two acres or more, the permittee shall, before commencing operations:

- (1) File with the Planning & Zoning Board a set of drawings, in ink, on transparent linen tracing cloth, or reproducible copies on mylar, of the approved plan.

- (2) Install one or more permanent bench marks (where they will remain throughout the life of the Permit) at locations designated by the City Engineer.

5.7.7 Existing Operations: Legally established filling and removal projects in actual operation and not under a valid Special Permit on the effective date of these Regulations, may continue operations, provided that once each year, within 65 days after notice by the Board, the owner of such existing project shall present plans showing the present conditions of the property, the extent of excavations contemplated and proposed ultimate development of the property, and further provided that the Board approves said plans subject to such conditions as may be in the best interests of the City and in harmony with these Regulations.

SECTION 5.8 **FLOOD HAZARD AND FLOOD DAMAGE PREVENTION**
REGULATIONS

5.8.1 Purpose: It is the purpose of these flood hazard and flood damage regulations to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Require that land, buildings, structures and uses thereof which are vulnerable to floods, including facilities which serve such uses, be provided with a safe building site and access and be adequately protected against flood and erosion damage at the time of initial construction.
- (2) Require that land areas which are unsuited for intended purposes because of flood or erosion hazard be delineated on any site or subdivision plan and that such areas which are not suitable for development be subject to easements or other legal restrictions necessary for the protection thereof.
- (3) Control grading, filling, dredging, excavating and removal of any material which may increase erosion or damage.
- (4) Control the alteration of dunes and other natural protective barriers.
- (5) Regulate the construction of seawalls, bulkheads, groins, jetties and other work which may increase flood and erosion damage to other lands.
- (6) Protect human life and health.
- (7) Minimize expenditure of public money for costly flood control projects.
- (8) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.
- (9) Minimize prolonged business interruptions.
- (10) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard.
- (11) Help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas.

- (12) Ensure that potential buyers are notified that property is in an area of special flood hazard.
- (13) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

5.8.2 Zoning Applicability: Flood Hazard and Flood Damage Prevention Regulations shall apply to all lands, buildings, structures, structural alterations and uses in any Zoning District where lands, buildings, structures, structural alterations and uses are, or are proposed to be located, below the regulatory flood protection elevations as defined herein. The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated December 17, 2010, and accompanying Flood Insurance Rate Maps (FIRM), dated December 17, 2010, and other supporting data applicable to the City of Milford, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on a Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

5.8.3 Procedure: No land, building, structure or use shall be developed or constructed below the regulatory flood protection elevation in any Zoning District unless and until the Planning and Zoning Board has previously approved a Site Plan and authorized the issuance of a special permit in accordance with ARTICLE VII herein, and the procedures, requirements, conditions and standards set forth hereinafter. Single family homes and buildings, or structures accessory to a residential use, shall be subject to Site Plan Review only and may be exempted from full compliance with Section 5.8.5.1 by the Planning & Zoning Board.

5.8.4 Compliance: No land, buildings, structure or use shall hereafter be developed or constructed without full compliance with the provisions of this Section; the Earth Fill & Removal Regulations, Section 5.7 where applicable; and all other applicable provisions of these Regulations, the City Subdivision Regulations, State and City Health and/or Sanitary

Codes, and other laws and regulations which apply to land buildings, structures and uses within the jurisdiction of these regulations.

5.8.4.1 Establishment of Development Permit: A Development Permit shall be obtained before construction or development begins within an area of special flood hazard established in Section 5.8.2. Application for a Development Permit shall be made on forms furnished by the Zoning Enforcement Officer for the Planning and Zoning Board and may include, but not be limited to, plans, drawn to scale showing the nature, location, dimensions and elevation of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- (1) Elevation in relation to mean sea level of the lowest floor (including basement) of all structures based on U.S.G.S Datum.
- (2) Elevation in relation to mean sea level to which any structure has been flood-proofed.
- (3) Certification by a registered professional engineer or architect that the flood-proofing criteria in Section 5.8.13.2 has been complied with.
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- (5) Plans for any walls to be used to enclose space below the base flood level (nonresidential only).

5.8.4.2 Designation of the Zoning Enforcement Officer for the City of Milford: The Zoning Enforcement Officer for the City of Milford is hereby appointed to administer and implement this Section 5.8 by granting or denying development permit applications in accordance with its provisions.

5.8.4.3 Duties and Responsibilities of the Zoning Enforcement Officer for the City of Milford: Duties of the Zoning Enforcement Officer shall include, but not be limited to:

- (1) Review all development permits to determine that the permit requirements of this Section 5.8 have been satisfied as approved by the

Planning & Zoning Board and to determine if proposed building site will be reasonably safe from flooding.

- (2) Review all development permits to assure all necessary State or Federal permits have been received that are specifically required as a condition of approval as imposed by the Planning & Zoning Board.
- (3) Review all development permits in the area of special flood hazard except in the coastal high hazard area to determine if the proposed development adversely affects the flood carrying capacity of the area of special flood hazard. For the purpose of this Section 5.8, "adversely affects" means the cumulative effect of the proposed development when, combined with all other existing and anticipated development, increases the water surface elevation of the base flood more than one foot at any point.
- (4) Review all development permits in the coastal high hazard area of the area of special flood hazard to determine if the proposed development alters sand dunes so as to increase potential flood damage.
- (5) Review plans for walls to be used to enclose space below the base flood level in accordance with Section 5.8.14.2(4).

5.8.4.4 Use of Other Base Flood Data: When base flood elevation & floodway data has not been provided in accordance with Section 5.8 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Zoning Enforcement Officer for the City of Milford shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal/State or other source, in order to administer Section 5.8.13.1 SPECIFIC STANDARDS, Residential Construction and 5.8.13.2 SPECIFIC STANDARDS Nonresidential Construction.

When BFEs have been determined within Zones A and AE on the community's FIRM but a regulatory floodway has not been designated, the Zoning Enforcement Officer must require that no new construction, substantial improvements, repair to structures which have sustained substantial damage or other development, including fill, shall be permitted which will increase the water surface elevation of the base flood more than one (1.0) foot at any point within the community when all existing

and anticipated development is considered cumulatively with the proposed development.

The Zoning Enforcement Officer may request floodway data of an applicant for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source (in response to the municipality's request or not), the community shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1.0) foot at any point within the community.

5.8.4.5 Information to be Obtained and Maintained:

- (1) Obtain and record the actual elevation in relation to mean sea level of the lowest floor including basement, of all new or substantially improved structures.
- (2) For all new substantially improved flood-proofed structures.
 - (a) Verify and record the actual elevation (in relation to mean sea level).
 - (b) Maintain the flood-proofing certifications required in Section 5.8.4.1 (3).
- (3) In coastal high hazard areas, certification shall be obtained from a licensed professional engineer or land surveyor that the structure is securely anchored to adequately anchored pilings or columns in order to withstand velocity waters and hurricane wave wash.
- (4) Maintain for public inspection all records pertaining to the provisions of this Section 5.8.

5.8.4.6 Alteration of Watercourses:

- (1) Notify adjacent communities, the South Central Regional Council of Governments and the Greater Bridgeport Regional Planning Agency prior to any alteration or relocation of a watercourse, and submit

evidence of such notification to the Federal Emergency Management Agency.

- (2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

5.8.4.7 Interpretation of Firm Boundaries: Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 5.8.4.8.

- (1) Portion of a Structure in Flood Zone – If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure.
- (2) Structures in Two Flood Zones – If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.

5.8.4.8 Variance Procedure:

5.8.4.8.1 Appeal Board:

- (1) The Zoning Board of Appeals as established by the City of Milford shall hear and decide appeals and requests for variances from the requirements of this Section 5.8.
- (2) The Zoning Board of Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision or

determination made by the Zoning Enforcement Officer in enforcement or administration of this Section 5.8.

- (3) Those aggrieved by the decision of the Zoning Board of Appeals, or any taxpayer, may appeal such decision to the Superior Court, as provided in the Connecticut General Statutes.
- (4) In passing upon such applications, the Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, standards specified in other sections of this Section 5.8 and:
 - (a) The danger that materials may be swept onto other lands to the injury of others.
 - (b) The danger to life and property due to flooding or erosion damage.
 - (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - (d) The importance of the services provided by the proposed facility to the community.
 - (e) The necessity to the facility of a waterfront location where applicable.
 - (f) The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage.
 - (g) The compatibility of the proposed use with existing and anticipated development.
 - (h) The relationship of the proposed use to the current Plan of Conservation and Development and flood plain management program of that area.
 - (i) The safety of access to the property in times of flood for ordinary and emergency vehicles.

- (j) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable expected at the site; and,
 - (k) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (5) Generally, a variance may be issued for new construction and substantial improvements to be erected on a lot of one half acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (a-k) in Section 5.8.4.8.1 (4) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- (6) Upon consideration of the factors in Section 5.8.4.8.2(4) and the purposes of this Section 5.8, the Zoning Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Section 5.8.

5.8.4.8.2 Conditions for Variances:

- (1) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this section.
- (2) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (3) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard to afford relief.
- (4) Variances shall only be issued upon:
 - (a) A showing of good and sufficient cause;

(b) A determination that the granting of a variance would not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(5) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

5.8.5 New Building Applications Any application for new buildings shall be accompanied by building plans, floor plans and elevations prepared by a professional engineer and/or architect licensed in the State of Connecticut.

5.8.5.1 Statutory Authorization: The Legislature of the State of Connecticut has in the Connecticut General Statutes delegated the responsibility to locate governmental units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry. Therefore, the Planning and Zoning Board of Milford, Connecticut does ordain as follows:

5.8.5.2 Findings of Fact:

- (1) The flood hazard areas of Milford are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards, which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately flood-proofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

5.8.5.3 Abrogation and Greater Restrictions: This regulation is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this regulation and another ordinance, regulation easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

5.8.6 Use Requirements: No building, structure or use shall be allowed which, alone or in combination with existing or proposed uses, will adversely affect the capacity of channels, watercourses, drainage ditches, or other drainage facilities and/or will increase flood damages to other lands or accelerate erosion. When the Planning and Zoning Board determines that only a portion of a lot can be safely developed or used, it shall limit such development or use to that portion and shall require that the method of development or usage be consistent with its determination.

5.8.6.1 All Buildings and Structures in any AE & VE Flood Zone:

- (1) Buildings and structures shall be designed with low flood damage potential.
- (2) Buildings and structures shall be constructed and placed on the lot so as to offer the minimum resistance to the flow of flood waters.
- (3) Structures shall be firmly anchored to prevent flotation which may result in damage to other structures.
- (4) Service facilities such as electrical and heating equipment shall either be constructed at or above the regulatory flood protection elevation or be otherwise structurally flood-proofed.

5.8.6.2 Residential Buildings: Dwellings and other similar buildings designed for human habitation shall be constructed on fill, pilings, interrupted walls, or elevated by other acceptable means so that the lowest floor level is at the regulatory flood protection elevation or higher. Elevating members of the structure should be properly footed to withstand saturated conditions and located so as to reduce scour effects.

5.8.6.3 Non-Residential Buildings and Structures: Buildings and structures, other than dwellings and similar buildings designed for human habitation, shall ordinarily be elevated as provided in Section 5.8.2 above. However, the Board may permit non-residential buildings and structures,

with the lowest floor level below the regulatory flood protection elevation, where adjacent streets or utilities already exist below said elevation or other special circumstances make strict compliance with Section 5.8.6.2 above, impractical. Such non-residential buildings and structure may, in special circumstances be otherwise structurally flood-proofed as provided in Section 5.8.8 herein.

- (1) Structurally, flood-proofed buildings shall be designed to withstand:
 - (a) Crushing from weight of water on outside walls.
 - (b) Uplift pressures on the basement or slab foundations.
 - (c) Wind action from hurricanes.

5.8.6.4 Open Space Uses: Other structures and uses which have a predominantly open space character, which will not be subject to substantial flood damage, and which will not cause flood damage to other lands, as determined by the Board, may be allowed at an elevation below the regulatory flood protection elevation.

5.8.6.5 Storage of Material and Equipment: The storage or processing of materials that are (in time of flooding) flammable, explosive or injurious to human, animal or plant life is prohibited. Open or outdoor storage of any material or equipment is prohibited.

5.8.6.6 Grading, Filling, Dredging, Excavating and Removing: The Board may permit grading, filling, dredging, excavating or removing of any earth products subject to the Earth Fill and Removal Regulations, Section 5.7, herein. The Board may permit the proposed activity only if it will not increase flood hazards, cause or accelerate erosion or otherwise interfere with natural drainage.

5.8.6.7 Alteration of Natural Protective Barriers: Sand dunes, barrier beaches and other natural protective barriers shall remain intact to provide protection against wind, waves and erosion damage. The Board may, subject to the Earth Fill and Removal Regulations, Section 5.7, herein, permit the removal of sand blown or washed upon improved properties by action of high winds and tides, provided that the sand removal will not create a hazardous condition upon the improved property or other properties.

5.8.6.8 Flood and Erosion Control Works: Necessary and appropriate flood and erosion control works may be permitted by the Board provided that:

- (1) Detailed plans, specifications and costs for the proposed work shall be prepared by a registered professional engineer licensed in the State of Connecticut.
- (2) No such works shall damage the subject or adjoining properties.
- (3) All such works shall be designed to provide a degree of protection consistent with the intended use of the subject property.
- (4) Any fill and other materials for protective works shall be adequately protected against erosion by bulkheads, rip-rap, planting suitable vegetation or other protective measures.
- (5) The applicant shall first obtain all necessary State and Federal approvals for the proposed works.

5.8.7 Improvement Requirements: No land, building structure, or use shall be allowed without necessary and appropriate improvements to minimize any flood and erosion related hazards and to protect the public health, safety and welfare.

5.8.7.1 Street and Driveways: All proposed streets and at least one proposed access driveway shall be adequate to allow emergency evacuation from the lot and from such principal building or use thereon. Any proposed roads or modification of existing road elevations in a VE Zone shall, in accordance with accepted engineering practice, follow the contour of the land without creating a ditch effect or a dike effect. Necessary drainage openings, such as culverts or bridges, shall be sufficient to discharge flood flows without unduly increasing flood heights. All proposed street and driveway intersections with existing public streets shall be subject to approval by the City Engineer and shall be designed with adequate control distances, grades, vertical curves, and similar design criteria, as deemed necessary by the City Engineer.

5.8.7.2 Drainage Facilities: Storm drainage facilities shall be designed to convey the flow of surface waters without damage to persons or property and to prevent the discharge of excess runoff onto adjacent

properties, and shall be subject to approval by the City Engineer. The system shall insure adequate drainage at all points along street and lot lines, and shall provide positive drainage away from buildings. The Board may require a primary underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods.

5.8.7.3 Sewer Facilities: No land, building, structure or use thereof shall be approved by the Board unless said use is served by an approved public sanitary sewage disposal system. The Board shall require the applicant to provide adequate sewage facilities to connect to said system, and shall prescribe the procedures to be followed by the applicant in connecting thereto. All proposed sewage facilities shall be structurally flood-proofed or otherwise protected to a height above the regulatory flood protection elevation, and shall be subject to approval by the City Engineer and the Director of Public Health.

5.8.7.4 Water Supply Facilities: If there is an existing public water supply system on or near the lot, the Board may require the applicant to connect to such system, and shall prescribe the procedures to be followed by the applicant in connecting thereto. All proposed water supply facilities shall be structurally flood-proofed or otherwise protected to a height above the regulatory flood protection elevation, and shall be subject to approval by the City Engineer and the Director of Public Health.

5.8.8 Conditions and Safeguards: The Planning and Zoning Board may attach necessary conditions and appropriate safeguards to a special permit approval for areas subject to flood, erosion and similar development hazards. Such conditions and safeguards may include, but shall not be limited to, the following:

5.8.8.1 Construction and modification of drainage, waste disposal and water supply facilities to meet the provisions of these regulations.

5.8.8.2 Construction and modification of channel improvements, groins, jetties, bulkheads, levees and other flood protective or erosion control measures.

5.8.8.3 Imposition of operation controls, sureties, and legal restrictions.

5.8.8.4 Flood-Proofing Measures: Flood-proofing measures such as the following, shall be designed consistent with the flood protection elevation, flood velocities, durations, rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The Board shall require that the applicant submit all necessary plans, specifications and other documents certified by a registered professional engineer, that the flood-proofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area. The following flood-proofing measures may be required:

- (1) Anchorage to resist flotation and lateral movement.
- (2) Installation of water-tight doors, bulkheads, and shutters or similar methods of construction.
- (3) Reinforcement of walls to resist water pressures.
- (4) Use of paints, membranes, or mortars to reduce seepage of water through walls.
- (5) Addition of mass or weight to structures to resist flotation.
- (6) Installation of pumps to lower water levels in structures.
- (7) Construction of water supply and waste treatment systems so as to prevent the entrance of flood waters.
- (8) Pumping facilities or comparable practices for subsurface drainage systems for buildings to relieve external foundation wall and basement flood pressures.
- (9) Construction to resist rupture or collapse caused by floating debris.
- (10) Installation of valves or controls on sanitary and storm drains which will permit the drains to be closed to prevent backup of sewage and storm waters into the buildings or structures. Gravity draining of basements may be replaced by mechanical devices.
- (11) Location of all electrical equipment, circuits and installed electrical appliances in a manner which will assure they are not subject to

flooding and to provide protection from inundation by the regulatory flood.

- (12) Location of any structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids or other toxic materials, which could be hazardous to public health, safety and welfare in a manner which will assure that the facilities are situated at elevations above the height associated with the regulatory protection elevation or are adequately flood-proofed to prevent flotation of storage containers, or damage to storage containers which could result in the escape of toxic materials into flood waters.

5.8.9 Methods of Reducing Flood Losses: In order to accomplish its purposes, this Section 5.8 includes methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards which result in damaging increases in erosion or in flood heights or velocities.
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- (3) Controlling the alteration of natural flood plains, stream channels and natural protective barriers, which help accommodate or channel flood waters.
- (4) Controlling filling, grading, dredging and other development which may increase flood damage.
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

5.8.10 Warning and Disclaimer of Liability: The degree of flood protection required by this Section 5.8 is considered reasonable for regulatory purposes. This Section 5.8 shall not create liability on the part of the City of Milford or any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this Section 5.8 or any responsibility or liability arise from the design or operation of any street, utility or similar improvements dedicated to the City, if the City has not officially accepted in writing the dedication and agreed to maintain and operate such improvements.

The degree of flood protection required by this Section 5.8 is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural courses. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

5.8.11 Interpretation: In the interpretation and application of this Section 5.8, all provisions shall be:

- (1) Considered as minimum requirements.
- (2) Liberally construed in favor of the governing body and applies to this Section 5.8 only, not to these regulations in general.
- (3) Deemed neither to limit nor repeal any other powers granted under State Statutes.

5.8.12 General Standards & Provisions for Flood Hazard Reduction: In all areas of special flood hazards, the following standards are required:

5.8.12.1 Anchoring:

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- (2) Manufactured Homes (A and AE Zones):
 - (a) All manufactured homes placed or substantially improved in A and AE Zones, including "mobile" homes and recreational vehicles placed on a site for 180 consecutive days or longer, shall be elevated so that the lowest floor is above the base flood elevation. This includes manufactured homes located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing manufactured home park in which a manufactured home has incurred substantial damage as a result of a flood;

- (b) Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the manufactured (mobile) home will be at or above the base flood elevation. For elevation on pilings, piling foundation must be placed in stable soil no more than 10 feet apart and reinforcement must be provided for pilings more than six feet above the ground level. Lots must be large enough to permit steps.
- (c) All manufactured homes shall be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement, and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors.
- (d) Adequate surface drainage and access for a hauler must be provided.
- (e) Recreational vehicles placed on sites within A and AE Zones shall either be on the site for fewer than 180 consecutive days, and be fully licensed and ready for highway use, or meet all the standards of Section 5.8 and the elevation and anchoring requirement of Section 5.8.12.1(2)(a), (b), (c), and (d). A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

5.8.12.2 Construction Materials and Methods:

- (1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (2) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (3) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

5.8.12.3 Utilities:

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. (See Section 5.8.7.4)
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters. (See Section 5.8.7.3)
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contaminator from them during flooding.
- (4) Above ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.

5.8.12.4 Waterfront Sites: New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility.

5.8.12.5 Parking: Enclosed areas below the Finished First Floor may be utilized for parking in excess of the requirements of Section 3.1.3.7 by waiver of the Planning & Zoning Board provided that no more than two (2) garage doors are provided.

5.8.13 Specific Standards: In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 5.8.2. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, or in Section 5.8.4, USE OF OTHER BASE FLOOD DATA, the following standards are required:

5.8.13.1 Residential Construction: New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation. Such plans shall be certified by a licensed professional engineer or land surveyor that the provisions of this subsection are satisfied.

5.8.13.2 Non Residential Construction: New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

- (1) Be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water.
- (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- (3) Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Section 5.8.4.1 (3).

5.8.13.3 Manufactured Mobile Homes (VE Zones):

- (1) All manufactured (mobile) homes placed or substantially improved in a coastal high hazard area (VE zone) shall be anchored in accordance with Section 5.8.12.1. Adequate surface drainage and access for a hauler must be provided.
- (2) No manufactured (mobile) homes shall be placed in a coastal high hazard area (VE Zone) except in an existing manufactured (mobile) home park or subdivision.
- (3) Manufactured (mobile) homes placed or substantially improved in VE Zones in an existing manufactured (mobile) home park or subdivision shall be elevated so that the bottom of the lowest horizontal structural member is at or above the base flood elevation (BFE). The manufactured home must also meet all the construction standards for VE Zones as per Section 5.8.14.
- (4) Recreational vehicles placed on sites within VE Zones shall either be on the site for fewer than 180 consecutive days, and be fully licensed and ready for highway use, or meet all the general standards of Section 5.1, the V Zone construction requirements of Section 5.3.2, and the

elevation and anchoring requirements of Sections 5.3.3.1, 5.3.3.3, and 5.3.3.4. A recreational vehicle is ready for highway use if it is on wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

5.8.13.4 The following section shall apply to residential or non-residential buildings in an A or AE zone only, not VE zones.

Elevated Buildings: New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space, and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

- (1) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
 - (a) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (b) The bottom of all openings shall be no higher than one foot above grade; and,
 - (c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of flood waters in both directions.

5.8.14 Coastal High Hazard Area: Coastal high hazard areas (V Zones) are located within the areas of special flood hazard established in Section 5.8.2. These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply:

5.8.14.1 Location of Structures: All buildings or structures shall be located landward of reach of the mean high tide.

5.8.14.2 Construction Methods:

- (1) Elevation: All buildings or structures shall be elevated so that the bottom of the lowest supporting member is located no lower than the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in Section 5.8.14.2 (4).
- (2) Structural Support:
 - (a) All buildings or structures shall be securely anchored on pilings or columns.
 - (b) Pilings or columns used as structural support shall be designed and anchored so as to withstand all applied loads of the base flood flow.
 - (c) There shall be no fill used for structural support.
- (3) Certification: Compliance with the provisions of Section 5.8.14.2(l) and 5.8.14.2(2) (a) and (b) shall be certified to by a registered professional engineer or architect.
- (4) Space Below the Lowest Floor:
 - (a) Any alteration, repair, reconstruction or improvement to a structure started after the enactment of this ordinance shall not enclose the space below the lowest floor unless breakaway walls are used as is provided for in this Section.
 - (b) Breakaway walls shall be allowed below the base flood elevation provided they are not a part of the structural support of the building and are designed so as to breakaway under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used.
 - (c) If breakaway walls are utilized, such enclosed space shall not be used for human habitation.

- (d) Prior to construction, plans for any structure that will have breakaway walls must be submitted to the Zoning Enforcement Officer for approval.
- (e) Design safe loading resistance of each breakaway wall shall not be less than 10 nor more than 20 pounds per square foot; or:
- (f) If more than 20 pounds per square foot, a registered professional engineer or architect shall certify that the design wall collapse would result from a water load less than that which would occur during the base flood event and the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components during the base flood event. Maximum wind and water loading values to be used in this determination shall each have one percent (1%) chance of being equaled or exceeded in any given year, 100 year mean recurrence interval.
- (g) If breakaway walls, lattice work or screening are utilized the resulting enclosed space shall not be designed to be used for human habitation, but shall be designed to be used only for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises.
- (h) Prior to construction, plans for any structures that will have breakaway walls, lattice work or screening must be submitted to the Zoning Permit Official for approval.
- (i) Any alteration, repair, reconstruction, or improvement to a structure shall not enclose the space below the lowest floor except with breakaway walls, lattice work or screening as provided for in Section (e, f, and g) above.

5.8.14.3 Sand Dunes: There shall be no alteration of sand dunes which would increase potential flood damage.

5.8.15 Floodways: Located within areas of special flood hazard established in Section 5.8.2 are areas designated as floodways. Since the floodway is an extremely hazardous

area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- (1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification, with supporting technical data, by a registered professional engineer is provided demonstrating, through hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that encroachments shall not result in any (0.00 feet) increase in flood levels during the occurrence of the base flood discharge. Fences are prohibited in the floodway unless required by the Inland Wetlands Officer for wetlands protection. Required fences must be aligned with the flow and be of an open design.
- (2) If Section 5.8.15(1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.8.12
GENERAL STANDARDS AND PROVISIONS FOR FLOOD HAZARD REDUCTION.

5.8.16 Compensatory Storage: The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.

5.8.17 Equal Conveyance: Within in the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.

SECTION 5.9 CLUSTER DEVELOPMENTS

5.9.1 Purpose: The purpose of this Section is: (1) to promote the most appropriate use of the land at the population density permitted in the applicable Zoning District; (2) to provide flexibility in the design of the development by permitting a variation in lot requirements; (3) to facilitate the adequate design and economical provision of streets, utilities and other site improvements; and (4) to preserve the natural resources of the City through the maximum protection of woodlands, waterbodies, watercourses, steep slopes, scenic vistas, conservation areas, recreation areas, and similar natural features, characteristics and open spaces.

5.9.2 Definition: A Cluster Development shall constitute a development site under one ownership or control containing one or more building lots for residential dwellings each containing one or two (SFA-10 District, only) dwelling units, which shall be owned and operated under a cooperative or condominium arrangement or developed as a legal subdivision or a combination of the above arrangements.

5.9.2.1 Where an applicant proposes a subdivision, or any portion thereof, which is subject to Final Subdivision Plan Approval under the Subdivision Regulations, the Board may approve and permit said subdivision, or portion thereof, subject to all applicable procedures and requirements of both these Regulations and the Subdivision Regulations.

5.9.3 General Procedures: Cluster developments, comprising one-family dwellings, may be permitted by the Planning & Zoning Board in R-A, R-30, R-18 and R-12.5 Districts, and one and/or two family dwellings in SFA-10 Districts, subject to the procedures, requirements, and limitations set forth hereinafter.

5.9.3.1 Application: The applicant shall submit an application accompanied by the following additional information:

- (1) A written statement of the intended ownership arrangement for the proposed Cluster Development, including means of open space reservation, whether streets are to be public or private, and ownership of common facilities.
- (2) Legal documentation, satisfactory to the City Attorney, assuring ownership, maintenance and operation of all private streets, parking areas, sidewalks, utilities, recreation facilities, open space areas and other private improvements, facilities and areas proposed for the Cluster Development.

- (3) Worksheets showing calculation of GROSS ACREAGE as defined in Section 5.9.4.1 herein.
- (4) Map showing all protected areas (inland wetlands other legal restrictions) easements and topographical conditions to be considered by the Board when determining reasonably permitted lots as stipulated in Section 5.9.3.2 and the reasonably permitted dwelling units as stipulated in Section 5.9.3.3 herein.
- (5) Include an overlay depicting the location of lots/streets if the parcel were developed in accordance with lot and area requirements dictated in Sections 3.1.4 and Section 3.2.4 of the District in which said development is proposed. This overlay shall be compatible with the maps/sheets presented depicting the proposed Cluster Development for use by the Board in reviewing the subject proposal.

5.9.3.2 Review: The Board may approve a Cluster Development, provided it finds that:

- (1) The development site shall contain not less than the minimum gross site area required under this Section for the Residential District in which said development is located.
- (2) The maximum number of lots to be created under the provisions of this Section shall not exceed the number which could be reasonably created in accordance with the provisions of the Residential District in which said development is located;
- (3) The maximum number of dwelling units to be erected under the provisions of this Section shall not exceed the number which could be reasonably created in accordance with the provisions of the Residential District in which said development is located;
- (4) The land and buildings shall be used only for one and two-family dwellings and accessory uses permitted in the applicable Residential District;
- (5) The open space and natural features of the site will be advantageously used and beneficially preserved; and,

(6) The proposed development shall be in harmony with the purpose and intent of these Regulations.

5.9.3.3 Surety: Final approval of the proposed Cluster Development shall be contingent upon the applicant posting surety with the Board in order to assure satisfactory completion of all proposed improvements, not including dwellings shown on the approved Site Plan and other approved documents.

5.9.4 General Requirements: A Cluster Development shall comply with all requirements of the District in which it is located, except as said requirements may be modified in this Section.

5.9.4.1 Minimum Gross Site Area: The gross acreage of a Cluster Development site shall not be less than three times the minimum lot area requirement from Sections 3.1.4 or 3.2.4 of the District in which said development is located. All protected areas (wetlands and other legally restricted areas) are to be omitted when computing GROSS ACREAGE available for development. (NOTE: the 50% factor will no longer be applied).

5.9.4.2 Maximum Number of Lots: The maximum number of lots that may be approved by the Board shall be computed by subtracting from the total gross site area available for use under this Section, a fixed percentage of said total for street right-of-way purposes and dividing the remaining site area by the minimum lot area requirement from Section 3.1.4 or 3.2.4 of the District in which said development is located. This method shall apply regardless of the amount of land actually required for street rights of way. The fixed percentages for street rights-of-way purposes to be subtracted from the total gross area to be developed shall be as follows:

Figure 6: Lot Calculations for Cluster Developments

Residential Districts	Fixed Street ROW Reduction Factor (%)	Dwelling Units per Gross Acre
R-A	10	0.9000
R-30	11	1.2923
R-18	14	2.0812
R-12.5	17	2.8924

In order to maintain compatibility with surrounding residential neighborhoods, all portions of a cluster development with street frontage or adjacent to

existing residential development must be either a landscaped buffer of 150 feet or residential lots in accordance with the requirements of the adjacent residential district.

5.9.4.3 Minimum Floor Area: As required in applicable District, Section 3.1.1.1 for one family dwellings; Section 3.2.1.2 (1) through (4) for two-family dwellings.

5.9.4.4 Minimum Lot & Building Requirements: Under this Section, no lot or development site in a permitted Residential District shall be reduced below the applicable minimum lot and building requirements as set forth hereinafter.

Figure 7: Modified Lot and Building Requirements for Cluster Developments

Allowable Residential District	Sections 3.1.4 & 3.2.4 Required Minimum Lot Area of Residential District (Sq. Ft.)	Modified Lot Area Requirements for Cluster Subdivision	Modified Lot Area Required for Co-Op or Condominium Cluster Developments (per 1-family dwelling)
R-A	43,560	18,000	18,000
R-30	30,000	12,500	12,500
R-18	18,000	10,000	10,000
R-12.5	12,500	7,500	7,500

5.9.4.5 Additional Cooperative or Condominium Requirements:

- (1) Buildings shall be so arranged that adequate light and air are provided to each dwelling and shall be so grouped that the minimum distance between buildings shall not be less than one half the sum of their heights.
- (2) Each dwelling shall have suitable access to an adequate street with a minimum pavement width of not less than 14 feet.
- (3) Off-street parking areas shall be located so as not to encroach in any required yard as measured from the development site boundary and shall have a suitable location in relation to dwelling units or facilities served.

5.9.4.6 Open Space Reservations: The land area not allocated to building lots, buildings and/or streets shall be permanently reserved as open space for purposes approved by the Board. The areas to be reserved for open space

shall be land with suitable access, shape, dimensions, character, location, topography and/or improvements for said development as deemed necessary by and acceptable to the Board. All open space areas shall be shown on the Site Plan and/or Final Subdivision Plan and shall be appropriately identified to indicate that they are not intended for use as building sites.

All Open Space Requirements will adhere to Section 3.10 of the SUBDIVISION REGULATIONS OF THE CITY OF MILFORD.

5.9.4.7 Means of Open Space Reservations: Such open space reservations shall be permanently reserved as open space by one or more of the following means, provided that the proposed means are acceptable to and approved by the Board:

- (1) Deeded to the City of Milford or deeded to the Milford Land Conservation Trust, Inc. or similar non-profit organization acceptable to the Planning and Zoning Board. Where open space areas are intended to be conveyed to the City or said non-profit organization, the applicant shall convey them at the stage and in the condition agreed upon in connection with processing and approval of the development. Title to the land shall be unencumbered. The City or said non-profit organization shall take title to such land at a time approved by the Board. Acceptance of an open space area, when conveyed by the applicant, shall be endorsed upon the deed by the Chairman of the Planning and Zoning Board or the President of said non-profit organization and shall be duly recorded with the deed stating that such land is reserved for use as open space in perpetuity.
- (2) Held in corporate ownership by owners of the lots, dwelling units or lots within the development. Where open space areas are intended to be held in corporate ownership, the applicant shall file with the Board the intended means by which title will be transferred. Membership in said corporation shall be mandatory for all lot owners in said development. Each deed conveyance to unit or lot owners in said development shall include the membership stipulation, the beneficial right in use of the open land, and all other restrictions pertaining thereto. The applicant shall record such deeds with all necessary legal documents in the City land records.
- (3) Held in private ownership provided such open space consists of a minimum of seventy five (75) acres of contiguous land and said open space is to be

used for recreational purposes such as a country club or golf course. In such case, membership to the country club or golf course shall be open to the public. A deed restriction shall be placed on the Milford Land Records restricting said facility in accordance with the Open Space Reservations as set forth in Section 5.9.4.6 of the regulations.

(4) A combination of the above means.

5.9.4.8 Landscaping: The Board shall require adequate landscaping of the development site or lot with suitable vegetation in order to provide auxiliary screening for the proposed uses, aid in air purification and sound absorption and to generally promote an aesthetic development in accordance with Article V, Section 5.14.

5.9.4.9 Screening: The Board may require appropriate fencing and/or landscaping of suitable type, density and height in order to effectively screen the proposed uses from adjacent properties and streets.

5.9.4.10 Street Access: No Cluster Development shall be approved by the Board unless the subdivision or development site has suitable access to a street which is adequate to accommodate the potential traffic generation from such development.

5.9.4.11 Utilities: No Cluster Development shall be approved by the Board unless each dwelling unit or lot in said development is: (a) served by an adequate public sanitary sewerage system, a community subsurface sewage disposal system or private, individual sewage disposal facilities and approved by the Director of Public Health; and (b) supplied with water from an adequate public water supply, community subsurface water supply or private, individual wells and approved by the Director of Public Health.

(1) Where a utility is lacking, the Board may increase the required lot size. However, public water and sanitary sewer systems shall be required for any cluster development with building lot sizes of less than 12,500 square feet or equivalent area per dwelling in the case of co-op or condominium developments.

5.9.4.12 Improvement Standards: Plans and specifications for the construction and/or improvements of all streets, parking areas, curbs and gutters, sidewalks, storm drainage facilities, sanitary sewage facilities, water

supply facilities, electric and telephone facilities, and other improvements shall comply with all applicable City and State laws, codes, ordinances, and regulations and shall be submitted to the Board for approval.

- (1) Utility lines within the development site shall be placed underground in order to promote an aesthetic development.
- (2) Notwithstanding any other City ordinances or regulations, the Board may permit private streets with a pavement width of not less than 24 feet for two-way traffic and 14 feet for one-way traffic.

5.9.4.13 Ownership and Maintenance: All private streets, parking areas, sidewalks, utilities, recreation facilities, open space areas and other private improvements, facilities and areas shall be owned, maintained and operated by the applicant, owner, association or corporation without expense to the City. The development site shall, at all times, be maintained in a safe, sanitary and presentable condition.

5.9.5 **Effect of Approval**: An approved Cluster Development shall be deemed to conform to the provisions of the Zoning District in which it is located so long as all applicable regulations and conditions of approval are met.

SECTION 5.10 **PLANNED RESIDENTIAL DEVELOPMENT**

5.10.1 Planned Residential Development, of the Zoning Regulations of the City of Milford is hereby amended by substituting the following language:

- (1) Elimination of PRD as Permitted Use in New Projects and Purpose: Effective upon passage in accordance with law, the PRD is eliminated as a permitted use in new projects under these regulations. The purpose of the discontinuation of the PRD as a permitted use in future projects is to protect the public health, safety, convenience and property values by addressing issues arising from intensive development, density, traffic, and burdens on City services and resources and by encouraging the enhanced benefits and development objectives which may be achieved via the use of cluster and multi-family residential development as a better alternative to the PRD.
- (2) Approved PRDs Governed by Existing Regulations: Planned Residential Developments approved by the Planning and Zoning Board on or before the effective date of this amendment (including current or future amendments and modifications to approved plans) shall continue to be administered and governed in accordance with Sections 5.10.2 through 5.10.5 below and with the conditions of approval of said PRD.
- (3) Section 5.10.1 Supersedes Wording in Sections 5.10.2- 5.10.5: With respect to any application for a planned residential development not approved by the Board on or before the effective date of this amendment, the provisions of this Section 5.10.1 shall be deemed to supersede and control over any inconsistent provision which may be contained in Sections 5.10.2 through 5.10.5, inclusive.

*****Incorporated for reference. Relevant for existing PRD's only.
See provisions of Section 5.10.1 (2)*****

5.10.2 Definition: A Planned Residential Development, hereafter referred to as PRD, shall constitute a development site under one ownership or control containing single family detached dwelling units, which shall be owned and operated under a cooperative or condominium arrangement.

5.10.3 General Procedures: Planned Residential Developments, comprising of single family detached dwellings, may be permitted by the Planning and Zoning Board in R-30, R-18, R-12.5 and R-10 Residential Districts; subject to Special Permit and Site Plan Approval, in accordance with ARTICLE VII, herein, and the procedures, requirements, and limitations set forth hereinafter.

5.10.3.1 Application: The applicant shall submit an application accompanied by legal documentation, satisfactory to the City Attorney, assuring ownership, maintenance and operation of streets parking areas, sidewalks, utilities, recreation facilities, open space areas and other improvements, facilities and areas proposed for the PRD.

5.10.3.2 Site Plan: The applicant shall submit a Site Plan prepared by a Landscape Architect and/or Site Planner and by a Professional Engineer and/or Architect licensed in the State of Connecticut. Such plan shall take into account and illustrate the natural features and characteristics of the site, vistas between the site and adjacent properties and streets, and the buildings on and/or the uses of adjacent properties.

5.10.3.3 Review: The Board may approve a PRD provided it finds, to its satisfaction, that the open space and natural features of the site will be advantageously used and beneficially preserved and that such development will be in harmony with the purpose and intent of these Regulations.

5.10.3.4 Surety: Final approval of the proposed PRD shall be contingent upon the applicant posting satisfactory surety with the Board in order to assure satisfactory completion of and full compliance with all proposed improvements, not including buildings, shown on the approved Site Plan and other approved documents.

*****Incorporated for reference. Relevant for existing PRD's only.
See provisions of Section 5.10.1 (2)*****

5.10.4 General Requirements: The Board may permit an applicant to develop a PRD subject to Special Permit and Site Plan Approval and the following limitations, conditions, and safeguards:

5.10.4.1 Minimum Development Site Area: The development site for any proposed PRD shall contain at least 10 acres of contiguous land with a minimum of 400 square feet of frontage on a municipally accepted or acceptable arterial, major collector or minor street.

5.10.4.2 Permitted Accessory Uses: Accessory facilities and uses including golf courses, tennis courts, swimming pools, recreation facilities and buildings, meeting halls, maintenance, storage and utility buildings shall be permitted when provided as an integral part of the overall development. No commercial sales of any type or a home business shall be allowed.

5.10.4.3 Maximum Number of Dwelling Units: The maximum number of dwelling units shall not exceed 1 dwelling unit per 12,500 square feet in R-30 zone districts measured on a sliding scale of two acres of 30,000 square feet as required in the respective zone districts up to a density of 12,500 square feet provided the applicant complies to the satisfaction of the Board with building and site design criteria; and 1 dwelling unit per 10,000 square feet in R-18, R-12.5 and R-10 zoning districts measured on a sliding scale of 18,000 square feet, or 10,000 square feet as required in the respective zone district up to a density of 10,000 square feet provided the applicant complies to the satisfaction of the Board in building and site design criteria.

5.10.4.4 Minimum Floor Area: The minimum required floor area contained within each dwelling shall not be less than 625 square feet within the ground floor area and a minimum required total floor area shall not be less than 900 square feet.

5.10.4.5 Building Design: Buildings shall be designed in such a manner as to be compatible with the development site and in harmony with the general character and appearance of the surrounding neighborhood. Buildings shall not adversely affect the general character

*****Incorporated for reference. Relevant for existing PRD's only.
See provisions of Section 5.10.1 (2)*****

and appearance of the surrounding neighborhood and shall conform to the following criteria:

- (1) Height shall be a maximum of 35 feet.
- (2) All roofs shall be pitched to be compatible with neighborhood architecture and acceptable to the Planning and Zoning Board.
- (3) All utilities and mechanical enclosures shall be architecturally coordinated with the residential structures.
- (4) Facade material shall be compatible and coordinated throughout the proposed development and with the surrounding neighborhood.
- (5) On development sites greater than 50 acres the Planning and Zoning Board may permit up to 25% of the approved single family residences to be attached, not to exceed two single family residences per building, provided such attached single family residences shall be of an architectural design and site layout which is consistent with the theme and general plan for the proposed PRD and shall otherwise comply with the applicable provisions of these regulations.

5.10.4.6 Building Heights and Setbacks: Notwithstanding any other applicable provisions of these Regulations, building heights and setbacks shall be regulated as follows:

- (1) One and two-story, excluding basements, buildings shall be permitted, provided that:
 - (a) The height of such buildings shall not exceed 35 feet.
 - (b) Such buildings shall be setback at least 50 feet from all municipal street and lot lines.
 - (c) Such buildings shall be so arranged that adequate light and air are provided to each dwelling unit and that the minimum distance between principal and/or accessory buildings shall not be less than one half the sum of the heights of the affected buildings.

*****Incorporated for reference. Relevant for existing PRD's only.
See provisions of Section 5.10.1 (2)*****

5.10.4.7 Lot Coverage and Open Space Areas:

- (1) The total lot coverage by all buildings, structures, parking areas, and driveways shall not exceed 25 percent of the total acreage of the development site.
- (2) No less than 30% of the total acreage of the development site shall remain as open space, which shall be defined as areas of not less than two acres with a minimum average dimension of not less than 200 feet.

Established wetlands are to be calculated at a percentage of 50%.

- (3) Suitable restrictive covenants guaranteeing compliance with the minimum open space requirements as set forth herein shall be included in all legal conveyances.

5.10.4.8 Off Street Parking:

- (1) Ratio: Notwithstanding any other provisions of these Regulations, off street parking spaces shall be provided at a ratio of not less than 2.0 spaces per dwelling unit. In addition, a suitable number of parking spaces shall be provided for any accessory use located on the development site.
- (2) All dwelling units shall have at least one parking space within an attached garage. No parking lots shall be permitted for residential use.
- (3) Location: Open, uncovered parking areas shall be located at least 100 feet from any street or lot line. All parking areas shall have a suitable location within a reasonable walking distance of any relation to dwelling units or facilities served.

5.10.4.9 Landscaping: The Board shall require adequate landscaping of the development site with suitable vegetation in order to provide auxiliary screening for the proposed uses, aid in air purification and sound absorption and to generally promote an aesthetic development in accordance with Article V, Section 5.14.

*****Incorporated for reference. Relevant for existing PRD's only.
See provisions of Section 5.10.1 (2)*****

5.10.4.10 Screening: The Board may require appropriate fencing and/or landscaping of suitable type, density and height in order to effectively screen the proposed uses from adjacent properties and streets.

5.10.4.11 Street Access: No PRD shall be approved by the Board unless the development site has suitable access to an arterial major collector or minor collector street which is adequate to accommodate the potential traffic generation from such development.

5.10.4.12 Utilities: No PRD shall be approved by the Board unless each dwelling unit in said development is:

- (1) Served by an adequate public sanitary sewerage system and community subsurface sewage disposal system or private, individual sewage disposal facilities and approved by both the City and State Departments of Health; and
- (2) supplied with water from an adequate public water supply.

5.10.4.13 Improvement Standards: Plans and specifications for the construction and/or improvement of all streets, parking areas, curbs and gutters, sidewalks, storm drainage facilities, sanitary sewage facilities, water supply facilities, electric and telephone facilities, earth work including filling, fill removal, re-grading, and other improvements shall comply with all applicable City and State laws, codes, ordinances, and regulations and shall be submitted to the Board for approval.

- (1) Utility lines within the development site shall be placed underground in order to promote an aesthetic development.
- (2) Notwithstanding any other City ordinances or regulations, the Board may permit private, interior streets with a pavement width of not less than 24 feet for two-way traffic and 14 feet for one-way traffic.
- (3) All Site Plans shall show all areas and/or locations of utilities and services as described in Section 7.1.2.17 adequately screened within a structure or with landscape plantings.

*****Incorporated for reference. Relevant for existing PRD's only.
See provisions of Section 5.10.1 (2)*****

5.10.4.14 Ownership and Maintenance: All private streets, parking areas, sidewalks, utilities, recreation facilities, open space areas and other private improvements, facilities and areas shall be owned, maintained and operated by the applicant, owner, association or corporation without expense to the City. The development site shall, at all times, be maintained in a safe, sanitary and presentable condition.

5.10.5 Effect of Approval: An approved Planned Residential Development shall be deemed to conform to the provisions of the Zoning District in which it is located, so long as applicable regulations and conditions of approval are met.

SECTION 5.11 **PERFORMANCE STANDARD REGULATIONS**

5.11.1 No building or use shall create any dangerous, injurious, noxious or otherwise detrimental condition so as to adversely affect the public health, safety or welfare of the neighborhood or community.

5.11.2 **Zoning Districts:** Performance Standards shall apply to all lands, buildings, structures, and uses in any Zoning District, whether a permitted use, a special use, an accessory use, a use allowed by variance, or a non-conforming use.

5.11.3 **Procedure:** The Planning and Zoning Board or Zoning Enforcement Officer may require, as a part of any application for a Special Permit or Zoning Permit that the applicant submit a written description of any proposed machinery, operations and products, and specifications for the mechanisms and techniques to be used in restricting the emission of any dangerous and objectionable elements.

5.11.4 **Compliance:** Initial and continued compliance with these Performance Standards shall be required of every building, structure and use.

5.11.5 **Enforcement:** Measurements to determine present compliance and estimates to determine future compliance may be made by and at the discretion of the Zoning Enforcement Officer, Fire Chief or Fire Marshal, Air Pollution Control Officer, Director of Public Health, or any other public or private agency, firm, or person competent to make such measurements or estimates. The Zoning Enforcement Officer may, at his discretion, require the owner or user of property to furnish current measurements or estimates within a reasonable time in appropriate cases.

5.11.6 **Standards for Dangerous or Objectionable Elements:** In addition to the performance standards set forth hereinafter, all relevant provisions of any other Federal, State and City laws, and regulations shall also apply.

5.11.6.1 Smoke, Fly Ash and Other Dusts, Gases, Fumes, Odors, and Dust-Producing Substances: No person shall cause or allow any smoke, fly ash and other dusts, gases, fumes, odors, and dust-producing substances to be discharged or emitted into the open air, except in accordance with the "Air Pollution Control Ordinance" of the City of Milford, Connecticut, as amended.

5.11.6.2 Fire and Explosion Hazards: All activities involving, and all storage of, inflammable and explosive materials shall be protected at any

point, with adequate safety devices protecting against the hazard of fire and explosion and with adequate fire fighting and fire suppression equipment and devices as prescribed by the Fire Chief or Fire Marshal.

5.11.6.3 Noise: The maximum sound pressure level radiated at the lot or street line by any use or facility subject to these regulations shall not exceed the values tolerable in a specifically affected neighborhood, unless such levels are specifically authorized as an integral part of a Special Permit and Site Plan Approval.

5.11.6.4 Direct and Indirect Glare: Any source of illumination shall employ only sources emitting a light of constant intensity and shall be designed, located, erected, and maintained in such manner that glare is not emitted to nearby properties or streets subject to Section 5.2 Exterior Lighting Regulations.

5.11.7 Notwithstanding any of the foregoing standards, State and Federal standards, controls and regulations shall apply where any such standards, controls or regulations have more stringent requirements.

SECTION 5.12 **COASTAL SITE PLAN REVIEW REQUIRED**

5.12.1 Coastal Site Plan Review requirements and procedures: All buildings, uses, and structures fully or partially within the coastal boundary as defined by Section 22a-94 of the Connecticut General Statutes and as delineated on the Coastal Boundary Map for the City of Milford shall be subject to the Coastal Site Plan Review requirements and procedures in Sections 22a-105 through 22a-109 of the Connecticut General Statutes.

5.12.2 Coastal Site Plan Review Exemptions: Pursuant to Section 22a-109(b) of the Connecticut General Statutes, the following activities are exempt from Coastal Site Plan Review requirements:

- (1) Gardening, grazing and the harvesting of crops.
- (2) Minor additions to or modification of existing buildings or detached accessory buildings, such as garages and utility sheds.
- (3) Construction of new or modification of existing structures incidental to the enjoyment and maintenance of residential property including but not limited to walks, terraces, driveways, swimming pools, tennis courts, docks and detached accessory buildings.
- (4) Construction of new or modification of existing on-premise structures including fences, walls, pedestrian walks and terraces, underground utility connections, essential electric, gas, telephone, water and sewer service lines, signs, and such other minor structures as will not substantially alter the natural character of coastal resources as defined by Section 22a-93(7) of the Connecticut General Statutes or restrict access along the public beach.
- (5) Construction of an individual single family residential structure except when such structure is located on an island not connected to the mainland by an existing road, bridge, or causeway or except when such structure is in or within one hundred feet of the following coastal resource areas as defined by Section 22a-93(7) of the Connecticut General Statutes; tidal wetlands, coastal bluffs and escarpments, beaches and dunes.
- (6) Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife and other coastal land and water resources.
- (7) Interior modification to buildings.

(8) Minor changes in use of building, structure or property except those changes occurring on property adjacent to or abutting coastal waters.

(9) The foregoing exemptions from Coastal Site Plan Review requirements shall apply to the following Site Plans, plans and applications:

- (a) Applications for a Site Plan Review submitted to the Planning and Zoning Board in accordance with Section 2a-109 of the Connecticut General Statutes.
- (b) Petitions for a Special Permit submitted to the Planning and Zoning Commission in accordance with Section 8-2 of the Connecticut General Statutes and Section 7.2 of these regulations.
- (c) Applications for a variance submitted to the Zoning Board of Appeals in accordance with subdivision (3) of Section 8-6 of the Connecticut General Statutes and Section 9.2 of these regulations.
- (d) A referral of proposed municipal project to the Planning and Zoning Commission in accordance with Section 8-24 of the Connecticut General Statutes.

5.12.3 Application Requirements: Except as exempted in Section (b) above, all applications for Zoning Permits, Special Permits (or Special Exceptions), Variances, Subdivisions or Resubdivisions, municipal projects, or planned unit developments within the coastal boundary, shall file with the appropriate board or commission a Coastal Site Plan and application on such form as prescribed by the Board or Commission. Pursuant to Section 22a-105 and 22-106 of the Connecticut General Statutes, a Coastal Site Plan shall include the following information; a plan showing the location and spatial relationship of coastal resources on and contiguous to the site; a description of the entire project with appropriate plans, indicating project locations, design, timing, and methods of construction; an assessment of the capability of the resources to accommodate the proposed use, an assessment of the suitability of the project for the proposed site; an evaluation of the potential beneficial and adverse effects on coastal resources. In addition, the applicant shall demonstrate that the adverse impacts of the proposed activity are acceptable and that such activity is consistent with the coastal policies of Section 33a-92 of the Connecticut General Statutes.

5.12.4 Commission Action:

- (1) In addition to reviewing Coastal Site Plans for compliance with any other applicable standards, requirements, or criteria set forth by these regulations, the Board or Commission with jurisdiction shall review coastal Site Plans for compliance with the following criteria established in Section 22a-106 of the Connecticut General Statutes:
 - (a) Consistency of the proposed activity with the applicable coastal policies in Section 22a-92 of the Connecticut General Statutes.
 - (b) The acceptability of potential adverse impacts of the proposed activity on coastal resources as defined in Section 22a-93(15) of the Connecticut General Statutes.
 - (c) The acceptability of potential adverse impacts of the proposed activity on future water dependent development opportunities as defined in Section 22a-93(17) of the Connecticut General Statutes.
 - (d) The adequacy of any measures taken to mitigate the adverse impacts of the proposed activity on coastal resources and future water dependent development opportunities.
- (2) The Board or Commission with jurisdiction shall approve, modify, condition, or deny the Coastal Site Plan for the proposed activity on the basis of the criteria listed in Section 22a-105 of the Connecticut General Statutes to ensure that the proposed activity is consistent with the coastal policies in Section 22a-92 of the Connecticut General Statutes and that the potential adverse impacts of the proposed activity on both coastal resources and future water dependent development opportunities are acceptable.
- (3) Pursuant to Section 22a-106 of the Connecticut General Statutes, the Board or Commission with jurisdiction shall state in writing the findings, and reasons for its action with respect to any Coastal Site Plan approved, conditioned, modified or denied. Further, in approving any coastal Site Plan, the Board or Commission with jurisdiction shall make a written finding that:
 - (a) The proposed activity with any conditions or modifications imposed by the Board or Commission is consistent with the coastal policies in Section 22a-92 of the Connecticut General Statutes.

- (b) That the proposed activity incorporates as conditions or modifications all reasonable measures which would mitigate potential adverse impacts on both coastal resources and future water dependent development activities.
- (c) That the potential adverse impacts of the proposed activity on coastal resources and future water dependent development opportunities with any conditions or modifications imposed by the commission are acceptable.
- (4) In accordance with Sections 22a-105 through 22a-109 of the Coastal Management Act, hearing notification requirements, time limits for making a decision and decision publication and notification requirements for Coastal Site Plans shall be as set forth in the Connecticut General Statutes for the type of permit or approval being requested.
- (5) If the Board fails to render a decision, the Coastal Site Plan shall be deemed rejected.

5.12.5 Violations: In accordance with Section 22a-108 of the Connecticut General Statutes, any activity undertaken within the coastal boundary without the required Coastal Site Plan review and approval shall be considered a public nuisance and shall be subject to enforcement remedies authorized in that section or Section 8.13.1 of these regulations.

SECTION 5.13 ACTIVITIES REQUIRING A CERTIFIED EROSION AND SEDIMENT CONTROL PLAN

A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half acre. The Plan shall comply with Connecticut DEP and U.S. EPA requirements for Phase II Storm Water Management.

5.13.1 Exemptions: A single family dwelling that is not a part of a subdivision of land shall be exempt from these soil erosion and sediment control regulations.

5.13.2 Erosion and Sediment Control Plan:

(1) To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985) as amended. Alternative principles, methods and practices may be used with prior approval of the Board.

(2) Said plan shall contain, but not be limited to:

(A) A narrative describing:

(1) The development.

(2) The schedule for grading and construction activities including:

(a) Start and completion dates;

(b) Sequence of grading and construction activities;

(c) Sequence for installation and/or application of soil erosion and sediment control measures;

(d) Sequence for final stabilization of the project site.

(3) The design criteria for proposed soil erosion and sediment control measures and storm water management facilities.

(4) The construction details for proposed soil erosion and sediment control measures and storm water management facilities.

(5) The installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities.

- (6) The operations and maintenance program for proposed soil erosion and sediment control measures and storm management facilities.
- (B) A Site Plan map at a sufficient scale to show:
 - (1) The location of the proposed development and adjacent properties;
 - (2) The existing and proposed topography including soil types, wetlands, watercourses and water bodies;
 - (3) The existing structures on the project site, if any;
 - (4) The proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines;
 - (5) The location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;
 - (6) The sequence of grading and construction activities;
 - (7) The sequence for installation and/or application of soil erosion and sediment control measures;
 - (8) The sequence for final stabilization of the development site.
- (C) Any other information deemed necessary and appropriate by the applicant or requested by the Board or its designated agent.

5.13.3 Minimum Acceptable Standards:

- (1) Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principles as outlined in Chapters 3 and 4 of the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. Soil erosion and sediment control plans shall result in a development that minimizes erosion and sedimentation during construction; is stabilized and protected from erosion when completed; and does not cause off site erosion and/or sedimentation.
- (2) The minimum standards for individual measures are those in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. The Board (or County Soil and Water Conservation District) may grant exceptions when requested by the applicant if technically sound reasons are presented.
- (3) The appropriate method from Chapter 9 of the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended, shall be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Board.

5.13.4 Issuance or Denial or Certification:

- (1) The Planning and Zoning Board (or the New Haven County Soil and Water Conservation District) shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this regulation or deny certification when the development proposal does not comply with these regulations.
- (2) Nothing in these regulations shall be construed as extending the time limits for the approval of any application under Chapters 124, 124A or 126 of the General Statutes.
- (3) Prior to certification, any plan submitted to the municipality may be reviewed by the County Soil and Water Conservation District which may make recommendations concerning such plan, provided such review shall be completed within thirty days of the receipt of such plan.
- (4) The Board may forward a copy of the development proposal to other review agencies or consultants for review and comment.

5.13.5 Conditions Relating to Soil Erosion and Sediment Control:

- (1) The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, that are a condition of certification of any modified Site Plan may be required to be covered in a performance bond or other assurance acceptable to the Board in accordance with the provisions specified under Section 7.1.1.4 of the regulations.
- (2) Site development shall not begin unless the soil erosion and control plan is certified and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional.
- (3) Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.
- (4) All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.

5.13.6 Inspection:

- (1) Inspections shall be made by the Board or its designated agent during development to ensure compliance with the certified plan and that control measures and facilities are

properly performed or installed and maintained. The Board may require the permittee to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained.

SECTION 5.14: LANDSCAPING. SCREENING AND BUFFER AREA STANDARDS

5.14.1 Purpose

The following standards are intended to preserve and enhance the character, appearance and natural beauty of the City and to protect property values through preservation of existing vegetation, the planting of new screening and landscaping material, and to accomplish transition or separation between areas of unlike character. Specifically, these standards are intended to reduce excessive heat, glare and accumulation of dust, to provide privacy from noise and visual intrusion, and to prevent the erosion of the soil, excessive run-off of drainage water, and the consequent depletion of the ground water table and the pollution of water bodies, watercourses, wetlands and aquifers.

5.14.2 General Landscaping Requirements

- (1) Any portion of a developed lot which is not used for the location of buildings, structures, accessory uses, outside storage areas, off-street parking and loading areas, sidewalks or other paved areas, shall be landscaped in accordance with a landscaping plan. Any area of the lot which will not be disturbed by filling, grading, excavation or other construction activity may be left as natural terrain when having a location, size, shape and existing vegetation that supports the landscaping plan for the lot in such a manner as to minimize storm water runoff, sedimentation and erosion and meets other landscape purposes.
- (2) Landscaping, trees and plants required by these regulations shall be planted in a growing condition according to accepted horticultural practices and shall be maintained in a healthy growing condition. Any landscaping, trees and plants which shall be shown on an approved Site Plan and which are in a condition that does not fulfill the intent of these regulations shall be replaced by the property owner during the next planting season for the particular plant material. Permanent watering systems shall be encouraged. Species of trees and shrubs planted should be reviewed by a licensed arborist, landscape architect or architect.
- (3) Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced in kind within six months after receipt of notice to the owner by the Zoning Enforcement Officer. Failure to maintain required landscaping shall be enforced in the same manner as any other violation of these Regulations. Pursuant to applicable law, fines shall be levied and orders issued requiring the installation of new plants.

- (4) All landscaping, trees and planting material located adjacent to parking areas, loading areas, or driveways shall be properly protected from damage by vehicles by barriers, curbs, or other means.
- (5) To the maximum extent possible, existing trees, vegetation, and unique site features such as stone walls, large boulders or rock outcroppings shall be retained and protected during construction with protective fencing during construction activity. Such fencing shall be located at a minimum distance of seven (7) feet from existing vegetation and/or landscape elements that are scheduled to be preserved. All existing vegetation and/or landscape elements to be preserved may be inspected prior to construction and during construction. All fencing shall be removed after the ground has been stabilized. If grading is required in their vicinity, trees shall be appropriately welled or mounded to protect them from damage. Tree wells must be of sufficient size to protect the tree roots. Existing healthy mature plant materials, especially trees, if properly located, shall be fully credited against the requirements of these regulations. Landscaping plans shall be reviewed for general appropriateness by the Planning and Zoning Board, and any grading elements of the landscaping plan shall be reviewed by the City Engineer.
- (6) Existing trees in good condition that are four inches or greater in diameter at breast height shall be preserved per (8) below unless approved for removal by the Board. All trees to be saved shall be tagged prior to any site work.
- (7) For all new landscaping, an ample variety and quantity of ornamental plants shall be provided, with a few dominant species chosen to create unity and subordinate types interspersed for accent. Variety should be achieved with respect to seasonal changes, species selected, texture, color and size at maturity. The use of native plant species indigenous to the region is encouraged.
- (8) Landscaping shall serve to integrate the proposed development to the site, with particular consideration for natural topography and existing vegetation. Where terrain is uneven, the Board will consider and may approve parking areas at different levels. Preservation of existing landscape materials and landforms is desirable.
- (9) In all residential zones, with the exception of the Multi-Family Districts, there shall be a minimum aggregate of seventy-five (75) inches of tree diameter, measured at breast height, for every acre of site area. This minimum shall be met either through the preservation of trees or the planting of additional trees. Any trees planted or retained to meet this requirement must be at least three inches in diameter measured at breast height.

- (10) Landscape composition shall be complimentary to scale and style of existing and proposed buildings.

5.14.3 Specific Landscaping Requirements

- (1) Evergreen trees and large deciduous trees should be spaced using accepted landscaping practices, usually forty (40) feet or more on center.
- (2) Flowering trees should be spaced using accepted landscaping practices, usually twenty (20) or more feet on center.
- (3) Evergreen trees shall be a minimum of seven (7) feet in height at the time of plantings; deciduous shade trees shall be a minimum of 3" caliper and ten feet in height at the time of planting; and flowering trees shall be a minimum of eight (8) feet in height at the time of planting and 2" caliper.
- (4) Native New England plants, trees and shrubs should be used whenever possible. The incorporation of existing vegetation, particularly large-caliper trees, in all buffer areas and landscaping plans is strongly encouraged. Invasive or potentially invasive plant species shall not be allowed. For specific species which cannot be used refer to annual (updated) list prepared by the Center for Conservation and Biodiversity at the University of Connecticut and maintained at the Planning and Zoning Department.
- (5) Landscape and buffer areas shall include an adequate mixture of deciduous, coniferous and flowering trees, evergreen and deciduous shrubs and bushes, flowering plants and bushes, and ground cover. A list of suggested species of trees and shrubs shall be available at the Planning and Zoning Department office and shall be updated and amended, as appropriate, by the Milford Tree Commission.
- (6) The Board may modify proposed landscaping plans to require more mature plantings, different species, or alternative design, in order to afford a functional and aesthetically pleasing landscape.

5.14.4 Front Landscape Areas

The purpose of a front landscape area is to enhance the appearance of the subject property and the street in all non-residential districts, and to provide shade on the adjacent streets and sidewalks.

- (1) Front landscape areas, where required by these regulations, shall extend across the full width of the lot along the interior side of the front lot line except where driveway entrances and exits are located. This area shall be at a depth which is equal to the front yard requirement for the district.
- (2) Every required landscape area shall be planted with trees (shade or ornamental), shrubbery and ground cover or grass. As a minimum, one deciduous shade tree of at least three inches in diameter at breast height, and a height of ten (10) feet measured from grade, shall be planted within the front landscape area for each forty (40) feet or fraction thereof of lot frontage. The spacing of trees or groups of trees shall be appropriate to the species selected.
- (3) Front yard landscaping shall not obstruct line-of-sight for vehicles entering and exiting the premises, nor shall it obstruct line-of-sight for vehicles traveling on abutting City or State highway. Existing plant materials may be used to meet all or part of the landscape regulations.

5.14.5 Buffer Area Standards

The purpose of the buffer area is to provide privacy from noise, headlight glare, site lighting and visual intrusion to any residential district.

- (1) A buffer area shall be required along and within all boundaries of a lot abutting a Residential Zone. In addition, Special Uses in all residential zones must provide buffer areas along all side and rear lot lines that abut any residential property. Single-family dwellings shall not be required to provide a buffer.
- (2) The buffer strip shall be provided and maintained by the owner of the land zoned for business, industrial or multi-family purposes, or the owner of the land for which a Special Use has been granted. Trees and shrubs must be replaced as necessary. Failure to maintain such strip shall constitute a violation of these regulations by the owner of the land zoned for business, industrial or multi-family use, or the owner of the land for which a Coastal Area Site Plan Review, Site Plan Review, Special Exception Special Use has been granted.
- (3) The minimum width of all buffer areas are contained in the individual district sections.
- (4) Buffer areas must comply with all applicable general and specific landscaping requirements provided above.

- (5) When mature existing vegetation is not being incorporated into the buffer plantings, or when such vegetation comprises a relatively insignificant proportion of the buffer, the buffer area shall be composed of a suitable combination of evergreen, deciduous, and flowering trees and shrubs.
- (6) Plantings shall be staggered/clustered so that the field of view between abutting residential and non-residential uses shall be obscured visually within one (1) years time to such an extent that activity on the abutting lot is not immediately apparent.
- (7) The buffer area may include fencing in order to effectively screen the activity on the lot from the abutting area. Buffer and screening areas with a mixed evergreen component are strongly encouraged. Non-evergreen planting may be included to supplement evergreen planting, but not to take its place.
- (8) Where the existing topography and/or vegetation provide natural screening, which satisfies the purpose of this regulation, no additional screening may be required.
- (9) The Board may allow an alternative landscaped buffer design which meets, or exceeds, the performance level of the buffer. Said alternative buffer shall include trees and shrub plantings, and may include hedges, earthen berms, fencing, or other treatments.
- (10) The Board strongly recommends that developers begin installing the entire buffer on a parcel well in advance of planned building activities for the balance of the parcel, as smaller plantings can be utilized. The buffer may then exceed the required specifications at the time a C.O. is requested.

5.14.6 Landscaping of Off-Street Parking Areas

- (1) Any lot which contains parking facilities for more than ten cars shall also provide landscaped areas within the parking lot equal to at least ten percent (10%) of the gross parking lot area. Gross parking area shall include the area of parking stalls, aisleways and associated landscaping. This landscaped area shall require landscaped end islands and landscaped center islands within the parking area. Shade trees shall be provided in quantity not less than one tree per five parking spaces. This provision shall not apply to parking garages or parking decks. For parking facilities with fewer than ten parking spaces, at least one shade tree must be provided.
- (2) Applicants may prepare landscaping plans for off-street parking areas as required or submit an alternative landscaping plan that places the landscaping entirely in the perimeter of the parking area and either equals or exceeds the landscaping requirements

in terms of both area and number of plantings for standard parking area landscaping plans. The acceptability of the alternative landscaping plan will be at the Board's discretion.

- (3) In lieu of landscaping requirements for parking garages and parking decks, ten percent (10%) of the footprint area of any parking garage or parking deck shall be added to the balance of the total required area of landscaping for on-site parking facilities. This additional area shall be landscaped in a manner that conforms with Section 5.14 inclusive.
- (4) Intermediate landscaped islands measuring 9 feet wide by 20 feet in length shall be provided in parking rows for every 16 spaces. The landscaped area shall require landscaped end islands and landscaped center islands within the parking area. Each island shall have a suitable curb of granite or concrete. This provision shall not apply to parking garages or parking decks.
- (5) Along any boundary line of an off-street parking area that runs along a sidewalk or street line, a landscaped buffer strip with a minimum width of six (6) feet shall be provided between the parking area and the sidewalk or street line. For the Milford Center Design Development District, the minimum width shall be four (4) feet. Said buffer strip shall comply with all applicable landscaping requirements of this Section.
- (6) Along any boundary line of an off-street parking area that runs along a property line that is not a sidewalk or street line, a landscaped buffer strip with a minimum width of ten (10) feet shall be provided between the parking area and the property line. Said buffer strip shall comply with all applicable landscaping requirements of this Section.
- (7) Along the entire length of any entrance driveway to an off-street parking area, a landscaped buffer strip with a minimum width of four (4) feet shall be provided between the parking area and the entrance driveway. Said buffer strip shall comply with all applicable landscaping requirements of this Section.
- (8) Along the entire length or width of any building, along which any parking area or driveway shall terminate or abut, exclusive of any entrances and/or exits, a landscaped buffer strip with a minimum width of five (5) feet, measured from the foundation of the building, shall be provided between the parking area or driveway and the building. Said buffer strip shall comply with all applicable landscaping requirements of this Section.

5.14.7 Refuse and Recycling Receptacles

- (1) Any refuse or recycling dumpster or receptacle located on an industrial, commercial or mixed use property, or any residential property where there are four or more dwelling units, and equaling or exceeding two (2) cubic yards in capacity shall be suitably screened from view from any street line or adjacent property.
- (2) Such screening may include trees or shrubs of suitable size, fencing, berms or a combination of any of these elements. The screening elements shall be arranged so that the field of view between the dumpster or receptacle and any street line or adjacent property shall be obscured visually within one (1) years time.

5.14.8 Bonding

Bonding is to be submitted at the time of approval in the form of a cash bond or letter of credit in the amount recommended by the City Planner in consultation with the City Engineer. A cash bond shall not be released until a licensed landscape professional certifies that the installation of landscaping material meets the approved plans in terms of quantities, sizes, and methods of installation.

SECTION 5.15 ANNUAL SIDEWALK SEATING PERMIT

Seating and/or table service will be allowed in the public right-of-way (sidewalk) immediately adjacent to a restaurant, restaurant fast food, or café providing the following criteria is met:

- A minimum of 4 feet of unobstructed sidewalk exists between the curb and the seating area.
- The seating area is separated from the public sidewalk by planters, fencing or other structure approved by the Planning & Zoning Office.
- No permanent structures or alterations to the public right-of-way will be allowed.
- A Site Plan will show at a minimum the building frontage, seating location, separation apparatus, and distance of seating area from curb.

SECTION 5.16 ARCHITECTURAL STANDARDS

The purpose of this regulation is to promote a higher quality and visually appealing streetscape and building form. To encourage traditional New England design elements which include but are not limited to building articulations, pitched roofs, overhangs, projections, reveals, awnings and combinations of natural materials and colors.

To use natural materials in their traditional applications (e.g. wood, stone, brick, glass, metal) and avoid vinyl or aluminum siding, texture-111, Dryvit or similar stucco masonry treatments.

All building materials, texture, and color used on the exterior walls and roof shall be of traditional styles and shapes and shall comply with the requirements set forth below. These standards apply to all sides of the structure.

Unless otherwise waived by the Planning and Zoning Board, exterior building materials shall conform to the following requirements:

5.16.1 For all buildings subject to a Special Permit or Special Exception in any CDD-1, CDD-2, CDD-3, CDD-4, CDD-5, BB, BD, BD-1, ICD, ID, MCDD, SCD, and WDD zone, for all such facades and exterior walls, a substantial portion of the area of all siding materials on that wall shall consist of quality shingle or clapboard wood siding, Hardie board or similar fiber cement shingle or clapboard siding, brick and/or stone masonry siding material. For purposes of such determination, the area of siding on any wall shall consist of its total exterior wall area minus the area of all windows, doors and roof eaves, overhang canopies and similar roof treatments.

The balance of these and other exterior walls may consist of other permitted materials, including split faced block, other finished masonry units, painted masonry blocks, pre-cast concrete panels, stucco, Dryvit or similar stucco masonry treatment. The use of asphalt shingle siding, aluminum or vinyl siding or grooved plywood siding treatments such as texture-111 and similar materials is strongly discouraged.

5.16.2 All new construction shall have its utility connections located underground.

5.16.3 Utility meters including but not limited to electrical and gas service meters, air conditioning condensers and the like are prohibited from being located on the front of the building.

5.16.4 All dumpsters shall be enclosed and the enclosure shall be similar in design and materials to the main structure. Dumpsters shall not be located in required buffer areas.

5.16.5 All building elevations will be submitted to the Board in color and will list the material type by name and manufacture where appropriate, as well as the color by name and manufacture.

5.16.6 In zones that allow a zero side yard setback, and the structure is constructed to the property line, the utility meters may be located in the front provided that:

- (a) They shall only be located on the front if it can be demonstrated with good cause that they can't be placed on the rear of the structure.
- (b) They are architecturally integrated with the front façade (i.e. recessed and/or otherwise concealed).

5.16.7 The Board at its discretion can waive any requirement of Section 5.16.

5.16.8 It will be the applicant's burden to show that the waivers are appropriate for the specific application.

Section 5.17 **ROUTE ONE INTERCONNECTING DRIVEWAY ACCESS**

Along Route One from the Stratford border to the Orange border (Bridgeport Avenue, Boston Post Road), where practical, the Board may require of any application for a Site Plan, Special Permit or Special Exception, an interconnection to the neighboring property in order to facilitate access of properties for the purpose of removing vehicular traffic from Route One.

In instances where the Board deems this interconnecting driveway access appropriate, the Board shall waive any parking and landscape computation requirements that would have been required in the location of the easement.

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ARTICLE VI - NON-CONFORMING USES, STRUCTURES AND LOTS

SECTION 6.1 DECLARATION

6.1.1 Definition: A non-conforming use, structure or lot is one which existed lawfully on the effective date of these Regulations or any amendment thereto, and which fails to conform to one or more of the applicable provisions or requirements of these Regulations or such amendment thereto.

6.1.2 Continuance: Notwithstanding any other provision of these Regulations, a non-conforming use, structure or lot, as defined herein, may be continued, except as otherwise specified in this ARTICLE.

6.1.3 Ownership: Nothing in these Regulations shall be deemed to require discontinuance of a non-conformity because of mere change of title or possession or right of possession of property, except as otherwise provided in Section 6.4.1, herein.

6.1.4 Certificate of Zoning Compliance: No non-conforming use, structure or lot shall be constructed, reconstructed, enlarged, extended, altered, moved, changed, maintained, restored or replaced unless a Certificate of Zoning Compliance has been issued by the Zoning Enforcement Officer stating that such use, structure or lot is an existing legal non-conforming use, structure or lot and/or that such construction, reconstruction, enlargement, extension, alteration, movement, change, maintenance, restoration or replacement is in compliance with the applicable provisions of these Regulations.

SECTION 6.2 **NON-CONFORMING USES**

6.2.1 Enlargement, Extension or Alteration: No non-conforming use of land shall be enlarged, extended, or altered, and no structure or part thereof devoted to a non-conforming use shall be enlarged, extended, constructed, reconstructed, or structurally altered, except in changing the use to one which is allowable in the Zoning District in which such use is located; except in the case of single family homes. No non-conforming use of a structure shall be extended to occupy land outside such structure or space in another structure.

6.2.2 Movement: No non-conforming use of land shall be moved to another part of a lot or outside the lot, and no non-conforming use of a structure shall be moved to any part of the structure not manifestly arranged and designed for such use at the time the use became non-conforming. No structure containing a non-conforming use shall be moved, unless the result of any such moving is to end the non-conforming use.

6.2.3 Change: No non-conforming use of land or of a structure shall be changed to any use which is substantially different in nature and purpose from the former non-conforming use, except such uses as are allowable in the Zoning District in which they are located: unless a Special Permit is granted by the Planning and Zoning Board under ARTICLE VII, herein, after a public hearing and upon written finding, among other things, that the new use will have a lesser impact upon the surrounding area than the old one.

6.2.4 Variance: Notwithstanding Sections 6.2.1, 6.2.2 and 6.2.3, a Variance shall be granted in accordance with ARTICLE IX, SECTION 9.2.2 Variances to extend, enlarge, or alter any legal non-conforming lot, structure or use.

6.2.5 Maintenance: Nothing in these Regulations shall be deemed to prohibit:

- (1) Work in any period of 12 consecutive months or ordinary repairs and replacement of existing materials with similar material placed in similar manner, to an extent not exceeding 50 percent of the physical structure, excluding the foundation, as determined by the Zoning Enforcement Officer and/or the Building Inspector of the City of Milford; or,
- (2) Any work required by the codes and ordinances of the City or ordered by any City official charged with protecting the public health, safety or welfare, if such work does not enlarge or extend a non-conforming use or otherwise increase any non-conformity, in order to assure that structures will be maintained in a safe and sanitary condition.

6.2.6 Restoration: If any structure shall be destroyed by any means to an extent of more than 50 percent of the physical structure, excluding the foundation, as determined by the Zoning Enforcement Officer and/or the Building Inspector of the City of Milford, no repairs or

reconstruction shall be made unless every portion of such structure and the use thereof is made to conform to all the regulations of the District, except as stated in Section 6.3.3. Nothing in these Regulations shall be deemed to prohibit the restoration of any structure and its use where such structure has been destroyed by any means out of the control of the owner to an extent of 50 percent or less of the physical structure, provided that the restoration of such structure and its use shall in no way increase any former non-conformity, and further provided that the restoration of such structure is started within one year of such destruction and is diligently prosecuted to completion within two years following such destruction.

6.2.7 Abandonment: Any non-conforming use which has been abandoned shall not thereafter be re-established. Any structure or land, or structure and land in combination which was formerly devoted to a non-conforming use which has been abandoned, shall not again be devoted to any use other than those uses which are allowable in the Zoning District in which it is located.

6.2.7.1 The term abandonment, as used herein, shall mean the voluntary discontinuance of a use, when accompanied by an intent not to re-establish such use. Any one of the following shall constitute prima facie evidence of intent to abandon:

- (1) Any failure to take all necessary steps to resume the non-conforming use with reasonable dispatch in the circumstances, including advertising of the property for sale or for lease; or
- (2) In the case of a non-conforming use of a structure or of a structure and land in combination, discontinuance of the non-conforming use for 6 consecutive months, or for a total of 18 months during any three year period; or
- (3) In the case of land only, discontinuance of the non-conforming use for 30 consecutive days, or for a total of 3 months during a one year period.

6.2.7.2 The provisions of Sections 6.2.7.1(2) and (3), above, shall apply to customary seasonal uses in the same proportional time frame, or fraction thereof.

6.2.8 Special Permits: Any Use allowed by Special Permit within an applicable Zoning District and approved by the Planning and Zoning Board as a Special Permit or Special Exception Use shall be deemed to be a conforming use in the applicable Zoning District. The Expansion or substantial alteration of such Special Permit shall be governed by ARTICLE VII of these Regulations.

SECTION 6.3 NON-CONFORMING STRUCTURES

6.3.1 Use: A non-conforming structure may be used for any use allowed in the Zoning District in which such structure is located; provided that any requirements for the new use of such structure, such as off-street parking and loading spaces, shall not increase the existing non-conformity of such structure.

6.3.2 Enlargement, Extension or Alteration: Structures failing to meet any requirement of these Regulations other than use, including lack of required parking or loading spaces, shall not be enlarged, extended, or altered, if the result would be an increase in non-conformity.

6.3.2.1 Required parking and loading spaces for any enlargement or extension of such structure shall be provided as a condition for the issuance of any Certificate of Zoning Compliance for such enlarged or extended portion of such structure.

6.3.3 Replacement: Any existing structure which does not have sufficient off street parking or loading spaces to comply with these Regulations may be replaced by a new structure provided that the replacement structure shall contain no more floor area than the existing structure, and further provided that the amount of existing off-street parking and loading space and lot area available for off-street parking or loading is not reduced, nor the requirements therefore increased by a new use.

6.3.4 Signs: Signs of a size or type not allowed in the Zoning District in which they are located or which are improperly located or illuminated, or non-conforming in any other way, shall be considered non-conforming structures under this Section; and any increase in size or intensity of illumination of such signs shall be deemed to be an enlargement or extension producing an increase in non-conformity.

6.3.5 Movement: No non-conforming structure shall be moved or relocated unless the result of such moving or relocation is to reduce or eliminate its non-conformity.

SECTION 6.4 **NON-CONFORMING LOTS**

6.4.1 Use of Non-Conforming Lots Where Applicant or Predecessors Never Owned Any Adjacent Land: A zoning permit may be issued for an allowable use on a lot which does not meet the standards for lot area and/or width of the particular zone in which said lot is located if:

- (1) The present owner or his predecessors in title did not illegally create this non-conforming lot and that the lot was of legal size when it was created as a lot.
- (2) The present owner or his predecessors in title, as determined by an attorney, did not or does not own any land adjacent to such lot since the lot was caused to become non-conforming by virtue of revised zoning regulations.
- (3) All yard, setback, coverage and other zone requirements can be met, and further provided the owner or his agent presents satisfactory evidence of compliance with this section.
- (4) The lot was never sold by the City of Milford with any stipulation that would prohibit its use as a separate building lot.
- (5) Upon satisfactory compliance with items 1-4 provisions of this section, the applicant or his agent shall erect a 24" by 36" panel sign with a poster furnished by the City of Milford stating the following:

On ____ (date) ____ the Zoning Enforcement Officer has received verification, including survey map with proposed construction thereon, and has ascertained that this lot is a legal non-conforming lot under the provisions of Section 6.4.1 of the Milford Zoning Regulations. Documentation is on file at the Planning & Zoning Board Office.

The applicant shall be required to affix the poster, supplied by the City, to his own panel within 5 days of the date zoning approval was received. The applicant shall generally locate the panel within the center of the lot but not more than 5 feet from an accepted street line except in cases involving unaccepted City streets. In cases of non-conforming lots involving unaccepted City streets, the location of the panel shall be determined at the discretion of the Zoning Enforcement Officer.

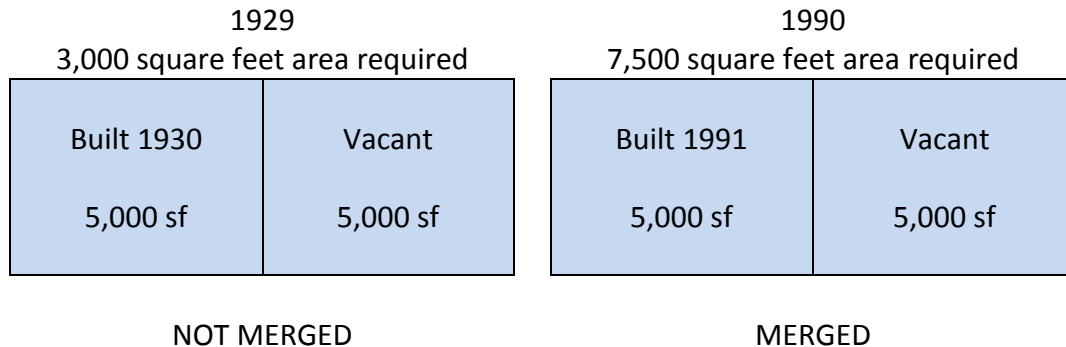
The panel with poster shall remain on the property for an unbroken period of 15 days. At the end of 15 days, the applicant shall submit the following notarized statement to the Zoning Enforcement Officer:

I.. (applicant) duly swear to the Zoning Enforcement Officer of the City of Milford that the property at (address) has been posted for a period of 15 days from (date) to (date) in accordance with the notice requirements of Section 6.4.1 (5) of the Milford Zoning Regulations.

6.4.2 Use of Non-Conforming Lots when Applicants or Predecessor Own/Owned Adjacent Land: A zoning permit may be issued subject to a application granted by the Zoning Officer for an allowable use on a lot which does not meet the standards for lot area and/or width of the particular zone in which said lot is located if:

- (1) The present owner or his predecessors in title did not illegally create this non-conforming lot and that the lot was of legal size when it was created as a lot.
- (2) The present owner or his predecessors in title, as determined by an attorney, do now or have owned adjacent land since the time the lot was caused to become non-conforming by virtue of revised zoning regulations.
- (3A) Since the time the lot was caused to become non-conforming by virtue of a revised zoning regulation, the lot has never been utilized in conjunction with adjacent property so that the identity of the lot in question has not merged with adjacent property.
- (3B) The determination of whether a lot has been so utilized in conjunction with adjacent property so that its identity as a separate lot has ceased and it has merged with the adjacent property is a factual determination to be made on a case by case basis upon the facts and circumstances of each individual application. Therefore, no fixed set of criteria can be said to establish such a merger for all cases. Listed below by way of example only, and not of limitation are some factors which may be indicative of a merger, depending upon the surrounding circumstances of the particular case.
 - (a) If, at the time the house was constructed, the minimum lot size required by the Zoning Regulations exceeded the size of the house lot itself, the vacant lot will be considered merged with the original house lot, i.e., if the minimum lot size could only be achieved by utilizing both lots together at the time the house was constructed, a merger will have occurred. (See sample below)

Diagram 4: Lot Merger Description



- (b) The vacant lot is regularly utilized to provide off street parking for the existing dwelling on the adjacent house lot.
 - (c) A structure on the adjacent house lot encroaches over onto the vacant lot, or hearing evidence establishes that the vacant lot has been cleared of such an encroachment.
 - (d) The vacant lot contains some non-temporary structure or improvement used in relationship with the adjacent house lot; e.g., storage shed, garage, tennis court, swimming pool, barbecue facility, patio, etc.
 - (e) The applicant or his predecessor characterized the adjacent house lot and the vacant lot as one lot for purposes of some prior building or zoning approval; e.g., to construct a deck on the house without violating side yard setback requirements.
- (3C) Some factors which are not sufficient in and of themselves to constitute a merger of a vacant lot with an adjoining house lot include, but are not limited to:
- (a) The fact that grass on the vacant lot has been mowed and leaves have been raked.
 - (b) The fact that a vegetable or flower garden has existed on the vacant lot.
 - (c) The fact that the vacant lot has been used for occasional recreational pursuits, e.g. picnics, baseball, badminton, volleyball, etc.
 - (d) The fact that the vacant lot has been utilized for overflow parking for the house lot, on an occasional, non-frequent basis.

- (4) All yard setback, coverage and other zone requirements can be met; and further provided the owner or his agent presents satisfactory evidence of compliance with this Section.
- (5) The lot was never sold by the City of Milford with any stipulation that would prohibit its use as a separate building lot.

PLEASE NOTE: Attorney must address all items (1) through (5)

- (6) Notice: Upon satisfactory compliance with items 1 - 5 provisions of this section, the applicant or his agent shall erect a 24" by 36" panel sign with a poster furnished by the City of Milford stating the following:

On (date) the Zoning Enforcement Officer has received written verification, including survey map with construction thereon, and has ascertained that this lot is a legal non-conforming lot under the provisions of Section 6.4.2 of the Milford Zoning Regulations. Documentation is on file at the Planning and Zoning Board Office.

The applicant shall be required to affix the poster, supplied by the City, to his own panel within 5 days of the date zoning approval was received. The applicant shall generally locate the panel within the center of the lot but not more than 5 feet from an accepted street line except in cases involving unaccepted City streets. In cases of non-conforming lots involving unaccepted City streets, the location of the panel shall be determined at the discretion of the Zoning Enforcement Officer.

The panel with poster shall remain on the property for an unbroken period of 15 days. At the end of 15 days, the applicant shall submit the following notarized statement to the Zoning Enforcement Officer:

I, (applicant) duly swear to the Zoning Enforcement Officer of the City of Milford that the property at (address) has been posted for a period of 15 days from (date) to (date) in accordance with the notice requirements of Section 6.4.2(6) of the Milford Zoning Regulations.

6.4.3 Notwithstanding the provisions of 6.4.1 and 6.4.2, vacant non-conforming lots may be combined to reduce any non-conformity with respect to lot size in accordance with Section 2.3.1 of the subdivision regulations.

ARTICLE VII PLANNING AND ZONING BOARD

SECTION 7.1 SITE PLAN APPROVAL

In all cases where these Regulations require Site Plan Approval, no permit shall be issued by the Zoning Enforcement Officer except in conformity with the Site Plan approved by the Planning and Zoning Board.

7.1.1 Site Plan Procedures

7.1.1.1 Application: Each application for a Site Plan Review approval shall be submitted to the City Planner, Assistant City Planner, or other authorized persons as designated by the City Planner; henceforth, designated as Reviewing Officer, on a form prescribed by the Planning and Zoning Board, and shall be accompanied by ten (10) copies of the Site Plan, eight (8) if a Health Department report is not required. The applicant shall have all zoning related plans reviewed by the Reviewing Officer at the Planning and Zoning Board Office prior to the applicant distributing said plans to the various City Departments as required by the Reviewing Officer. If a subsequent review of the application by a City Department reveals the need to revise a plan, such revisions shall be noted on the title block of the revised plan, with a note indicating the nature of the revision; and then be re-circulated through the Reviewing Officer's office prior to proceeding back to the department requiring the revision. When the applicant receives all required department approvals, the Reviewing Officer will then accept an application form and fee, and will determine whether or not such application can be certified, i.e., that the proposed building construction and uses are in conformance with all applicable provisions of these Regulations and those requirements of this Section regarding Site Plan Review.

7.1.1.2 Acceptance by Board: The Board shall accept certified applications at the next regular meeting after certification provided the information provided by the applicant under Section 7.1.2 is complete to its satisfaction. In the event any application is not accepted, the applicant shall be notified in writing within 10 days.

7.1.1.3 Board Action: In reviewing the application, the Board shall consider the objectives and standards as set forth in Section 7.1.3 herein. The Board shall approve, modify* and approve or disapprove the Site Plan within 65 days of the date of acceptance of said application, unless an extension of time is granted by the applicant. Failure to act within such time period shall be deemed approval.

Any disapproval shall include written findings on any Site Plan element found contrary to either the provisions or intent of these Regulations.

**See Section 9.2.3*

Variances of Planning & Zoning Board stipulations are prohibited.

7.1.1.4 Surety: The Board may require the applicant, as a condition of Site Plan approval, to post satisfactory surety in order to assure completion of proposed improvements not including buildings and compliance with the approved Site Plan and other documents.

7.1.1.5 Issuance of Zoning Permit: Upon certification of an approved Site Plan by the Board, the applicant shall comply with all applicable provisions of ARTICLE VIII, herein, for the issuance of a zoning permit by the Zoning Enforcement Officer.

7.1.1.6 Expiration: Any approved Site Plan for which construction has not commenced or which is not otherwise put into effect within a period of one year of the effective date of approval shall become null and void, unless an extension of time is applied for by the applicant and granted by the Board.

7.1.1.7 Amendments: Applications for Site Plan amendments of a material nature shall be made to the Zoning Enforcement Officer in the same manner as the original application.

7.1.2 Site Plan Elements

Applications submitted shall include a description of all proposed uses including all intended operations, equipment and material; and shall be accompanied by a current property survey to A-2 standards prepared by a Connecticut licensed land surveyor, drawn to scale of not less than one inch equals 100 feet in size, not to exceed 24" x 36" and a proposed Site Development Plan based on the current certified survey showing the proposal and all buildings on adjacent lots within 100 feet of the lot lines of the subject lot. In addition to the Survey and Site Development Plan, the application shall also be accompanied by floor and elevation plans for alterations of all existing structures and for proposed structures. All elevations must show location detail of street number to be utilized by the building. Such numbers shall not be located on any door nor shall any number be less than 5 inches tall and must be legible from the street. Signs, specifications for building construction and materials proposed for flood-proofing, where applicable, and any such other plans as may be required to fully present the proposal, including the following information where applicable:

7.1.2.1 The name and address of owner or owners of land to be developed, the name and address of the applicant, if other than the owner and the name, original signature and seal, originally stamped or embossed on each sheet of the licensed land surveyor, professional engineer or professional architect, licensed in the State of Connecticut, as may be applicable.

7.1.2.2 The date, true north point and graphic written scales.

7.1.2.3 A key map of approximately one inch to 400 or 800 feet, showing the existing Zoning Districts and street pattern within 500 feet of the site. The north arrow orientation of the key map shall match the north arrow orientation of the Site Plan.

7.1.2.4 The locations and names of owners of record of all abutting property and developments.

7.1.2.5 The purpose, locations, dimensions and areas of all existing and proposed rights-of-way, easements, reservations and open space areas dedicated to or offered for public use or otherwise set aside, both within and adjoining the site.

7.1.2.6 A complete outline of existing and proposed deed restrictions or covenants applying to the premises.

7.1.2.7 Existing and proposed elevations based on actual surveys and referenced to USGS datum shall be shown:

- (1) At each lot corner;
- (2) Along each lot line at intervening intervals, if such line is 100 feet or more in length, at each five foot change in elevation; and
- (3) At the approximate location of each foundation corner of all proposed or anticipated principal building or structure. Additional elevations and/or elevations at lesser intervals may be required as deemed necessary or appropriate by the Board.

7.1.2.8 The location of existing and proposed waterbodies, watercourse, swamps, marshes and wetlands, with the direction of flow and water surface levels, as well as other significant physical features such as wooded areas and rock outcrops, and existing trees equal to or larger than 4" in diameter at breast

height on the site and in the public right-of-way, identified by their common name.

7.1.2.9 The location of the regulatory flood protection elevation, established wetland boundaries and boundaries of other flood-prone area, including the seasonal high water level, apparent high water mark and mean high water mark as appropriate.

7.1.2.10 Location and design of all existing and proposed flood protection and erosion control works.

7.1.2.11 Location, design, height and setback lines of all existing and proposed buildings and structures, including but not limited to signs, fences and walls.

7.1.2.12 Location, design and setback lines of all existing and proposed uses not within a building or structure.

7.1.2.13 Location and design of all existing and proposed paved areas, sidewalks, streets, curbs, driveways and parking and loading areas (showing the number of stalls provided therewith), with grades, elevations and cross sections, as appropriate.

7.1.2.14 Location and design of all existing and proposed storm drainage in accordance with the EPA Storm Water Phase II Program regulations, sanitary sewage, and water supply facilities and easements, as well as other underground and above ground utilities, with grades, pipe sizes, elevations, points of discharge and hydrants as appropriate.

7.1.2.15 Location and design of all required buffer strips, landscaping and screening, final site landscaping and/or grading plans. For plans other than for single family homes, landscape plans should be prepared, signed and sealed by a licensed landscape architect. Planting plans should include a plant list keyed to the plan with the proposed plants listed by their common and botanical names and specified sizes and quantities, with notes about minimum branch height, root condition and other pertinent information.

7.1.2.16 Location, design and height of external lights and lighted areas, as appropriate.

7.1.2.17 All Site Plans must show all areas and/or location of the following:

- (1) Outside storage areas or structures.
- (2) Utility transformers.
- (3) Utility meters (free standing or attached to a structure), i.e. electrical, gas, water.
- (4) Telephone/cable television equipment.
- (5) Fuel oil storage facilities.
- (6) Refuse/trash containers of any type.
- (7) Postal facilities.
- (8) Exterior mechanical equipment such as, but not limited to HVAC items. If any or all of the services are not to be provided or are included in a prior approval, a statement to that effect shall be included as a note on the Site Plan.

7.1.2.18 In the case of uses or facilities requiring approval by any other agency of the State or City, the approval or status of approval of said agency shall be submitted with the application.

7.1.2.19 Where the applicant wishes to develop in stages, an overall site and staging plan indicating ultimate development shall be presented for approval.

7.1.2.20 In order to assist the Board to determine conformity of the Site Plan with the intent and purpose of these regulations, the following information should be submitted:

- (1) Photographs of the site including all adjacent properties as viewed from all public streets as well as adjacent properties.
- (2) Elevation drawings of proposed buildings, landscaping, outdoor storage areas and refuse/trash containers and free-standing signs. The elevation views shall correspond to the site photographs.
- (3) Applications for buildings containing over 5,000 square feet shall include graphics, such as pictures, drawings or digital views, whereby the proposed development is integrated with existing adjacent development.

- (4) All Site Plan Applications shall include a narrative including graphics as necessary which presents information as to the impact of the Site Plan on natural resources as described in the Natural Resource Inventory attached as Appendix C. The Site Plan Application shall specifically address how the proposed project complies with the “Recommendations” section of Appendix C.

7.1.2.21 Any other information deemed necessary by the Board to determine conformity of the Site Plan with the intent and purpose of these regulations.

In general, except for very minor additions, all development proposals for Site Plan review will include individual sheets:

- (1) Title sheet with locus map.
- (2) Site Plan building size, setbacks, zoning requirements required and proposed.
- (3) Landscaping Lighting Plan-site signage may be included on this sheet.
- (4) Utility/Grading/Contour Plan including catch basins, curbs, paving details if necessary.
- (5) Sediment and erosion control plans if applicable.
- (6) For multiple building projects or multi-tenant facilities, mylar address map, may be provided after receiving Site Plan approval; must be provided before obtaining a zoning permit.

7.1.3 Site Plan Review: In approving any Site Plan, the Planning and Zoning Board shall take into consideration the public health, safety and general welfare, the comfort and convenience of the public in general and of the immediate neighborhood in particular, and may attach reasonable conditions and safeguards as a precondition to its approval. The City Planner shall be responsible for circulating the Site Plan submission to all applicable boards, commissions and departments for review and comment, and shall prepare a detailed summary of the issues, concerns and comments generated by these boards, commissions and departments for review and consideration by the Planning and Zoning Board. The Board shall also consider the following general objectives and design criteria:

7.1.3.1 Zoning Districts: That the proposed use shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the Zoning District in which it is proposed to be situated

and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.

7.1.3.2 Traffic Access: That proposed traffic access ways are: adequate but not excessive in number; adequate in width, grade, alignment and visibility; not located too near street corners and similar safety considerations.

7.1.3.3 Public Safety: That proposed buildings, structures, uses, equipment or material shall be readily accessible for fire and police protection.

7.1.3.4 Circulation and Parking: That adequate off-street parking and loading spaces are provided to prevent parking in public streets of vehicles of any persons connected with or visiting the use, and that the interior circulation system is adequate to provide safe accessibility to all required off-street parking.

7.1.3.5 Landscaping and Screening: That proposed buildings, structures, uses, recreation areas, and parking, loading and vehicular access areas are reasonably landscaped and/or screened with appropriate vegetation and/or fencing of suitable type, density and height adjacent to residential lots and streets, where appropriate; notwithstanding the procedural provisions of Section 4.1.7 herein.

7.1.3.6 Illumination: That lighting from the installation of outdoor lighting and illuminated signs shall be designed in accordance with Section 5.2 Exterior Lighting Regulations and Section 5.3 Sign Regulations.

7.1.3.7 Public Health: That utility systems will be suitably located, adequately designed, and properly installed to serve the proposed uses, to protect the property from adverse air, water or land pollution, and to preserve and enhance the environmental quality of the surrounding neighborhood and that of the City.

7.1.3.8 Character and Appearance: That the character and appearance of the proposed buildings, structures, uses and/or outdoor signs will not be detrimental to the character and appearance of the surrounding neighborhood and will not adversely affect the general welfare of the inhabitants of the City.

7.1.3.9 Surety: The Board may require surety in accordance with Section 7.1.1.4 herein.

7.1.3.10 Zoning Permit: Upon approval of a Site Plan Review by the Board, the applicant shall comply with all applicable provisions of ARTICLE VIII, herein for the issuance of a Zoning Permit by the Zoning Enforcement Officer.

7.1.3.11 Effect of Site Plan Review: Any use for which a Site Plan Review has been approved shall be deemed to be a conforming use in the zoning district in which such use is located, as long as all applicable regulations and conditions of approval are met.

7.1.3.12 Statutory Completion Schedules:

- (1) In the case of any Site Plan approved on or after October 1, 1984, except as provided in paragraph (2) of this subsection, all work in connection with such Site Plan shall be completed within five years after the approval of the plan. The certificate of approval of such Site Plan shall state the date on which such five-year period expires. Failure to complete all work within such five-year period shall result in automatic expiration of the approval of such Site Plan, except in the case of any Site Plan approved on or after October 1, 1989, the Planning and Zoning Board or the Zoning Enforcement Officer approving such Site Plan may grant one or more extensions of such five year period, provided the total extension or extensions shall not exceed ten years from the date such Site Plan is approved. "Work" for purpose of this subsection means all physical improvements required by the approved plan.
- (2) In the case of any Site Plan for a project consisting of four hundred or more dwelling units approved on or after June 19, 1987, all work in connection with such Site Plan shall be completed within ten years after the approval of the plan. In the case of any commercial, industrial or retail project having an area equal to or greater than four hundred thousand square feet (400,000) approved on or after October 1, 1988, the Planning and Zoning Board or the Zoning Enforcement Officer approving such Site Plan shall set a date for the completion of all work in connection with such Site Plan, which date shall be not less than five nor more than ten years from the date of approval of such Site Plan, provided such commission, agency or official approving such plan and setting a date for completion which is less than ten years from the date of approval may extend the date of completion for an additional period or periods, not to exceed ten years in the aggregate from the date of the original approval of such Site Plan. The certificate of approval of such Site Plan shall state the date on which such work shall be completed. Failure to complete all work within such period shall result in automatic expiration of the approval of such Site Plan. "Work" for purposes of this subsection means all physical improvements required by the approved plan.

7.1.3.13 Expiration: Any authorized Site Plan Review for which construction has not commenced or which is not otherwise put into effect within a period of one year, shall become null and void, unless an extension of time is applied for by the applicant and granted by the Board.

7.1.3.14 Revocation: An authorized Site Plan Review shall be subject to revocation by the Board if any conditions or safeguards imposed by the Board upon land, buildings, structures, or uses for said permits are not strictly adhered to by the applicant and/or owner. However, before the Board may revoke any Site Plan Review, the Board shall hold a public hearing thereon.

7.1.3.15 Waivers: The Board may waive, subject to appropriate conditions such requirements of this Section 7.1 and standards as set forth in the regulations governing uses requiring Site Plan Review as in its judgment of the special circumstances and conditions relating to a particular application, are not requisite in the interest of the public health, safety and general welfare. When making its determination as to the extent of variation from the standards as set forth in these Regulations, the Board shall take into consideration the prospective character of the use, the interests of the City as a whole, and the purpose and intent of these Regulations.

SECTION 7.2 **SPECIAL PERMIT APPROVAL**

In all cases where these Regulations require Special Permit Approval, no permit shall be issued by the Zoning Enforcement Officer except upon approval of a Special Permit by the Planning and Zoning Board.

7.2.1 Application: Each application for a Special Permit shall be submitted in accordance with Sections 7.1.1 and 7.1.2 and the following:

- (1) Plans shall be reviewed by the City Engineer, with regard to parking layout, ingress and egress; drainage facilities; grading or regrading; sanitary sewer connections; all conditions of approval and any other engineering consideration at the discretion of the City Engineer. Such review shall be set forth in a report and conditions, if any, shall be detailed therein, and stamped on the Site Plans.
- (2) Plans shall be reviewed by the Police Department with regard to public safety and traffic conditions. Such review shall be set forth in a report detailing existing or anticipated traffic conditions and/or hazards on streets leading to the site, ingress and egress to the site; and any other public safety consideration. The applicant shall be required to submit a traffic study prepared by a licensed traffic engineer with any application which generates 100 or more vehicular trips during the peak hour.
- (3) Plans shall be reviewed by the Director of Public Health or Sewer Commission, whichever is applicable. Such review shall be set forth in a report, and conditions, if any, shall be detailed therein.
- (4) Plans shall be reviewed by the Fire Department and such review shall be set forth in a report and conditions, if any, shall be detailed therein.
- (5) Plans shall be reviewed by the Tree Commission and the Conservation Commission, in an advisory role, with regard to trees and natural resources. Such review shall be set forth in a report.

7.2.2 Public Hearing: The Board shall hold a public hearing on all applications for Special Permit within 65 days of the date of acceptance of application or within 130 days if consented to by the applicant, in accordance with State Statutes; and give notice of such hearing as required by law.

- (1) In addition, the applicant shall, at least twelve (12) days prior to said hearing, prominently post and maintain a placard prescribed by the Board on the site for which the Special Permit is requested.

(2) If the site is a corner lot or a through lot, both streets will be titled in the legal notice.

7.2.3 Board Action: The Board shall approve, modify and approve, or disapprove such application for a Special Permit within 65 days of the date of public hearing, unless an extension of time is consented to by the applicant in accordance with State Statutes. Failure of the Board to act within such time period shall be deemed approval. The decision of the Board shall be published in accordance with State Statutes. In approving the application, the Board may place conditions on such approval and shall consider, in addition to the criteria of Section 7.1.3, the following:

- (1) Plan of Conservation and Development: That the proposed Site Plan shall be in general conformance with the intent and purpose of the current Plan of Conservation and Development of the City of Milford.
- (2) The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous, inconvenient or detrimental to or conflict with the flow of traffic in the neighborhood; and
- (3) The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, the location and height of buildings, structures, walls and fences, and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings, or impair the value thereof.

7.2.4 Renewal of Special Permit: The Board may require as a condition of approval of a Special Permit that it be periodically resubmitted and considered for renewal, as deemed necessary for enforcement purposes by the Board.

7.2.5 Surety: The Board may require surety in accordance with Section 7.1.1.4 herein.

7.2.6 Zoning Permit: Upon approval of a Special Permit by the Board, the applicant shall comply with all applicable provisions of ARTICLE VIII, herein, for the issuance of a Zoning Permit by the Zoning Enforcement Officer.

7.2.7 Effect of Special Permit: Any use for which a Special Permit has been approved shall be deemed to be a conforming use in the Zoning District in which such use is located, as long as all applicable regulations and conditions or approval are met.

7.2.8 Expiration: Any authorized Special Permit for which construction has not commenced or which is not otherwise put into effect within a period of one year shall become null and void, unless an extension of time is applied for by the applicant and granted by the Board.

7.2.9 Revocation: An authorized Special Permit shall be subject to revocation by the Board if any conditions or safeguards imposed by the Board upon land, buildings, structures or uses for said permit are not strictly adhered to by the applicant and/or owner. However, before the Board may revoke any Special Permit, the Board shall hold a public hearing thereon in accordance with Section 7.2.2 herein.

7.2.10 Amendments: Applications for Special Permit amendments shall be made to the Zoning Enforcement Officer in the same manner as the original application; except that amendments which are found to be of a minor nature or which do not materially alter either the Special Permit or Site Plan, as determined by the Board, may be authorized after Board review only, in lieu of Section 7.2.2 herein.

7.2.11 Waivers: The Board may waive, subject to appropriate conditions, such requirements of this Section 7.2 and the standards as set forth in the regulations governing uses requiring Special Permits as in its judgement of the special circumstances and conditions relating to a particular application, are not requisite in the interest of the public health, safety and general welfare. When making its determination as to the extent of variation from the standards as set forth in these Regulations, the Board shall take into consideration to prospective character of the use, the interest of the City as a whole and the purpose and intent of these regulations.

SECTION 7.3 SPECIAL EXCEPTIONS

The Planning and Zoning Board shall hear and decide, approval shall require a two-thirds vote of the entire Board, requests for Special Exceptions where allowed by the terms of these Regulations. Each Special Exception being brought shall be considered as an individual case and shall, in addition to other standards prescribed in these Regulations, conform to the detailed application of the following standards in a manner appropriate to the particular circumstances of such use:

7.3.1 The nature, location, size, intensity and site layout of the use shall be such that it will be in harmony with the appropriate and orderly development of the area in which it is situated and that its operations will comply with the Performance Standard Regulations, Section 5.11, herein.

7.3.2 The nature and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, its site layout, and its relations to streets giving access to it shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection with it will not be hazardous or inconvenient to the predominant character of the neighborhood, or conflict with the normal traffic of the neighborhood, taking into consideration, among other things, convenient routes of pedestrian traffic, particularly street intersections, vehicular turning movements in relation to routes and volume of traffic flow, sight distances, and adequacy of parking facilities.

7.3.3 The location and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.

7.3.4 The Planning and Zoning Board may require that Special Exceptions be periodically renewed with a time period prescribed by the Planning and Zoning Board. Any approval shall commence within one year from date of issuance unless the Planning and Zoning Board grants an extension of time.

7.3.5 The Board shall hold a public hearing on all applications for Special Exception within 65 days of the date of acceptance of application or within 130 days if consented to by the applicant, in accordance with State Statutes; and given notice of such hearing as required by law.

7.3.6 An owner of a legal non-conforming 2, 3, or 4-family dwelling, office or restaurant use of land or structure which preexisted the original adoption of Zoning Regulations by the City of Milford, or are non-conforming as a result of the adoption of subsequent zoning

regulations shall be authorized to make application for a Special Exception to extend, enlarge or alter said legal non-conforming lot, structure or use, provided that the applicant meets minimum development standards of the SFA-10 District for a 2, 3 or 4-family use, RO District for an office use, and CDD-5 District for a restaurant use.

7.3.7 Nursing Homes shall be permitted by Special Exception in any zone district provided the criteria of Sections 7.3.1, 7.3.2, 7.3.3, 7.3.4 7.3.5, and 7.3.6, as required, are met and that:

- (1) The lot and building requirements are met.
- (2) Departures from other district requirements are noted on the Site Plan.
- (3) The site is served by the municipal sewer system.
- (4) The site has access to a major or collector street as designated in the Milford Plan of Conservation and Development.

ARTICLE VIII INTERPRETATION, ADMINISTRATION AND ENFORCEMENT

SECTION 8.1 INTERPRETATION

In interpreting and applying these Regulations, the requirements contained herein are declared to be the minimum requirements for the protection of the public health, safety, and general welfare. These Regulations shall not be deemed to interfere with, or abrogate, or annul, or otherwise affect, in any manner whatsoever, any easements, covenants, or other agreements running with the land, provided, however, that where these Regulations, or portion thereof, impose a greater restriction upon structures, buildings, or land that is imposed by other laws, ordinances, easements, covenants, agreements, or provisions herein, the more stringent provisions of these Regulations shall prevail.

SECTION 8.2 ZONING ENFORCEMENT OFFICERS

The Zoning Enforcement Officers of the City of Milford shall be charged with the responsibility and authority to enforce the provisions of these Regulations. The City Planning & Zoning Board may appoint Deputy Zoning Enforcement Officers as deemed necessary to assist and act for the Zoning Enforcement Officer in the performance of his various duties and functions.

8.2.1 Expiration. Any application approved by the Zoning Enforcement Officer (as opposed to approval by the Planning & Zoning Board or Zoning Board of Appeals) for a zoning permit for which construction has not commenced or which is not otherwise put into effect within a period of one year shall become null and void, unless an extension of time is applied for by the applicant, and granted by the Zoning Enforcement Officer.

For expiration of permits approved by the Planning and Zoning Board see Section 7.1.3.12 Site Plan Review and Section 7.2.8 Special Permits. For expiration of permits approved by the Zoning Board of Appeals, see Section 9.2.2.4.

8.2.2 Authority to Enforce. The Chairman of the Planning and Zoning Board, City Planner and Assistant City Planner shall have the responsibility and authority to enforce the provisions of these regulations in the same capacity as the Zoning Enforcement Officers in the performance of the Zoning Enforcement Officer's duties and functions in the absence of the Zoning Enforcement Officer and at such times as circumstances may require.

SECTION 8.3 APPLICATION FOR ZONING PERMIT

Application for a zoning permit shall be submitted to the Zoning Enforcement Officer prior to construction, reconstruction, extension, enlargement, moving or alteration of any building, or other structure and prior to the use or occupancy of any land, building or other structure. The application shall be submitted in duplicate and shall be accompanied by two or more copies, as required by the Zoning Enforcement Officer, of a layout or plot plan drawn to scale. The application and plot plan shall also show the following information:

8.3.1 The actual shape and dimensions and area of the lot with all easements, whether existing or proposed.

8.3.2 The actual height, dimensions, use, floor area, ground coverage, location of all buildings and other structures, whether existing or proposed.

8.3.3 The actual number of bedrooms where appropriate and other type of units that each building is intended to accommodate, whether existing or proposed.

8.3.4 The location, area and dimensions of all curbs and sidewalks, off street parking and loading spaces, and buffers or screening required in connection therewith, and the means of access to such spaces.

8.3.5 Such additional information including other plans, drawings, data, statements, certifications and documents as may be necessary to determine compliance with these Regulations. Important supplemental information must include proposed items, such as but not limited to, hatchways, air conditioning units, exterior generators, chimneys, bay windows, porches, decks, steps/stairways. Roof overhangs may be stated if the scale of the drawing precludes easily drafting such detail.

8.3.6 Principal Building or Use: If the Zoning Permit sought is for a principal building or use, all dimensions shown on the plot plan relating to the location and size of the lot to be built upon shall be submitted on an A-2 property survey prepared by a Land Surveyor and/or Professional Engineer licensed in the State of Connecticut. This requirement shall be met when deemed necessary by the Zoning Enforcement Officer for any other building, structure or use. At the discretion of the Zoning Enforcement officer, the lot shall be staked out on the ground before construction is started.

SECTION 8.4 FEES

Each application for a Zoning Permit shall be accompanied by the applicable fee, as determined from time to time by the Planning and Zoning Board.

SECTION 8.5 APPROVAL OF APPLICATION FOR ZONING PERMIT

The Zoning Enforcement Officer shall approve an application for a Zoning Permit to allow the construction, reconstruction, extension, enlargement, moving or alteration of any building or other structure and/or to allow the use or occupancy of any land, building, or other structure after he determines that all requirements of these Regulations have been met. The Zoning Enforcement Officer shall approve or disapprove all applications within a reasonable time, and shall forthwith return one copy of the approved application to the applicant for submission to the Building Inspector. In the event the Zoning Enforcement Officer shall disapprove an application for a Zoning Permit, he shall, at the request of the applicant; set forth in writing the reasons for such disapproval.

8.5.1 Expiration of Approval: Any approved application for a Zoning Permit for which construction has not commenced or which is not otherwise put into effect within a period of one year shall become null and void, unless an extension of time is applied for by the applicant and granted by the Zoning Enforcement Officer.

SECTION 8.6 BUILDING PERMIT

No building permit for any building, structure or use subject to these Regulations shall be issued by the Building Inspector unless and until the applicant shall have previously received an approved application for a Zoning Permit from the Zoning Enforcement Officer.

8.6.1 Expiration of Approval: Any building permit issued by the Building Inspector under the provisions of these Regulations, but under which no work is commenced within one year from the date of the approved application for a Zoning Permit, shall expire by limitation.

SECTION 8.7 INSPECTIONS

The Zoning Enforcement Officer is hereby authorized to inspect or cause to be inspected any land, building, structure or use to determine compliance with these Regulations.

SECTION 8.8 ISSUANCE OF CERTIFICATE OF ZONING COMPLIANCE

A Certificate of Zoning Compliance shall be applied for from the Zoning Enforcement Officer at the same time as application is made for a Certificate of Occupancy from the Building Inspector. Within ten days after notification from the applicant that the land, building or structure is ready for occupancy or use, the Zoning Enforcement Officer shall determine if they are in full compliance with these Regulations. Within ten days of receipt of both a

Certificate of Building Compliance from the Building Inspector and other information necessary to make a determination and an "as built" certified plot plan, as defined, from the applicant, as required by the Zoning Enforcement Officer, said Zoning Enforcement Officer shall issue a Certificate of Zoning Compliance.

In situations where an application for Zoning Compliance concerns property within an incomplete subdivision, an official confirmation from the City Engineer that the first course of paving has been installed and is adequate to provide ingress and egress, and that the additional public improvements required are of a sufficient state of completeness so as not to significantly diminish the use of said property, shall be required prior to the issuance of the Certificate of Zoning Compliance. Said Certificate of Zoning Compliance shall state that such land, building, or structure, or part thereof, and the proposed use thereof, are in full compliance with the provisions of these Regulations, or in the case of variances or preexisting structure or uses, that such are lawfully existing.

8.8.1 Temporary Certificate of Zoning Compliance: The Zoning Enforcement Officer is hereby authorized to issue a temporary Certificate of Zoning Compliance, having a duration of not more than six months, for the temporary use of land, buildings, and other structures in the process of completion which are in conformity with these Regulations and the approved Site Plan.

8.8.2 Change of Use: The change of an existing use of land, buildings or structures, or part thereof, to another proposed use which is allowable in the applicable zoning district shall be subject to the provisions of this Section for the issuance of a Certificate of Zoning Compliance in the same manner as a new building, structure or use.

SECTION 8.9 CERTIFICATES OF OCCUPANCY

No land shall be used except for farming or gardening purposes, and no building or structure or part thereof hereafter constructed, reconstructed, extended, enlarged, altered, moved, changed or converted, wholly or partly in its use or structure, shall be occupied or used unless a Certificate of Zoning Compliance shall have been issued by the Zoning Enforcement Officer and until a Certificate of Occupancy shall have been issued by the Building Inspector.

8.9.1 Certificate of Zoning Compliance – Conversions: In the event a request is made for a Certificate of Zoning Compliance for a two or three family existing dwelling in a single or two family zone, the Zoning Officer(s) shall be authorized to issue a letter of intent in cases where the conversion took place before 1958, but subsequent to June 1930, the inception of Zoning Regulations.

This letter of intent may be issued in cases where incomplete or conflicting records prevail, provided that the number of units of discrepancy does not exceed one (1).

The letter of intent shall state that if the structure is brought up to current building, fire and housing codes, as applicable, a Certificate of Zoning Compliance will be issued by the Zoning Officer at the satisfactory completion of said required code improvements.

SECTION 8.10 ADMINISTRATIVE PROCEDURES

The City Planning and Zoning Board may adopt administrative rules and procedures necessary to enforce these Regulations.

8.10.1 Code Enforcement Committee: The Zoning Enforcement Officer may, at his discretion or upon the request of any applicant, call the Code Enforcement Committee to expedite, correlate, and act upon the approval of applications for any required certificate or permits.

8.10.1.1 In addition to Section 8.3, herein, the applicant shall submit building plans and plot plans, as deemed necessary by the Committee's scheduled meeting date.

8.10.1.2 The Committee may approve, approve with modifications, or disapprove the plot plans and/or building plans in whole or in part.

8.10.1.3 Upon review and approval of all plans, the Committee may authorize the issuance of applicable certificates or permits or the applicant may obtain the necessary certificates or permits by applying to each applicable department individually.

SECTION 8.11 SPECIAL CONDITIONS

Any maps, plans, documents, statements and stipulations submitted to and approved by the Planning & Zoning Board and/or the Zoning Board of Appeals in connection with a Special Permit, Special Exception, Variance or other action of said Boards, as required by these Regulations, and any conditions of such approvals attached by said Board(s) shall be conditions for the approval of an application for and the issuance of a Zoning Permit by the Zoning Enforcement Officer.

SECTION 8.12.. RECORDS

The Zoning Enforcement Officer shall keep records of all approved applications for Zoning Permits and Certificates of Zoning Compliance; and shall keep records of all identifiable violations and action taken under these Regulations and all notices of violation served by him and the action taken thereon. Such records may be disposed of after five years or in accordance with State Law.

SECTION 8.13.. VIOLATIONS AND PENALTIES

Any building or structure constructed, reconstructed, extended, enlarged, altered, converted, moved, changed or used contrary to any of the provisions of these Regulations, or any approvals or permits issued pursuant thereto and any use of any land, building or structure which is conducted, operated or maintained contrary to any of the provisions of these Regulations, or any approvals or permits issued pursuant thereto, shall be, and the same is hereby declared to be, unlawful.

8.13.1 Action: The Zoning Enforcement Officer may initiate an injunction, mandamus, abatement, summons, or any other appropriate action to prevent, enjoin, abate, or remove such construction, reconstruction, extension, enlargement alteration, conversion, or use in violation of any of the provisions of these Regulations. Such action may also be instituted by any property owner who may be particularly damaged by any violation of these Regulations.

8.13.2 Notice: The Zoning Enforcement Officer shall serve notice to the person or corporation committing or permitting the violations and if such violation does not cease within such time as the Zoning Enforcement Officer may specify, he may institute such of the foregoing actions as may be necessary to terminate the violation. Such notice may be served by mailing to said person or posting the lot or building.

8.13.3 Effect of Notice: On the serving of notice of any violation of any provisions or requirements of these Regulations in respect to any building or structure, the Certificate of Zoning Compliance for such use shall thereupon become null and void and a new Certificate of Zoning Compliance shall be required for any further use of such building or structure.

8.13.4 Penalties: In accordance with Connecticut General Statutes Section 8-12 as may be amended from time to time.

8.13.5 Remedies: The remedies provided for herein are cumulative and not exclusive and shall be in addition to any other remedies provided by Law.

ARTICLE IX ZONING BOARD OF APPEALS

SECTION 9.1 ADMINISTRATION

The Zoning Board of Appeals as provided by State Statute, shall have the power to adopt from time to time such rules and procedures consistent with law, as may be necessary to carry out the provisions of these Regulations and to exercise the authority vested in it by State Statute.

SECTION 9.2 POWERS AND DUTIES

The Zoning Board of Appeals shall have the following powers and duties all of which shall be exercised subject to appropriate conditions and safeguards, in harmony with the purpose and intent of these Regulations and in harmony with the public health, safety and welfare.

9.2.1 Appeals: To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the Zoning Enforcement Officer of the City of Milford. Any appeal of a decision of the Zoning Enforcement Officer shall be taken within 15 days (as required by action taken by the Zoning Board of Appeals on August 2, 1977). Any appeal taken pursuant to this section shall be made on a form available at the Planning and Zoning Office.

9.2.2 Variances: To vary the strict application of any of the requirements of these Regulations in the case of an exceptionally irregular, narrow, shallow, or steep lot or other physical conditions for which strict application would result in exceptional difficulty or unusual hardship that would deprive the owner of the reasonable use of the land or building involved. No variance in the strict application of any provision of these Regulations shall be granted by the Zoning Board of Appeals unless it finds:

9.2.2.1 That there are special circumstances or conditions fully described in the written findings of the Zoning Board of Appeals, applying to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or building, and do not apply generally to land or buildings in the district, and have not resulted from any act subsequent to the adoption of these Regulations, whether in violation of the provisions hereof or not; and

9.2.2.2 That, for reasons fully set forth in the written findings of the Zoning Board of Appeals, the aforesaid circumstances or conditions are such that the strict application of the provisions of these Regulations would deprive the applicant of the reasonable use of such land or building and the granting of the variance is necessary for the reasonable use of the land or building, and that the variance as granted by the Zoning Board of Appeals is the minimum variance that will accomplish this purpose; and

9.2.2.3 That the granting of the variance will be in harmony with the purposes and intent of these Regulations, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

9.2.2.4 That any variance hereafter granted for a non-conforming use or structure shall become null and void twelve months after such granting, if such non-conforming use or structure shall not have commenced.

9.2.3 Prohibited Variances:

- (1) Except to the extent uses are not otherwise allowed in one underlying zone, use variances are explicitly prohibited.
- (2) No application to vary any Site Plan requirement imposed by the Planning & Zoning Board shall be accepted by the Zoning Board of Appeals.
- (3) No application to perform new construction or substantial improvements (as defined) to any dwelling with a lowest floor elevation below the regulatory flood protection shall be accepted by the Zoning Board of Appeals.

9.2.4 Approval of Location: To approve the location of gasoline stations, motor vehicle dealerships, and motor vehicle repair garages as defined by State Statutes; and in the case of new locations including site expansion subject to prior Special Permit & Site Plan Approval by the Planning and Zoning Board and to the Location Requirements of Section 5.4, herein.

SECTION 9.3 PROCEDURES

9.3.1 Applications: All appeals and applications made to the Zoning Board of Appeals shall be in writing, on forms prescribed by the Board, and each appeal or application shall fully set forth the circumstances of the case. Every appeal or application shall refer to the specific provision of the regulations involved, and shall exactly set forth as the case may be, the interpretation that is claimed, use for which the special exception is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the same should be granted.

9.3.1.1 All applications for appeals and variances to the Zoning Board of Appeals shall contain, in addition to five plot plans submitted on standard letter or legal size sheets of paper, location of the buildings on adjacent property on either side, drawn to the same scale as the plot plan and the specific location of all proposed buildings, if applicable. This does not in any way authorize trespassing for any purpose

- (1) Plot plans prepared on larger sheets of paper may be submitted to and accepted by the Zoning Board of Appeals, provided that such plot plans are duly certified by a Registered Land Surveyor.

- (2) No division of a lot, reduction in lot area, reduction in lot width or relocation of common lot lines shall be considered by the Zoning Board of Appeals unless a certified plot plan is submitted with the application.
- (3) No division of a lot, which would reduce the area of the resulting lots below the minimum required lot area of the applicable Zoning District, shall be considered by the Zoning Board of Appeals unless the lot owner obtains a satisfactory sanitation report from the Director of Public Health and submits same with the application.

9.3.1.2 All applications for approval of location shall be accompanied by an approved Site Plan and/or an authorized Special Permit, as applicable, in accordance with ARTICLE VII, herein.

9.3.2 Fees: All applications and appeals shall be accompanied by a fee, as determined from time to time by the Zoning Board of Appeals, to cover the cost of advertising and processing. Said fee shall be paid to the secretary of the Zoning Board of Appeals at the time of filing the application.

9.3.3 Public Hearing: The Zoning Board of Appeals shall hold a public hearing on all applications and appeals within 65 days after receipt of the application or notice of appeal and notice of said hearing shall be published in accordance with the provisions of the State Statutes.

9.3.3.1 If the site is a corner lot or a through lot, both streets will be titled in the legal notice.

9.3.3.2 At the time of a public hearing on any application for a variance, the applicant shall present Certificates of mailing showing that notice has been sent at least seven days in advance of the hearing to each of the owners of land within 200 feet of the property on which a variance is requested, as their names appear upon the last completed assessment roll of the City. If the boundaries of any condominium project are within the 200 foot notice area, the appropriate unit owners and the condominium association must be notified.

9.3.3.3 A sign as prescribed by the Zoning Board of Appeals, shall be posted and maintained not more than ten (10) feet from the street and as close to the center of the frontage as possible on the lot where a variance is requested for at least seven days prior to the public hearing. A corner or through lot shall be posted facing every street on which the property fronts

9.3.4 Board Action: The Zoning Board of Appeals shall decide each case within 65 days after the date of the public hearing. Notice of the decision of the Zoning Board of Appeals shall be published in accordance with State Statutes.

9.3.5 Surety: The Zoning Board of Appeals, in authorizing any use, may require as a precondition to its approval, the filing of satisfactory surety in a form satisfactory to the City Attorney and in an amount established by the Zoning Board of Appeals as sufficient to guarantee completion of those items specified by the Zoning Board of Appeals and in conformity with the provisions of these Regulations or any amendments thereto in force at the time of filing. Such surety shall not be released by the Zoning Board of Appeals until it is satisfied that all of the requirements of these Regulations and all stipulations established as part of the approval have been fully satisfied by the applicant.

9.3.6 Records: The Zoning Enforcement Officer shall act as the Executive Secretary to the Zoning Board of Appeals, shall review all applications, shall keep all records of the Zoning Board of Appeals, and shall furnish copies of records, upon request, to any person having a proprietary or tenancy interest in the use, structure or lot affected.

9.3.6.1 Any variance which is granted by the Zoning Board of Appeals shall be placed upon the land records of the city by filing a record of such variance with the City Clerk.

9.3.6.2 The Zoning Enforcement Officer shall report any variance to the Federal Insurance Administration upon request.

SECTION 9.4 REVOCATION AND REHEARING

9.4.1 Revocation: Any variance granted by the Zoning Board of Appeals, pursuant to any prescribed conditions or safeguards, shall be subject to revocation by the Zoning Board of Appeals if the said conditions or limitations are not adhered to strictly. Before the Zoning Board of Appeals may revoke its action in granting such variance, it shall hold a public hearing thereon, of which the applicant and property owner in each case shall be given notice and afforded an opportunity to be heard.

9.4.2 Rehearing: No application for a rehearing shall be presented to the Zoning Board of Appeals within a period of 6 months from the date of a decision of the Zoning Board of Appeals, which decision denied the application; unless, in the opinion of the Zoning Board of Appeals, there has been an unusual change in conditions, or an error in the decision, or new evidence warrants a rehearing. Approval of Justification for rehearing must be granted by the Zoning Board of Appeals before acceptance of such application.

ARTICLE X AMENDMENTS

SECTION 10.1 AUTHORITY

The Planning and Zoning Board on its motion or on petition may amend, change or repeal those Regulations of the Zoning Map, after public notice and hearing, in accordance with the General Statutes of the State of Connecticut. If the site is a corner lot or a through lot, both streets will be titled in the legal notice.

10.1.1 Notice of Proposed Change of Districts: Before a public hearing on any petition concerning an amendment to the official zoning map of the City of Milford, the petitioner shall notify by certified mail, return receipt requested, at least twenty (20) days in advance of the hearing, each of the owners of land within 200 feet of the property on which a zone change is requested, as their names appear upon the last completed assessment roll of the City. A sign, as prescribed by the Planning and Zoning Board, shall be posted and maintained on the lot where a zone change is requested for at least seven (7) days prior to the public hearing.

10.1.2 Proposed Change of District - Petition for Change of Zone-Special Permit/Site Plan Review required: A petition for a change of zone shall be accompanied by a concurrent petition for special permit/application or Site Plan review for proposed development unless a prior determination that a petition for special permit/application or Site Plan review is not appropriate has been made by the Planning and Zoning Board. The petition for a change of zone shall include a fiscal impact study including the impact of school children to be generated by the proposed development.

In the event that the Board has granted a petition for a change of zone and a petition for special permit/application for Site Plan review, or has granted a petition for a change of zone where a concurrent special permit/Site Plan review was not required, the applicant shall commence construction or file a petition for a special permit/application for Site Plan review (as the case may be) within a period of two (2) years from the granting of the zone change. Failure to comply with said two (2) year time limit shall cause the Planning and Zoning Board to consider a change of zone for said property.

10.1.3 Affidavit of Compliance: The petitioner requesting a proposed change of district shall, at least four (4) calendar days before the date of the public hearing, file with the Planning and Zoning Board all returned receipts and undelivered mailings with a signed and notarized affidavit setting forth the manner of compliance with Section 10.1.1 herein.

10.1.4 Approval of Location: The Planning and Zoning Board shall determine whether a proposed junkyard location is suitable in accordance with the factors specified in Section 14-67K of the Connecticut General Statutes.

In considering such application, the Board shall take into account the nature and development of surrounding property; the proximity of churches, schools, hospitals, public buildings or other places of public gathering; the sufficiency in number of other such yards or business in the vicinity; whether or not the location is within a restricted district; the health, safety and general welfare of the public; and the suitability of the applicant to establish, maintain or operate such yard or business and receive a license therefore.

10.1.5 Exemptions: The provisions of Section 10.1.1 and 10.1.2, above, shall not apply in the case of an amendment, change or repeal proposed by the Board on its own motion.

SECTION 10.2 PETITION AND FEES

Each petition for a zoning amendment shall be submitted in writing and in a form prescribed by the Planning & Zoning Board and shall be accompanied by a fee in accordance with the Schedule of Zoning Fees as established by the Planning & Zoning Board.

SECTION 10.3 REFERRALS

The Planning & Zoning Board shall give written notice to the regional planning agency of proposed zoning amendments in accordance with the General Statutes of the State of Connecticut, as applicable.

SECTION 10.4 PENDING DISTRICT CHANGES

Whenever there may be pending before the Planning and Zoning Board any proposal for an amendment to the Zoning Map or Regulations, the Zoning Enforcement Officer, for a period of not more than 145 days from the date of first public notice of the public hearings, shall have the authority to withhold the approval of any Zoning Permit for the construction or substantial alteration of any building upon any lot likely to be affected by the final determination of such motion pending the public hearing and final decision by the Planning and Zoning Board.

SECTION 10.5 PROTEST OF ZONE CHANGE

Where a protest is filed with the Planning & Zoning Board at a public hearing on a proposed amendment signed by the owners of 20 percent or more of the area of the lots included in such proposed change, or of the lots within 500 feet in all directions of the lots included in the proposed change, such change shall not be adopted except by a vote of two-thirds of the entire membership of said Board.

SECTION 10.6 **EFFECTIVE DATE OF AMENDMENTS**

Zoning regulations, boundaries or zoning district and any amendments or changes thereto, shall become effective the day following publication of said action taken by the Board or at such time as may be fixed by the Planning and Zoning Board, provided notice shall have been published in a newspaper having a substantial circulation in the City of Milford.

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ARTICLE XI DEFINITIONS

SECTION 11.1 GENERAL TERMS

In the interpretation and use of these Regulations, words and phrases shall be construed according to the commonly approved usage of the language; and technical words and phrases, and such as have acquired a peculiar and appropriate meaning in law, shall be construed and understood accordingly. All words used in the present tense include the future tense; all words in the plural number include the singular number; and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The words "shall" and "will" are mandatory and not directory. The word "used" shall be deemed also to include "designed, intended or arranged to be used". Unless otherwise specified, all distances shall be measured horizontally.

SECTION 11.2 OTHER TERMS

For the purpose of these Regulations, certain words and terms shall have the meanings as listed below. Doubts as to the precise meaning of other words and terms shall be determined by the Planning and Zoning Board with reference to the Connecticut General Statutes and Webster's Third New International Dictionary, respectively. Words in the present tense include the future, the singular includes the plural and vice versa.

Except as otherwise stated, or as the context may otherwise require, the following words, for the purpose of these Regulations, shall be defined as follows:

THESE REGULATIONS - The words "These Regulations" and "these regulations" shall be deemed to refer to the "Zoning Regulations of the City of Milford" as amended.

A-2 SURVEY - A property or boundary survey meeting the horizontal accuracy tolerances for class A-2, Section 20-300b-11(b) of the "Standards for Surveys and Maps in the State of Connecticut" as published by the State of Connecticut Department of Consumer Protection.

ABUTTING - Having a common border with, or being separated from such a common border by a right-of-way, alley or easement.

ADJACENT - Touching or contiguous.

ALCOHOLIC LIQUOR - The term "alcoholic liquor" as used in these regulations shall have the same meaning as that defined in the General Statutes, as amended.

APARTMENT - A room or suite of rooms, with toilet and culinary accommodations, used or designed for use as a residence by an individual or a family, located in a building

containing two or more such rooms or suites or located in a building devoted primarily to nonresidential use.

APPARENT HIGH WATER MARK - The average height of the tide measured and recorded during any given day or cycle period.

APPLICATION - An application shall consist of a completed form and fee as prescribed by the Board including all necessary and required documents/Department approvals.

APPROVED - Means a signed, written approval by the Planning & Zoning Board (its designated agent or the New Haven County Soil Water Conservation District) that a soil erosion and sediment control plan complies with the applicable requirements of these regulations.

ARBORIST - An individual trained in arboriculture, forestry, landscape architecture, horticulture, or related fields and experienced in the conservation and preservation of native and ornamental trees. This definition shall also incorporate the term urban forester.

AREA OF SPECIAL FLOOD HAZARD - The land in the flood plain within a community subject to a one percent or greater change of flooding in any given year.

AS BUILT CERTIFIED PLOT PLAN - Shall be an existing conditions survey prepared/signed/sealed by a Connecticut Licensed Surveyor. The level of detail to be shown will match the level of detail shown on the original application. Other details, such as underground utilities, are required on a separate map or maps which will be provided as an adjunct.

ATTIC - An unfinished space between the roof framing of a building and the ceilings of the rooms below. Any attic that has access by means of a stairway, and where a height of six (6) feet or more is achieved in an area that is ten (10) feet or more in width and has a length equal to 50% or more of the total building length may be determined to be habitable space by the Board.

AUTOMATIC TIMING DEVICES - A switching device, part of which is a clock, set to the prevailing time (EST) Eastern Standard Time, that will control the period of illuminating outdoor light fixture and outdoor signs.

AWNING - A roof-like cover, often of fabric, metal or glass, designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure over a window, walk, door, or the like.

BALLOON, ADVERTISING - A nonporous bag of light material filled with air, heated air or a gas lighter than air so as to rise and float in the atmosphere and intended to be either

flown in the air at the end of a cable, wire, or rope, or attached directly to the ground or a structure, pole or other on-site object for the purposes of advertising a commercial enterprise or event.

BASE FLOOD - The flood having a one percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE) – The elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

BASEMENT – A story in a building located partly underground, but having less than one-half of its clear floor to ceiling height below the average level of finished grade adjoining the exterior walls of the building. For floodplain management purposes, a basement is any area of the building having its floor subgrade (below ground level) on all sides.

BED AND BREAKFAST - An owner-occupied building designed for and used as a single-family or two family dwelling that provides four or fewer lodging rooms or accommodating no more than eight adults, in which overnight accommodations and a morning meal are provided to transients for compensation, and that is open to the traveling public for a stay not to exceed 20 days.

BERM - An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or fulfill other such purposes.

BOARD - The Planning and Zoning Board of the City of Milford.

BOARDING HOUSE - A dwelling in which no more than one (1) rooming unit is rented for compensation, with or without provisions for meals. No in-room kitchen or cooking facilities are to be provided. No provision permitted to operate a bed and breakfast, guest house, or tourist home for transient use.

BREAKAWAY WALLS - Any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic, or any other suitable building material which are not part of the structural support of the building and which are so designed as to breakaway, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are used or any buildings to which they might be carried by flood waters.

BUFFER STRIP - A strip of land along a property line or zone line abutting properties zoned residential, which shall be free of any building or use other than existing natural woody growth and appropriate landscaping and screening of suitable type, density and height and which may be a part of the minimum yard requirements, and at the discretion of the Board may be within a Residential District.

BUILDING - A structure having a roof supported by columns or walls along whose outside face can be traced an unbroken line for the complete circumference of the building, which is permanently affixed to a lot or lots for the housing or enclosure of persons, animals or chattels, and shall include each of the independent units into which it is divided by party walls. The connection of two buildings by means of an open porch, breezeway, carport or other such open structure, with or without a roof, shall not be deemed to make them one building, except in the case of a private garage so attached to a dwelling.

BUILDING, ACCESSORY - A building which is clearly incidental or subordinate customarily in connection and located on the same lot with the principal building or use; and the square footage (footprint) and floor area of such accessory building does not exceed 50% of same of the principal building (footprint). Decks, open porches or stairs shall not be included in determining the 50%.

BUILDING AREA - The aggregate of the maximum horizontal cross section area enclosed by the walls of all buildings on a lot, together with the area enclosed by the columns of all covered porches and similar roofed structures.

BUILDING FACING WALL - The exterior wall surface of a building which is visible from and generally parallel to a street line.

BUILDING FRONTAGE - Those building elevations that face upon a road or a parking area between the building and the road.

BUILDING GROUP - Two or more principal buildings located on a single lot.

BUILDING HEIGHT - The vertical distance measured in feet from the average existing level of the ground surrounding the building or addition thereto and within ten (10) feet thereof up to the midpoint height of a pitched roof or up to the level of the highest main ridge or peak of any other type of structure, or the total number of stories in a building including basements and/or half-stories. The number of points necessary for an “average” computation shall be based on appropriate contour intervals or spot elevations as required by the Planning and Zoning Board. The existing level shall mean the actual or approved elevations of the property at the time of application. The provisions with respect to height shall apply to solar panels and roof-top mechanical equipment but shall not apply to the following:

- Roof parapets and turrets of less than 3 feet;
- Cupolas and domes not used for human habitation, clock towers, bell towers and roof ventilators; provided however that the total area covered by such features shall not exceed 15 percent of the roof area, and that such features shall extend

- not more than 5 feet above the highest main ridge or flat roof lines of a structure; and
- Church spires and belfries, pole-type television antennas and chimneys

The interpretation of this definition shall be at the sole discretion of the Planning and Zoning Board.

BUILDING HEIGHT WITHIN A FLOOD HAZARD AREA - The building height as defined above, but including all portions of a building situated below the regulatory flood protection elevation and all portions of basements or cellars that extend above the finished grade adjacent to the building.

BUILDING, PRINCIPAL - A building in which is conducted the main or principal use of the lot on which said building is located.

BUILDING SETBACK LINE - The line within a lot defining the minimum required horizontal distance between the principal building or use to be erected and an adjacent street or lot line.

CAFÉ - An establishment where the retail sale of alcoholic liquor to be consumed on the premises occurs in conjunction with the sale of food to be consumed on the premises.

CAMP TRAILER - A trailer designed, manufactured and used solely for camping or pleasure purposes or for the purpose of transporting personal property of the owner and bearing a current "Camp Trailer" registration.

CAMPER - Any motor vehicle bearing a "camper" registration which is designed for, or permanently altered in such a way as to provide temporary living quarters for travel, camping or recreational purposes, or which is used for the purpose of transporting personal property of the owner.

CAR WASH - The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

CARETAKER - One who is employed to maintain, repair and protect a facility or property.

CELLAR - A portion of a building located partly or wholly underground and having half or more of its clear floor to ceiling height below the average level of finished grade adjoining the exterior walls of the building.

CHURCH - A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a recognized and legally established religious body organized to sustain public worship.

CIVIC CENTER - An area developed with a substantial concentration of public and governmental buildings or uses.

CLUB - An association of persons which is the owner, lessee or occupant of an establishment operated solely for a recreational, social, fraternal, religious, political or athletic purpose whose activities are confined to the members and guests, are not extended to the general public, and include the establishment so operated; but does not include such clubs, the chief activity of which is a service customarily carried on primarily for business or gain.

CLUB, BEACH - A membership establishment, not available for use by the general public, providing for recreational and social activities related to and in close proximity to the beach.

CLUSTER DEVELOPMENT - A development site under one ownership or control containing one or more building lots for residential dwellings each containing one or two (SFA-10 District, only) dwelling units, which is owned and operated under a cooperative or condominium arrangement or developed as a legal subdivision, or a combination of the above arrangements.

COASTAL HIGH HAZARD AREA – The area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms, hurricane wave wash or tsunamis. The area is designated on a FIRM as Zone VE or V.

COFFEE HOUSE - An informal restaurant primarily offering coffee, tea, and other beverages, and where light refreshments and limited menu meals may also be sold.

COMMUNITY CENTER - A building used as and providing a place of meeting for religious, fraternal, social and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community.

CONDOMINIUM - As defined by State Statute, (Refer to the Housing Laws of the State of Connecticut, Chapter 825, entitled, "Unit Ownership Act", as amended).

CONSTRUCTION, NEW – Structures for which the “start of construction” commenced on or after September 29, 1978, the effective date of Section 5.8, and includes any subsequent improvements to such structures.

CONSTRUCTION, START OF – Includes substantial improvement, and means the date the building permit was issued, provided the improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of

excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include the excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

CONVALESCENT HOME, NURSING HOME OR REST HOME - An institution licensed by the State Department of Health having facilities and all necessary personnel to provide services of a personal nature, nursing care under medical supervision and direction to carry out nonsurgical treatment and dietary procedures for chronic diseases or convalescent stages of acute diseases or injuries.

COOPERATIVE - A form of ownership in which more than one stockholder of a corporation has control over a certain property jointly with one or more other stockholders.

CORNICE - Any horizontal member, structural or nonstructural, of any building, projecting outward from the exterior walls at the roof line, including eaves and other roof overhangs.

COST – As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

COUNTY SOIL & WATER CONSERVATION DISTRICT - Means the New Haven County Soil and Water Conservation District established under subsection (a) of Section 22a - 315 of the General Statutes.

COURT - An unoccupied open space, other than a yard, on the same lot with a building and which is bounded on three or more sides by the walls of such building. An OUTER

court extends to a street line or opens upon a front, side or rear yard. An INNER court is enclosed on all sides by the walls of the building.

CRAWL SPACE - An area below the lowest floor of a structure used for the purpose of gaining access to the mechanical items with not more than 4 ft. in the clear as measured from the inside grade to the bottom of the floor joists.

CURB CUT - The providing of vehicular ingress and/or egress between a property and an abutting public street.

CURB LEVEL - The permanently established grade of the street at the edge of pavement or at the base of the curb in front of the lot.

DAY CARE CENTER, ADULT - A facility providing care for five or more elderly and/or functionally impaired adults in a protective setting for a portion of a 24-hour day.

DAY CARE HOME, ADULT GROUP - A dwelling in which a permanent occupant of the dwelling, licensed by the State of Connecticut, provides for the care of four or fewer elderly and/or functionally impaired adults, not all of whom are related by blood or marriage, for a portion of a 24-hour day.

DAY CARE CENTER, CHILD - A facility which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis for a part of the 24 hours in one or more days in the week.

DAY CARE HOME, FAMILY - A private family home in which a permanent occupant of the dwelling, licensed by the State of Connecticut, provides for the care of six or fewer children, including the provider's own children not in school full time, for a portion of a 24-hour day not less than three hours nor more than twelve hours.

DAY CARE HOME, GROUP - A facility which offers or provides a program of supplementary care to not less than seven nor more than twelve related or unrelated children outside their own homes on a regular basis for a part of the 24 hours in one or more days in the week.

DESIGN CORRIDOR - A designated zoning district, usually centered around one or more arterial or main collector roadways, and whose width is generally substantially smaller than its length, in which particular emphasis is placed on building siting and design, parking, landscaping, and other physical design elements for the expressed purpose of promoting and achieving specific physical design goals.

DESIGN STANDARDS - A set of guidelines regarding the architectural appearance of a building, or improvement, that governs the alteration, construction, demolition, or relocation of a building or improvement.

DEVELOPMENT – Any man-made change to improved or unimproved real estate, including but not limited to, the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings and structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

DIAMETER AT BREAST HEIGHT - The diameter of a tree measured at a point four and one-half feet above grade.

DIRECT GLARE - Direct glare is defined as the visual discomfort resulting from insufficiently shielded light sources in the field. One should “see the effect, not the light source”.

DIRECT LIGHT EMISSIONS - Light emissions visible above a height of 5 feet at the subject property line. A bulb, a reflective device, a refractive lens device, a globe, or diffuse panel shall be considered a direct light emission source.

DISTURBED AREA - Means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.

DORMITORY - A building or group of buildings designed or altered for the purpose of accommodating students or members of religious orders with sleeping quarters with or without communal kitchen facilities and administered by a bona fide educational or religious institution. Dormitory includes fraternity and sorority houses, covenants, priories and monasteries, but does not include clubs.

DRIVE-IN ESTABLISHMENTS - A business establishment so developed that its principal retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to either serve patrons while in the motor vehicles or else intended to permit consumption in the motor vehicle of food or beverage obtained by a patron from said business establishment. (e.g. restaurants, service stations, cleaners, banks, theaters, etc.)

DUMPSTER - A container for garbage or recyclable materials that has a hooking mechanism that permits it to be raised and dumped into a sanitation truck.

DWELLING - A building, or portion thereof, used exclusively for residential occupancy, including one family, two family and multiple family dwellings. Any trailer coach, or

manufactured mobile home, not located in a trailer park, as defined herein, which remains on any lots within the limits of this City for more than 48 hours within a six month period shall be construed to be a dwelling except for those that are only displayed for sale in a zoning district permitting such.

DWELLING, ATTACHED - A dwelling having any portion of one or more walls in common with another dwelling.

DWELLING, MULTIPLE FAMILY - A dwelling containing three or more dwelling units.

DWELLING, ONE FAMILY - A detached dwelling containing one dwelling unit. The presence of a second "full scale kitchen" in such dwelling shall raise a rebuttable presumption that more than a one family dwelling unit is within said dwelling.

DWELLING, TWO FAMILY OR DUPLEX - A dwelling containing 2 dwelling units.

DWELLING UNIT - A dwelling or portion thereof, providing a single housekeeping unit with living, sleeping, cooking, eating and bathroom facilities.

EARTH SHELTERED DWELLINGS - Shall be any residence built entirely below grade or partially below grade with two (2) but not more than two (2) sides constructed as basement walls. (See Basement and Cellar definitions)

EATING PLACES - A business establishment open to the general public for the primary purpose of serving prepared food for consumption on the premises.

EAVE – The projecting lower edges of a roof overhanging the wall of a building.

EROSION - Means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

FAÇADE - The exterior wall of a building exposed to public view or that wall viewed by persons not within the building, extending from grade to the top of the parapet, wall or eaves, and including the entire width of the building elevation.

FAMILY - Persons related by blood, marriage or adoption, or a reasonable number of individuals occupying a dwelling unit who are committed to living together as a single housekeeping unit, in harmony with the surrounding neighborhood, responsible for maintaining a common household. A boarder shall not be considered a member of the family for the purpose of this definition.

FARM - A lot of 3 acres or more, used for the raising of crops or pasture or both. Stock raising, dairying, poultry raising and kindred activities are to be considered as a part of and included within farming.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) – The federal agency that administers the National Flood Insurance Program (NFIP)

FINISHED LIVING SPACE – As related to fully enclosed areas below the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.) has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces, and other items that are easily damaged by floodwaters and expensive to clean, repair, or replace.

FIRST FLOOR - The lowest floor above grade; or partly below grade and not qualifying as a basement or cellar. (See also definition lowest floor.)

FLAG, BUSINESS - A flag displaying the name, insignia, emblem, or logo of a commercial entity.

FLOOD OR FLOODING - A general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of inland or tidal waters and/or (2) the unusual and rapid accumulation of runoff of surface waters from any source.

FLOOD FREQUENCY - The average frequency statistically determined for which it is expected that a specific flood level or discharge may be equaled or exceeded.

FLOOD HAZARD AREA - Areas shown on the flood insurance rate map as Zones A, AI, A30 and Zone V, VI and V30.

FLOOD INSURANCE RATE MAP - The official map on which the Federal Emergency Agency (FEMA) has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY – The official report provided in which the Federal Emergency Management Agency (FEMA) has provided flood profiles, as well as the Flood Insurance Rate Map and the water surface elevation of the base flood.

FLOODPLAIN - The land area susceptible to inundation by water as a result of flooding.

FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 1 foot.

FLOOR AREA - The floor area of a building is the sum of the gross horizontal area of the several floors of the building, measured from the exterior faces of exterior walls or from

the center line of walls separating two buildings. Floor area shall include the area of basements when used for residential, commercial or industrial purposes, but need not include a cellar or portion of a basement used for incidental storage or housing of mechanical or central heating equipment.

FLOOR AREA RATIO (F.A.R.) - The floor area of buildings on a lot divided by the area of such lot.

FOOT-CANDLE - The illuminance on a surface of one square foot in area on which there is uniformly distributed a light flux of one lumen.

FULL CUT-OFF TYPE FIXTURES - A luminaire or light fixture that, be design of the housing, does not allow any light dispersion or direct glare to shine above a 90 degree, horizontal plane from the base of the fixture. Full cut-off fixtures must be installed in a horizontal position as designed, or the purpose of the design is defeated, and disability glare will result.

FUNCTIONALLY DEPEDENT USE OR FACILITY – A use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

GARAGE, COMMERCIAL - Any lot, building or part thereof, used for the storage, service or repair of motors, or motor vehicles for remuneration, including any rental, lease or sale of motor vehicles.

GARAGE, PRIVATE - An accessory building or portion of a principal building used for the storage of vehicles as an accessory use.

GARAGE, VEHICLE REPAIR AND/OR SERVICE - A commercial garage or gasoline station used for repairing, overhauling, removing, adjusting, replacing, assembling or disassembling any parts of any motor, engine, or vehicle.

GASOLINE STATION - Any lot, building or part thereof, used for the sale of gasoline or motor vehicle fuel which may include facilities for lubrication, washing, or otherwise servicing vehicles, but not including painting of vehicles.

GOLF COURSE - A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards, within which the playing area is not artificially illuminated.

GRADE - The level of the finished surface of the ground or pavement at a stated location.

GRADING - Means any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

GROSS BUILDABLE AREA - The sum of the gross horizontal areas of the several floors of all buildings enclosed by walls on the property excluding parking decks and basement areas used for storage, loading and unloading or for housing of mechanicals or central heating and air conditioning equipment.

GROUND COVER - Any shrub, plant or grass that does not attain a mature height of more than one foot. Such plants shall be characterized by a growth habit in which the shrub, plant or grass spreads across the ground to connect with similar plants forming a continuous vegetative cover on the ground.

HABITABLE FLOOR - Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation or a combination thereof. A floor used for commercial and/or industrial storage purposes is not a "habitable floor".

HISTORIC STRUCTURE – Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirement for individual listing on the National Register; (b) Certified or preliminary determined by the Secretary of Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

HOME BUSINESS USE - A use customarily conducted for compensation entirely within a dwelling and carried on only by the residents thereof which use is clearly incidental and secondary to the use of the building for dwelling purposes and does not change the residential character thereof. The conducting of a clinic, hospital, barber shop, beauty shop, tea room, tourist home, bed and breakfast, animal hospital, or any other similar use shall not be deemed to be a home business use.

HOME OCCUPATION - A use customarily conducted for compensation only by occupant(s) of a single family residence that is performed/carried out entirely within a principal single family residential structure, is clearly incidental and subordinate to the

principal single family use and requires no modification of the lot or external structural renovation to accommodate said home occupation.

HOSPITAL - A building licensed by the State of Department of Health having facilities, medical staff and all necessary personnel to provide diagnosis, care and treatment of a wide range of acute conditions or chronic diseases, including injuries.

HOTEL - A building or portion thereof which has a common entrance and common heating system and which contains one or more rooming units designed to be occupied by individuals or groups of individuals for compensation and including such business as may be incidental thereto for the sole convenience of the occupants. For the purpose of these Regulations, hotel shall include "tourist home".

HOTEL, EXTENDED STAY - One or more buildings designed and used exclusively for temporary occupancy by travelers who have a permanent residence elsewhere, provided:

- i. such extended stay hotel shall have a lobby and shall contain no fewer than seventy (70) guest rooms;
- ii. each guest room shall contain a private bath, lavatory and kitchen facilities;
- iii. access to each guest room shall be from one or more interior corridors; and
- iv. no guest room, including bath, lavatory and kitchen facilities, shall be less than four hundred twenty-five (425) square feet of gross floor area.

IES – Illuminating Engineering Society of North America, an organization that establishes standards for the lighting industry.

IMPERVIOUS SURFACE - Any hard-surfaced, man-made area that does not readily absorb or retain water including, but not limited to, building roofs, parking and driveway areas, graveled areas, sidewalks and paved recreational areas.

IMPROVEMENT, SUBSTANTIAL – Any repair, reconstruction, or improvement of a structure, taking place during a ten year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure as determined at the beginning of such ten year period. This term includes structures that have incurred "substantial damage", regardless of the actual repair work performed. For purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or (2) Any alteration of a "historic" structure, provided that the alteration will not preclude the structure's continued designation as a "historic structure."

INSPECTION - means the periodic review of sediment — and erosion control measures shown on the certified plan.

JUNK YARD - See Motor Junk Business

LANDSCAPED BUFFER - An area of landscaping separating two distinct land uses, or a land use and a public right-of-way, that acts to soften or mitigate the effects of one land use on the other.

LANDSCAPING PLAN - A plan, drawn to scale, showing dimensions and details for vegetating a property, or a portion of a property, including maintenance and protection measures.

LEGAL NON-CONFORMING LOT - Any lot legally existing in accordance with the then applicable regulations which has been made non-conforming by subsequent adoption of zoning regulations or amendments thereof. Such a lot may not be conforming to the present zoning district regulations for any prescribed lot requirements, such as lot area, width or depth.

LEGAL NON-CONFORMING STRUCTURE - A structure or building legally existing on the effective date of these regulations or any amendment thereto which does not conform to the zoning district regulations for any prescribed structure or building requirements, such as front, side or rear yards; building height; building area or lot coverage; lot area per dwelling unit; dwelling units per building; parking and loading spaces, etc.

LEGAL NON-CONFORMING USE - A use whether of a building, structure or lot, legally existing on the effective date of these regulations or any amendments thereto which does not conform to the use regulations of the zoning district in which it is located.

LIBRARY - A public facility for the use, but not sale, of literary, musical, artistic, or reference materials.

LIGHT TRESPASS - Any form of artificial illumination emanating from a light fixture or illuminated sign that penetrates the adjoining property.

LINE OF SIGHT - A visual path emanating from an average eye level adjudged to be five feet above the ground level.

LOT - A parcel of land occupied or to be occupied by a building or group of buildings and accessory buildings, together with such open spaces as are required under the provisions of these regulations.

LOT AREA - The gross horizontal area contained within the property lines of the lot.

LOT, CORNER - A lot located at the junction of two or more intersecting streets, having an interior angle of less than 135 degrees, with a boundary line thereof bordering on two of the streets.

LOT COVERAGE - The portion or percentage of a lot occupied or intended to be occupied by all buildings, structures and paved areas other than walkways.

LOT DEPTH - The mean distance from the front line of the lot to the rear lot line measured in the general direction of the side lines of the lot.

LOT FRONTAGE - The horizontal distance between the side lot lines measured at the point where the side lot lines intersect the street right-of-way. On curvilinear streets, the arc between the side lot lines shall be considered the lot frontage.

LOT, INTERIOR - A lot other than a corner lot.

LOT LINE - Any property line bounding a lot.

LOT LINE, REAR - The lot line generally opposite the street line; if the rear lot line is less than ten feet in length, or if the lot comes to a point in the rear, the rear lot line shall be deemed to be a line parallel to the street line, not less than ten feet in length, lying farthest from the street line.

LOT, THROUGH - A lot other than a corner lot which has frontage on two or more streets.

LOT WIDTH - The horizontal distance between side lot lines measured parallel to the street line and along the building setback line for the front yard.

LOWEST FLOOR - Means the lowest floor of the lowest enclosed area, including basement, an unfinished or flood resistant enclosure, usable solely for parking of vehicles or building access in an area other than a basement area is not considered a building's lowest floor.

LUMEN - A unit of measure of the quantity of light which falls on an area of one square foot every point of which is one foot from the source of one candela. A light source of one candela emits a total of 12.57 lumens.

MANUFACTURED (MOBILE) HOME - A structure transportable in one or more sections, built on a permanent chassis and is designed to be used with or without a permanent foundation, when connected to the required utilities. The term also includes park trailers, travel trailers, recreational vehicles and other similar vehicles or transportable

structures placed on a site for one hundred and eighty (180) consecutive days or longer and intended to be improved property.

MANUFACTURED MOBILE HOME PARK OR MOBILE HOME SUBDIVISION- EXISTING - A parcel or contiguous parcels of land divided into two or more mobile home lots for rent or sale, for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads and the construction of streets) is completed before the effective date of Section 5.6.

MANUFACTURED MOBILE HOME PARK OR MOBILE HOME SUBDIVISION - EXPANSION TO EXISTING - The preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete or the construction of streets.)

MANUFACTURED MOBILE HOME PARK OR MOBILE HOME SUBDIVISION NEW - A parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads and the construction of streets) is completed on or after the effective date of Section 5.6.

MANUFACTURED HOME PARK OR SUBDIVISION A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

MARKET VALUE – The market value of the structure shall be determined by the appraised value of the primary building per the Tax Department’s current property record card prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

MEAN HIGH WATER MARK - The average height of all apparent high water marks recorded over a 19 year period or a computed equivalent period.

MEAN SEA LEVEL - The average height of the surface of the sea for all stages of the tide, usually determined from hourly readings during any given period. For the purposes of these regulations, mean sea level shall be deemed to be an elevation of 0.0 feet (USGSS datum, MSL). For floodplain management purposes, the North American Vertical Datum (NGVD) of 1988 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Map (FIRM) are referenced.

MIXED USE DEVELOPMENT - A single building containing more than one type of land use, or a single development of more than one building and land use, where the different types of land uses are in close proximity, planned as a unified complementary

whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

MOTEL - A building or group of buildings which contains ten or more rooming units, each generally having a separate outside entrance; and designed to be occupied by individuals or groups of individuals for compensation and including such business as may be incidental thereto for the sole convenience of the occupants. For the purpose of these regulations, motel shall include buildings designated as motor inns and tourists courts.

MOTOR JUNK BUSINESS OR JUNK YARD - The term "junk yard" shall be construed to include any "junk yard," "motor vehicle junk business" and "motor vehicle junk yard" as defined in State Statutes. Any place of business or of outside storage or deposit, whether in connection with any business or not, which has stored or deposited two or more unregistered vehicles, which are no longer intended or in condition for legal use on the public highways or used parts of vehicles or old iron, metal, glass, paper, cordage, or other waste material or discarded second hand material which has been a part, or intended to be a part, of any vehicle, the sum of which parts or materials shall be equal in bulk to two or more vehicles. Said term shall also include any place of business or of outside storage or deposit of vehicles for parts or for use of the metal for scrap and where it is intended to burn material which are parts of a vehicle or cut up the parts thereof.

MOTORIZED HOMES - Any building, structure or vehicle designed and/or used for living or sleeping and/or recreational purposes and equipped with wheels to facilitate movement from place to place, and automobiles when used for living or sleeping purposes, and including pick-up coaches, campers, recreational vehicles, travel trailers and camping trailers not meeting the specifications required for a manufactured home, trailer coach or mobile home.

MOTION SENSOR DEVICE - A device that will sense motion electronically and switches lighting on for a brief duration of time, not to exceed 1 hour.

MULTI-FAMILY BUILDING - A detached building designed and used exclusively as a dwelling by three or more families occupying separate suites.

NATURAL FEATURES - Components and processes present or produced by nature, including soil types, geology, slopes, vegetation, surface water, drainage patterns, aquifers, recharge areas, climate, floodplains, aquatic life and wildlife.

NON-CONFORMING LOT - Any lot which does not conform to the current lot requirements such as lot area, width and/or depth. See also legal non-conforming lot definition.

NON-CONFORMING STRUCTURE - Any structure or building which does not conform to the zoning district regulations for any prescribed structure of building requirements, such as front, side or rear yards; building height, building area or lot coverage; lot area per dwelling unit; dwelling units per buildings; parking and loading spaces; etc. See also legal non-conforming structure definition.

NON-CONFORMING USE - A use, whether of a building, structure or lot which does not conform to the use regulations of the zoning district in which it is located. See also legal non-conforming use definition.

NURSERY SCHOOL - A building or portion thereof, licensed by the State Department of Health, having facilities and all necessary personnel for the care guidance and/or supervision of five or more children not of common parentage.

OPEN SPACE - The portion of the ground space on the same lot and contiguous to the principal building which is either landscaped, or developed and maintained for recreation or conservation purposes. Open space shall not include those portions of a lot that are utilized for off-street parking or loading, driveway or building purposes. This area of the lot shall be used in the calculation of open space to meet the percentage of the lot area or square feet per dwelling unit requirement as specified in various use districts.

In general, when the Board identifies the portion of a site that shall remain as open space, such open space should serve one or more of the following functions:

- a) Natural Resource Protection, such as habitat protection for plants and animals, streambelt or riparian corridor protection, shorefront protection, or the provision of greenbelt linkages, forest land, agricultural land and fisheries;
- b) Outdoor Recreation, including parks, playgrounds, beaches, and trails for active recreation, and nature preserves for passive recreational uses, serenity and sites that contribute to quiet experiences;
- c) Protection of Public Health and Safety, such as floodplains, inland and tidal wetlands, unbuildable areas or areas with limitations for development including steep slopes, high water table or shallow depth of bedrock;
- d) Promotion and Maintenance of Community Character, such as the development of greenbelts, open space dedication related to development, scenic vistas, and appropriate buffer strips;
- e) Protection of Historic or Archeological Sites, such as the North Street Green, the Town Green, historic districts and historic structures and grounds;
- f) Environmental Education, including school-based and citizen-based programs to advance the knowledge of the natural environment and Milford's cultural heritage.

ORGANIZATION, CHARITABLE - A non-profit organization that is supported primarily by charity and whose principal function is the performance of charitable works or religious activities.

ORGANIZATION, FRATERNAL – A group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings and formal written membership requirements.

ORGANIZATION, PRIVATE NON-PROFIT - Any person(s), partnership, association, corporation or other group whose activities are conducted for civic, or humanitarian motives, or for the benefit of others, and not for the gain of any private individual or group and may include, but shall not be limited to, patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, cultural, charitable, scientific, historical, athletic, or medical activities.

OUTDOOR CUSTOMER DINING AREA - An outdoor area of designated size used as a seating area with tables and chairs for the contiguous restaurant. This seating may be in addition to the indoor seating or it may be the only seating available for the restaurant.

OUTDOOR LIGHT FIXTURE - An electronically powered illuminating device containing a total light source of more than 1800 initial lumens per fixture (this is greater than a single 100 watt incandescent lamp, or two 75 watt reflectorized bulbs), which is permanently installed outdoors, including but not limited to devices used to illuminate any site, architectural structure, or sign.

PARCEL - Any legally described piece of land of any size that may or may not be subdivided or improved.

PARKING LOT - A area other than a street used for the parking of registered vehicles.

PASSIVE SOLAR ENERGY TECHNIQUES - Site design techniques which maximize solar heat gain, minimize heat loss and provide thermal storage within a building during the heating season and minimize heat gain and provide for natural ventilation during the cooling season. The site design techniques shall include, but not be limited to: (1) house orientation; (2) street and lot layout; (3) vegetation; (4) natural and man-made topographical features; and (5) protection of solar access within the development.

PENNANT - Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in a series, designed to move in the wind.

PLACE OF PUBLIC ASSEMBLY - An outdoor area, building or portion of a building specifically identified and used for gathering together 50 or more persons for such

purposes as deliberation, worship, entertainment, eating, drinking, amusement or awaiting transportation.

PREMISES - A lot, plot or parcel of land including the buildings or structures thereon.

PUBLIC CHARITABLE INSTITUTION - Any partnership, association, corporation or other group whose activities are conducted for selfless, civic, or humanitarian motives, or for the benefit of others, and not for the gain of any private individual or group, and for which said institution receives financial support from a governmental entity or other public organization. Such institution may include, but shall not be limited to, patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, cultural, charitable, scientific, historical, athletic, or medical activities.

RECREATIONAL VEHICLE - See Vehicle, Recreation.

REGIONAL SHOPPING MALL - A planned commercial development consisting of a building or group of buildings for retail purposes and related activity containing at least (a) two department stores of not less than 100,000 sq. ft. each with an enclosed mall and (b) 800,000 sq. ft. of Gross Buildable Area.

REGULATORY FLOOD - A flood which is representative of large floods known to have occurred generally in the area and is reasonably characteristic of what can be expected to occur. The regulatory flood generally has a flood frequency of approximately 100 years as determined from analyses of floods or other waterbodies and watercourses in the same general region.

REGULATORY FLOOD PROTECTION ELEVATION - The level to which buildings, structures and uses controlled by these regulations are required to be flood-proofed. In the absence of specifically established regulatory flood protection elevation, such level shall be deemed to be 10 feet above mean sea level.

RELIGIOUS INSTITUTION - A church or place of worship or religious assembly with related facilities such as the following in any combination: rectory or convent; meeting hall, offices for administration of the institution, licensed child or adult daycare, playground, cemetery.

RESTAURANT - A business establishment open to the general public for the principal purpose of preparing and serving food for consumption primarily on the premises. A type of eating place. (See definition of "EATING PLACE")

RESTAURANT, FAST FOOD – Restaurants where most customers order and are served their food at a counter or in a motor vehicle in packages prepared to leave the premises, or able to be taken to a table or counter to be consumed.

RETAIL - The buying or selling of goods or merchandise directly to the consumer for their personal consumption or use.

RIGHT-OF-WAY - An area of land not on a lot that is dedicated for public or private use to accommodate a transportation system for allowing the free passage of people and goods. Right-of-ways include, but are not limited to, highways, streets, roads, private roads, rail lines, and sidewalks.

RIVERINE - Means relating to, formed by, or resembling a river, including tributaries, streams, brooks, etc.

ROOF, GABLE - A double sloping roof with a ridge and gables at each end.

ROOF, GAMBREL - A gable roof with two slopes on each side, and the lower slope being steeper.

ROOF, HIP - A roof having sloping ends as well as sloping sides.

ROOF RIDGE - The line of the junction of two roof surfaces sloping upwards toward each other.

ROOMING UNIT - A building or portion thereof providing a single housekeeping unit with living and sleeping facilities, but excluding cooking and eating facilities.

SAND DUNES - Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

SCHOOL, BUSINESS - Any business or school operated for the compensation or gain of its owner or operator, where students or enrollees are assembled for the purpose of instruction in business-related skills including, but not limited to, the teaching of shorthand, typing, bookkeeping, office skills, accounting, computer services and language skills.

SCHOOL, COMMERCIAL - Any business or school operated for the compensation or gain of its owner or operator, where students or enrollees are assembled for the purpose of instruction and generally confined to one area of interest, such as bartending, beauty culture, dancing, or sewing.

SCHOOL, PAROCHIAL - A private school maintained by a religious body or organization for the purpose of elementary and/or secondary instruction.

SCHOOL, PRIVATE - A school that is established, conducted, and primarily supported by a nongovernmental agency or organization.

SCHOOL, PRIVATE NON-PROFIT - Any private educational facility owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

SCHOOL, PUBLIC - Any educational facility owned and operated by a governmental entity.

SCHOOL, VOCATIONAL OR TRAINING - A specialized instructional establishment that provides on-site training of one or more trade skills and/or skills with commercial or business applications, such as computer repair, computer software and hardware applications, welding, carpentry and office administration. Incidental instructional services in conjunction with another principle use shall not be considered a vocational or training school.

SCREENING - A method of visually shielding or obscuring one abutting nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

SEASONAL HIGH WATER LEVEL - The extreme height of water measured and recorded during any given season of the year, usually occurring during the spring.

SEDIMENT - Means solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

SETBACK - The horizontal distance from any street or lot line to any building, structure or use, measured in a straight line from and perpendicular to such street or lot line.

SIGN - Any device used for visual communication intended to attract the attention of the public and visible to the public right-of-way or other properties.

SIGN, A-FRAME - A temporary, double-faced sandwich board sign that is not permanently fixed and is used for advertising purposes including any type of graphics, lettering and other content intended to identify the place of business.

SIGN, ANIMATED - Any sign or source of light or part thereof which flashes, rotates, moves or in any way simulates motion.

SIGN, AREA - The number of square feet contained within a single continuous perimeter enclosing the extreme limits of the actual sign surface. Structural members and supports required by Building Codes and not bearing advertising matter and not forming an integral part of the display shall be excluded from the sign area. The allowable area of a double-face sign shall be computed on one side only.

SIGN, BANNER - A sign having characters, letters or illustrations applied to cloth, paper, flexible plastic or fabric of any kind, with only such material for backing.

SIGN, COMMERCIAL ADVERTISING OR OFF-PREMISES - Any sign owned or operated by any person, firm or corporation engaged in the business of outdoor advertising for compensation for the use of such signs.

SIGN, DIRECTIONAL - A sign intended to direct the way to a place or activity or to point toward a place of activity.

SIGN, DOUBLE-FACE - A sign containing the same advertisement on both sides of the supporting structure.

SIGN, ELECTRONIC MESSAGE - A sign with a fixed or changing display or message composed of a series of lights that may be changed through electronic means.

SIGN, FLASHING - Any sign, the illumination of which is not kept constant in intensity at all times, and/or which exhibits sudden or marked changes in such light intensity or color effects.

SIGN, GROUND OR FREESTANDING - A sign supported by one or more uprights or braces in or above the ground.

SIGN, HEIGHT OF - The vertical distance between the curb level and the top of a sign.

SIGN, ILLUMINATED - A sign which is illuminated by either internal or external lighting devices or sources.

SIGN, INDIRECTLY ILLUMINATED - A sign which is illuminated by either external lighting devices or sources.

SIGN, ON-PREMISE - A sign advertising a use conducted on the premises where the sign is located.

SIGNS, NUMBER OF - For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

SIGNS, OFF-PREMISE - A sign advertising a use not conducted on the premises or a product not sold on the premises where the sign is located.

SIGN, POLITICAL - A sign identifying and urging voter support for a particular election issue, political party, or candidate for public office.

SIGN, PROJECTING - A sign which is affixed to an exterior wall of any building and extending more than 15 inches beyond the building walls or parts thereof.

SIGN, ROOF - A sign attached to a building and erected upon the roof or extending above the roof line, eaves, parapet of such building.

SIGN, TEMPORARY - Any sign not intended for permanent display.

SIGN, WALL - A sign which is affixed to the exterior walls of any building and projecting not more than 15 inches from the building wall or parts thereof. Wall signs shall also include illuminated signs erected inside window display area of a building.

SINGLE FAMILY ATTACHED DWELLING - A one family residence of which one straight side only is common to its immediate adjoining residence. The straight wall common to each residence may be subject to a property line which will become a boundary line which coincides with the exact center of the wall common to both residences. Such common boundary shall be perpendicular to the street line. No single family attached residence shall be attached to more than one other residence.

SOIL - Means any unconsolidated mineral or organic material of any origin.

SOIL EROSION & SEDIMENT CONTROL PLAN - Means a scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative, but excluding cellars, between any floor and floor above or in its absence, the ceiling or roof above, notwithstanding the foregoing cellars as defined in the case of earth sheltered dwellings (as defined) shall be counted as stories.

SPECIAL EXCEPTION - A use that would not be appropriate generally or without restrictions throughout a given zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning district as special exceptions, if specific provisions for such special exceptions are made in this ordinance.

SPECIAL FLOOD HAZARD AREA (SFHA) – The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. SFHAs include, but are not necessarily

limited to, the land shown as Zones A and AE and the Coastal High Hazard Areas shown as Zone VE on a FIRM. The SFHA is also called the Area of Special Flood Hazard.

SPECIAL PERMIT - Authorization by the Planning and Zoning Commission for a particular land use in a zoning district in which such use is not permitted as of right. Such authorization may include specific conditions that must be satisfied in order for the land use in question to receive a Special Permit.

START OF CONSTRUCTION - see CONSTRUCTION START OF.

STORY - That part of a building, including basements, but excluding cellars, between any floor and floor above or in its absence, the ceiling or roof above, notwithstanding the foregoing cellars as defined in the case of earth sheltered dwellings (as defined) shall be counted as stories.

STREAMER, ADVERTISING - Any long, narrow, wavy strip of cloth, paper, flexible plastic or fabric of any kind attached to a building, vehicle or other property fixture along only one side of its length or width, and having characters, letters or illustrations applied to it for the purposes of attracting public attention to a commercial enterprise or event.

STREET - Any right-of-way used for streets, roads, highways, avenues, boulevards, lanes or other vehicular access ways.

STREET, PRIVATE - Any street other than a public street.

STREET LINE - The dividing property line between the street and lot.

STREETSCAPE - The visual image of a street, including the combination of buildings, parking, signs, street trees and landscaping, and other hardscape and street furniture.

STRUCTURE - Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground. Except as otherwise indicated, "structure" as used in these regulations shall be deemed to include buildings, swimming pools, open entries, signs, and fences or walls more than three feet in height other than retaining walls. For floodplain management purposes, a walled and roofed building which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

STRUCTURAL ALTERATION - Any change in or addition to the structural or supporting members of a building, such as bearing walls, columns, beams or girders.

SUBSTANTIAL DAMAGE- Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before damage occurred.

SWIMMING POOL - Any "swimming pool" as defined and regulated in "The Public Health Code of the State of Connecticut" and/or Building Code.

TAVERN - An establishment where the retail sale of beer, cider not exceeding six percent of alcohol by volume, and/or wine to be consumed on the premises occurs, either with or without the sale of food.

TERRACE - A structure not more than 18 inches in height above average grade on any side and located on the ground with no structural supports other than subsurface base material.

TRAILER COACHES - A vehicle with or without motive power designed to be self-propelled or to be drawn by a motor vehicle and to be used for human habitation or for the carrying of a person. Includes mobile homes.

TRAILER PARK - A lot on which there is located or intended to be located two or more trailer coaches occupied for living purposes.

TRAILER, TEMPORARY – A temporary portable unit for office or construction-related use that is designed to be transported, after fabrication, on its own wheels or on a flatbed or other trailer, or have detachable wheels.

UPLIGHTING – Any light source that distributes illumination above a 90 degree horizontal plane.

USE - The specific purpose for which a lot or a building is designed, arranged, intended to be used, or for which it is or may be occupied or maintained. The terms permitted use, special use, or its equivalent shall not be deemed to include a non-conforming use, as defined herewith.

USABLE OPEN SPACE - The portion of the ground space on the same lot and contiguous to the principal building which is either landscaped, or developed and maintained for recreation or conservation purposes. Usable open space shall not include those portions of a lot that are utilized for off-street parking or loading, driveway or building purposes.

USE, ACCESSORY - A use of land, buildings or structures which is clearly incidental to, and customarily in connection with, and located on the same lot with the principal building or use.

USE, PERMITTED - A use permitted in a zoning district without the need for special administrative review and approval, upon satisfaction of the standards and requirements of these Zoning Regulations.

VARIANCE (FLOOD HAZARD REGULATIONS) – A grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.

VEHICLE - Any motor vehicle as defined by the General Statutes of the State of Connecticut, as amended.

VEHICLE DEALERSHIP - A commercial garage or lot primarily used for merchandising vehicles.

VEHICLE, RECREATION - Recreation Vehicle is any towed or self-propelled residence, coach, trailer, truck body converted for residential occupancy primarily designed or utilized for seasonal and/or vacation use. For floodplain management purposes, a recreational vehicle is any vehicle which is: (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

VERNAL POOL - A watercourse consisting of a confined basin depression which contains a small body of standing water usually drying out for part of the year during warm weather. It can be natural or man-made and usually lacks a permanent outlet or any fish population. Further, the occurrence of one or more of the obligate species which include the fairy shrimp, spotted salamander, Jefferson salamander, marbled salamander, wood frog and eastern spadefoot toad are necessary to conclusively define a vernal pool.

VIOLATION (FLOOD HAZARD REGULATIONS) – Failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION - The height, in relation to the North American Vertical Datum (NAVD) of 1988 or other datum where specified, of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

WETLANDS - Any wetland as defined by State Statutes.

WHOLESALE - The buying or selling of goods or merchandise in bulk or large quantities to those actively involved in the trades for the purposes of resale of said goods or merchandise directly to the consumer for their use.

YARD, FRONT - An open, unoccupied space extending across the full width of the lot between the front wall of the principal building and the street line. The depth of the required front yard shall be measured horizontally from and perpendicular to the nearest point of the front lot line toward the nearest part of the building on the lot.

YARD, SIDE - An open, unoccupied space between a principal building and the side lot line extending from the front yard, to the rear yard. The width of the required side yard shall be measured horizontally from and perpendicular to the nearest point of the side lot line toward the nearest part of the principal building on the lot.

YARD, REAR - An open, unoccupied space extending across the full width of the lot between the most rear principal building and the rear lot line. The depth of the required rear yard shall be measured horizontally from and perpendicular to the nearest part of the rear lot line toward the nearest part of the principal building on the lot. (See also Lot line, Rear).

ZONING ENFORCEMENT OFFICER - An individual duly appointed by the City with the authority and responsibility to enforce the provisions of the Zoning Regulations of the City of Milford.

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ARTICLE XII VALIDITY, REPEALER AND EFFECTIVE DATE

SECTION 12.1 VALIDITY

If any Article, Section, or provision of these Regulations shall be adjudged invalid, such adjudication shall apply only to the provision so adjudged invalid, and the rest and remainder of these Regulations, as they shall not or hereafter exist, shall be deemed to be valid and effective.

SECTION 12.2 REPEALER

All zoning regulations previously adopted for the City of Milford, are hereby repealed.

SECTION 12.3 EFFECTIVE DATE

These Regulations shall become effective, as provided by law, upon enactment by the Planning and Zoning Board of the City of Milford, Connecticut.

Date of Adoption: December 2, 2003

Effective Date January 2, 2004

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APPENDIX A - CORRIDOR DESIGN DEVELOPMENT DISTRICT 2 – DEVON CENTER-NAUGATUCK AVENUE DESIGN GUIDELINES

Purpose: The purpose of these design regulations is to foster good urban design in the Devon Center-Naugatuck Avenue area of Milford, and protect the health, safety and welfare of the residents of Milford by creating an inviting, pedestrian-oriented atmosphere throughout Devon Center.

General Guidelines

- 1) Primary entrances to non-accessory buildings must be oriented toward the sidewalk and street.
- 2) The building street wall must provide significant modulation in horizontal and vertical rhythms that facilitates a lively relationship between materials, light, shadow, texture, and solids and voids. Such modulation may include, but is not limited to: windows; doors; building bulb-outs; building recesses; façade materials; and specific architectural elements such as columns, cornices, sills, distinct bands between floors, and other ornamentation. As a general rule, building modulations should occur at least every 25 to 30 feet of street wall length.
- 3) Buildings shall have a significant level of transparency along the ground floor fronting on any sidewalk or street. In general, 50% or more of the ground floor façade should be comprised of windows, doors, or other transparent elements that are subdivided appropriately, where practical.
- 4) Mechanical equipment located outside of a building must be screened from view on all sides in a manner that is architecturally consistent and integrative with the associated building.
- 5) Roof treatments shall be harmonious with the built form of the surrounding area. Cornices, roof terraces and other architectural elements that aid in visually terminating the roofline of a building are strongly encouraged.
- 6) Bay windows, balconies, and other functional or ornamental architectural elements may project a maximum of three (3) feet beyond the front property line, provided that the base of the projection is a minimum of fourteen (14) feet above the ground. Awnings must be professionally manufactured and mounted. They must be well maintained, and the awning frame must be located no lower than seven feet six inches (7'6") above the

ground. Bright colors are acceptable, but gaudy or loud patterns on awnings are not allowed.

7) The colors of façade materials of a building should generally coordinate with, but not necessarily match, the colors used in other building facades along the same block. Unusual, bright, or contrasting colors should be limited to the details of a building façade.

8) Surface parking lots adjacent to a street must have a low screening wall, hedgerow or similarly opaque feature of three to four feet in height along the length of the parking lot boundary line facing the public right-of-way and a four foot-wide landscaped buffer strip between the parking area and the back of the sidewalk. Acceptable materials for a screening wall include decorative concrete, stone, brick or ornamental ironwork. The wall, hedgerow or other feature may be open in places to allow free movement of pedestrians into, through and out of the parking area. The general overall design of any screening wall should compliment the surrounding building architecture.

9) Curb cuts for surface parking lots are limited to a maximum of twelve (12) feet in width for one-way access and twenty-five (25) feet in width for two-way access, with two curb cuts allowed per surface parking lot, provided that they are a minimum of 50 feet, edge to edge, from one another.

10) All signage shall be well-crafted and maintained, professionally made and securely and appropriately attached to buildings. Flashing signs, roof signs, free-standing signs and excessively large projecting signs that interrupt the visual continuity and harmony of the street are not permitted. Projecting signs and banners attached to building façades should be placed no lower than twelve (12) feet above grade. Signage should be at a scale that does not overwhelm the building to which it is attached. Signs should also be tastefully integrated into the overall design of a building.

APPENDIX B - MILFORD CENTER DESIGN DEVELOPMENT DISTRICT – DESIGN GUIDELINES

Purpose: The purpose of these design regulations is to promote and protect the unique architectural and design qualities of Milford Center, to foster good urban design within the Milford Center Design Development District, and protect the health, safety and welfare of the residents of Milford by creating an inviting pedestrian-oriented atmosphere throughout Downtown Milford.

Subdistrict Designations: Different parts of Milford Center require separate and distinct design considerations due to variations in land use and building typology. Therefore, for the purposes of this section, the Milford Center Design Development District is further broken down into the following six subareas.

**Civic Center Subdistrict
Medical Center Subdistrict
River Street Corridor Subdistrict
Adaptive Reuse Subdistrict
Commercial Core Subdistrict
Transition Area Subdistrict**

General Guidelines for All Subdistricts

Building Placement

1. The placement of buildings directly against the back of the sidewalk is strongly encouraged. Buildings may be set back from the sidewalk a maximum distance equal to the average front yard setback as measured at 100 feet in either direction.
2. Primary entrances to non-accessory buildings must be oriented toward the sidewalk and street.

Building Articulation

1. The building street wall must provide significant modulation in horizontal and vertical rhythms that facilitates a lively relationship between materials, light, shadow, texture, and solids and voids. Such modulation may include, but is not limited to: windows; doors; building bulb-outs; building recesses; façade materials; and specific architectural elements such as columns, cornices, sills, distinct bands between floors, and other ornamentation. As a general rule,

building modulations should occur at least every 25 to 30 feet of street wall length.

2. Buildings shall have a significant level of transparency along the ground floor fronting on any sidewalk or street. In general, 50% or more of the ground floor façade should be comprised of windows, doors, or other transparent elements that are subdivided appropriately, where practical.
3. Mechanical equipment located outside of a building must be screened from view on all sides in a manner that is architecturally consistent and integrative with the associated building.
4. Roof treatments shall be harmonious with the built form of the surrounding area. Cornices, roof terraces and other architectural elements that aid in visually terminating the roofline of a building are strongly encouraged.
5. Corner entry architecture must be designed in a manner that visually enlivens the intersection upon which it faces and enhances the pedestrian flow around the building. Additional architectural elements such as distinctive round or angled corners entrances, towers and other unique corner roof treatments, and archways and colonnades are encouraged.
6. Bay windows, balconies, and other functional or ornamental architectural elements may project a maximum of three (3) feet beyond the front property line, provided that the base of the projection is a minimum of fourteen (14) feet above the ground. Awnings must be professionally manufactured and mounted. They must be well maintained, and the awning frame must be located no lower than seven feet six inches (7'6") above the ground. Bright colors are acceptable, but gaudy or loud patterns on awnings are not allowed.

Façade Design

1. Façade materials for buildings within the Commercial Core subdistrict should reflect the preponderance of material types used in Downtown Milford. The use of brick, stone and wood in building facades is strongly encouraged. Other materials may be utilized if they produce a level of detailing and quality of construction consistent with the building facades of Downtown Milford.
2. The colors of façade materials of a building should generally coordinate with, but not necessarily match, the colors used in other building facades along the same block. Unusual, bright, or contrasting colors should be limited to the details of a building façade.

Surface Parking

1. Surface parking lots adjacent to a street must have a low screening wall, hedgerow or similarly opaque feature of three to four feet in height along the length of the parking lot boundary line facing public right-of-way and a four foot-wide landscaped buffer strip between the parking area and the back of the sidewalk. Acceptable materials for a screening wall include decorative concrete, stone, brick or ornamental ironwork. The wall, hedgerow or other feature may be open in places to allow free movement of pedestrians into, through and out of the parking area. The general overall design of a screening wall should complement the surrounding building architecture.
2. For every one parking space, ten (10) square feet of interior landscaping must be provided in the surface lot.
3. Surface parking lots should be located to the rear of buildings.
4. Curb cuts for surface parking lots are limited to a maximum of twelve (12) feet in width for one-way access and twenty-five (25) feet in width for two-way access, with two curb cuts allowed per surface parking lot, provided that they are a minimum of 75 feet, centerline to centerline, from one another. A curb cut may be placed directly next to an existing curb cut on an adjacent parcel.

Additions to and Renovations of Existing Buildings

New additions to existing buildings should be harmonious with the built form of the surrounding area. Construction of additions should seek to minimize the loss of historic materials on exterior walls. The building finish used for the addition should be similar to the existing structure in material, quality, color and dimension. If an addition will have too overwhelming an impact upon the architecture and/or the historic qualities of an existing building, visual separation of the addition and the existing structure should be employed to protect the nature of the building.

The scale of an addition should be at a scale compatible with the existing building. Damaged or deteriorated significant architectural features should be repaired rather than replaced. If replacement is necessary, the new material should match the material being replaced.

Faux historic treatments for additions are discouraged. The architecture of additions should complement the existing character while still remaining a product of their own time period.

Signage

General

1. All signage shall be well-crafted and maintained, professionally made and securely and appropriately attached to buildings.
2. Flashing signs, roof signs, and excessively large projecting signs that interrupt the visual continuity and harmony of the street are not permitted.
3. Projecting signs and banners attached to building façades should be placed no lower than twelve (12) feet above grade.
4. Signage should be at a scale that does not overwhelm the building to which it is attached. Signs should also be tastefully integrated into the overall design of a building.

Specific

In a single tenant building, the sole business shall have one primary identification sign for each street-facing building façade. The area of each sign shall not exceed 5% of the total area of the building façade upon which it is attached, and must comply with the following dimensional requirements.

- Height of Sign: A maximum of 15% of the building façade height, as measured from grade to the roof line.
- Length of Sign: A maximum of 75% of the building façade length.

A multiple tenant building, in addition to the primary identification sign permitted above, may have one additional sign for each additional business, not to exceed ten (10) square feet in area each, to identify the location of said business or businesses. Additional tenant signs must comply with the following dimensional requirements.

Height of Sign: A maximum of seven (7) feet.

Length of Sign: A maximum of seven (7) feet.

Window Signs: The total square footage of all window signs shall not exceed 25% of the total window display area.

Aggregate Signage Area: The total aggregate square footage of all building signage, including window signs, viewable from outside of a building for each façade of a building visible from a public street or way, or parking area, shall not exceed 15% of the total area of said façade.

Buffers

A buffer strip of a minimum of 10 feet shall be provided and maintained by the owner of non-residential, mixed use and multi-family parcels when such parcels abut a residential use property.

URBAN DESIGN PRINCIPLES FOR SUBDISTRICTS

Civic Center Subdistrict

1. New buildings must be in keeping with the overall civic architecture of the Government Center area.
2. Axial site designs that effectively integrate new buildings with existing ones, promote pedestrian circulation, and tie open space into their design are encouraged.
3. Highly ornamental architectural elements, such as statues, bas reliefs, columns and colonnades, scrollwork, archways, towers, parapets, and domes are encouraged.
4. Stone and brick should be the primary materials for building façades.

Commercial Core Subdistrict

1. New buildings should reflect and respect the high-density, compact development form of Downtown Milford's prime commercial area. Buildings should generally be constructed to the sidewalk line, and side alleys accessible to the public are encouraged for use as additional commercial frontage. A minimum of two stories should be mandated.
2. The renovation of existing façades should be a high priority, as should the improvement of signage and window displays.
3. The buffering and landscape requirements for the Commercial Core subdistrict, particularly along the southern edge of the area, should enhance the aesthetics of the commercial core while providing ample separation between the commercial uses of the subdistrict and the residential area to the south.

Adaptive Reuse Subdistrict

1. Reuse of existing residential structures for commercial purposes must not diminish the unique residential architectural qualities of these structures. Additions to these structures must reflect the residential nature of the existing building in scale, material, and design.
2. Front yards may not be removed, built upon, or used for parking.
3. All new buildings must provide and maintain a landscaped front yard similar in design to other front yards within the subdistrict and be setback a similar distance from the street. A low wooden fence, painted to match the color of the new building, should be provided along the back of the sidewalk.

4. Signage must be small and be compatible with the architectural style of the building.

Medical Center Subdistrict

1. Residential structures within the Medical Center subdistrict that are converted to medical office use should retain their residential architectural features despite the change in use. Any additions built onto these structures should reflect the residential nature of the existing building in scale, material, and design.
2. New medical buildings should provide visual stimulation and pedestrian circulation that relates to sidewalks and streets.

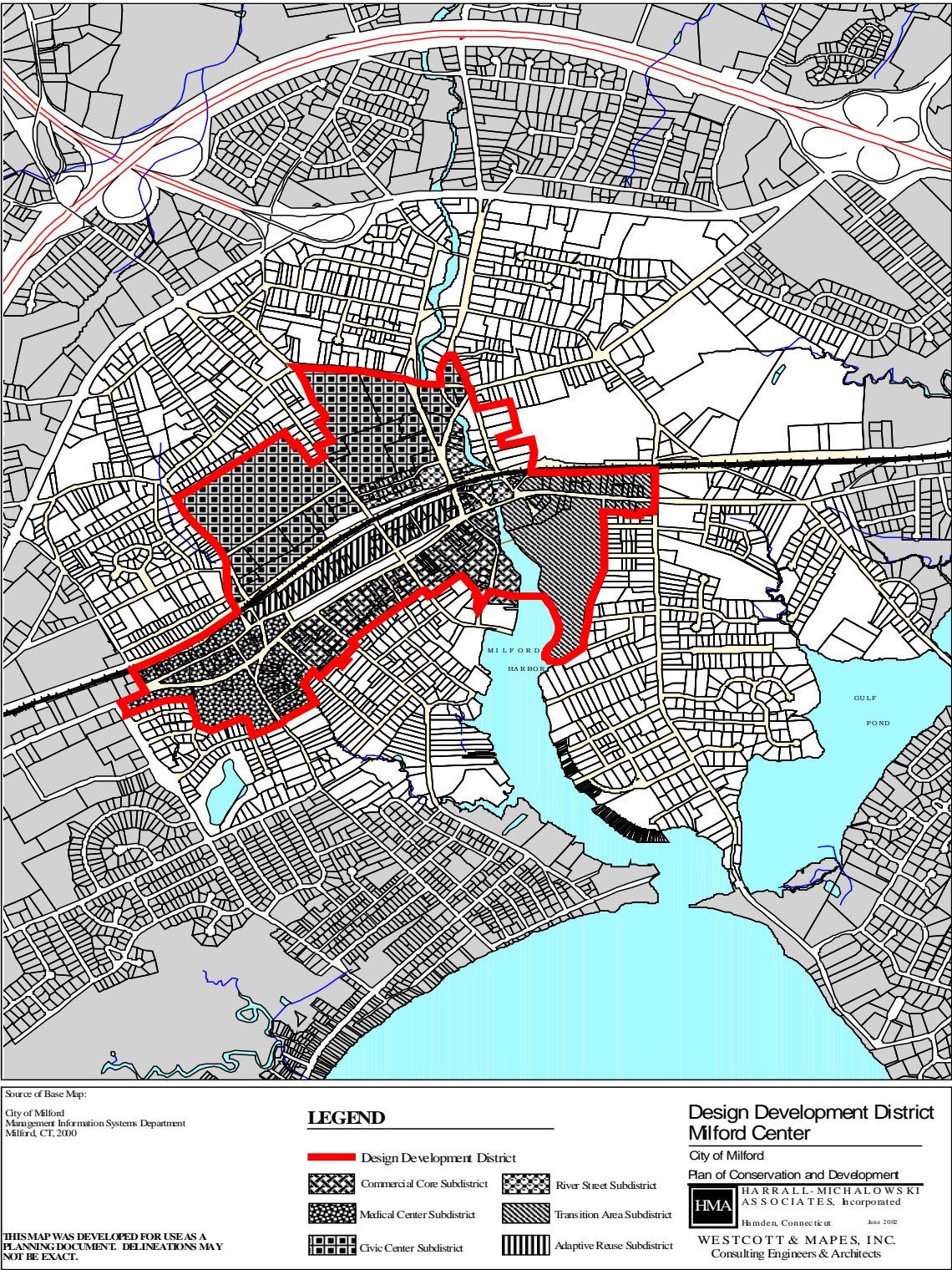
River Street Subdistrict

1. Buildings along River Street should have at least two stories with retail frontages and be built to the sidewalk line.
2. Buildings should be designed in such a way as to capitalize upon the potential Riverwalk linear park connection between the harbor and Government Center.
3. Excessive curb cuts should be prevented and parking areas more suitably integrated with the built form.

Transition Area Subdistrict

1. Buildings along New Haven Avenue should complement the density and design of the downtown core while providing a smooth built form transition from the high-density commercial core to the less intense uses to the south and east.
2. Minimal setbacks and quality façade designs should be high priorities.

Diagram 5: Milford Center Design Development District Map



APPENDIX C - ADDITIONAL DIAGRAMS

Diagram 6: Architectural Element Types

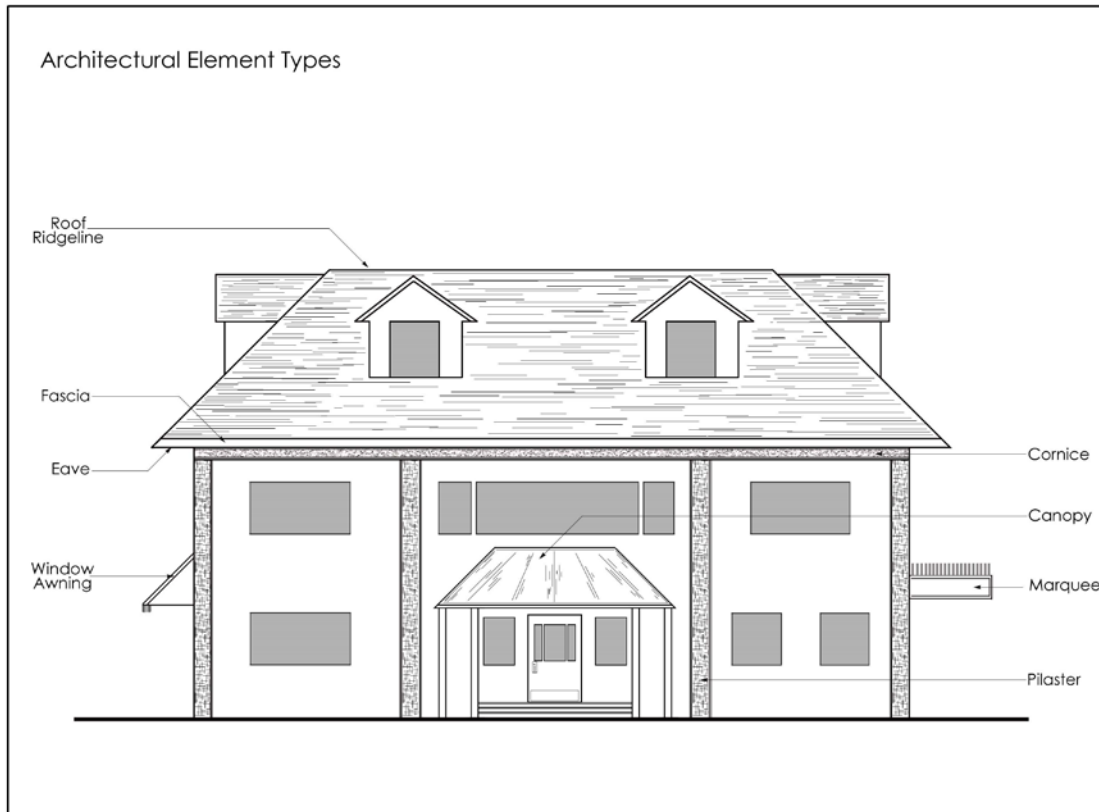
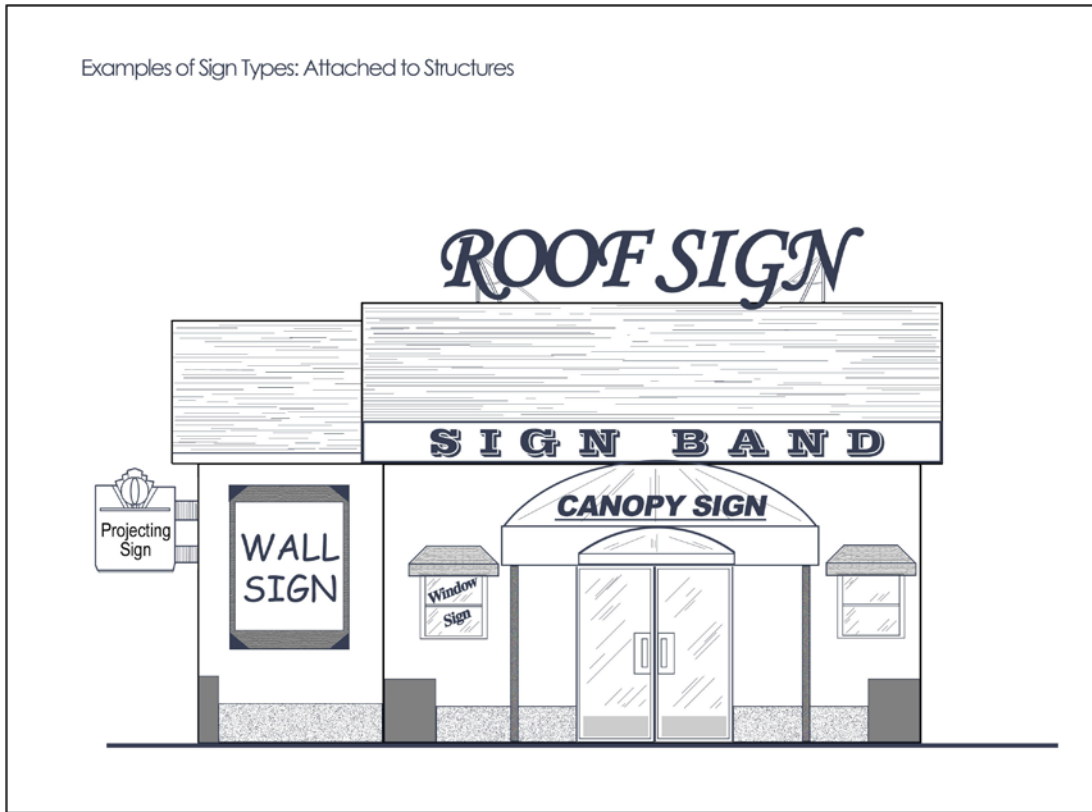


Diagram 7: Examples of Sign Types: Attached to Structures



Note: For reference only: Certain sign types may not be permitted under Milford Zoning Regulations

Diagram 8: Setback versus Buffer

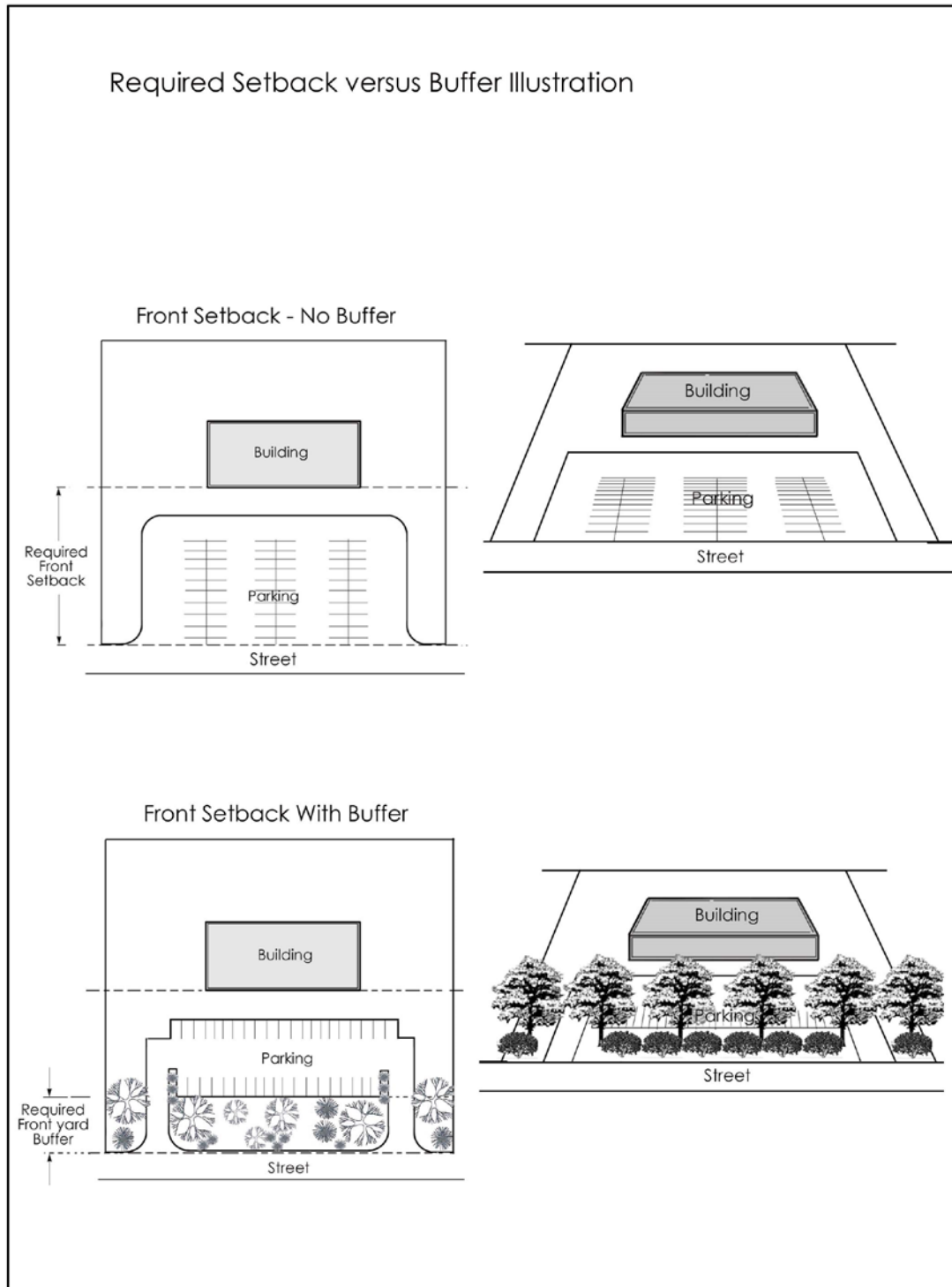


Diagram 9: Roof Types

