

RECEIVED

2022 SEP -8 P 3: 24
J. J. Aust
HEBRON TOWN CLERK

PLANNING AND ZONING COMMISSION
AGENDA
REGULAR MEETING / WORKSHOP - VIRTUAL
September 13, 2022, 7:00 P.M.

Planning and Zoning Commission
Tue, Sep 13, 2022 7:00 PM - 10:00 PM (EDT)

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REGULAR MEETING

I. Call to Order / Roll Call

II. Approval of Minutes August 23, 2022 Public Hearing
August 23, 2022 Regular Meeting

III. Recognition of Guests

IV. Action on Pending Applications

V. New Business

A. New Application:

1. **Petition 2022-8** – Petition of the Hebron Planning and Zoning Commission to amend the Hebron Zoning Regulations pertaining to the definition of Affordable Housing and opportunities for the Commission to provide relief of certain provisions of the PRD Zone when affordable housing is proposed. Application to amend Sections 2.F.4.3.2, 2.F.4.4, 2.F.4.5.1.e, 2.F.4.5.3.1, 2.F.4.5.3 c and d, 2.F.4.7.4 and Section 9.C.

B. Set Public Hearing Date:

1. **Petition 2022-8** – Petition of the Hebron Planning and Zoning Commission to amend the Hebron Zoning Regulations pertaining to the definition of Affordable Housing and opportunities for the Commission to provide relief of certain provisions of the PRD Zone when affordable housing is proposed. Application to amend Sections 2.F.4.3.2, 2.F.4.4, 2.F.4.5.1.e, 2.F.4.5.3.1, 2.F.4.5.3 c and d, 2.F.4.7.4 and Section 9.C.

PLANNING AND ZONING COMMISSION
AGENDA (cont.)
REGULAR MEETING / WORKSHOP – VIRTUAL
September 13, 2022, 7:00 P.M.

C. Additional New/Revisited Business:

1. Request for Designation of Kinney Road as a Scenic Road pursuant to the authority of General Statutes Section 7-149a and Hebron Code of Ordinances Chapter 313 Streets and Sidewalks.
2. Endorsement of CT DEEP Open Space and Watershed Land Acquisition Grant Application for O'Connor Property
3. Workshop discussion - Plan of Conservation and Development update
 - Review of Conservation Section Draft
 - Introduction to Development Section Draft (Time Permitting)

VI. Correspondence

VII. Adjournment

Next Meetings: September 27, 2022 Public Info Session – POCD Conservation Section
October 11, 2022 Public Hearing / Regular Meeting



Planning Department Town of Hebron, CT

Memo

To: Planning and Zoning Commission
From: Matthew R. Bordeaux, Town Planner
Date: 9/8/2022
Re: Planner's Report on 9/13/2022 Meeting Agenda

New Applications:

Petition 2022-8 – Petition of the Hebron Planning and Zoning Commission to amend the Hebron Zoning Regulations pertaining to the definition of Affordable Housing and opportunities for the Commission to provide relief of certain provisions of the PRD Zone when affordable housing is proposed. Application to amend Sections 2.F.4.3.2, 2.F.4.4, 2.F.4.5.1.e, 2.F.4.5.3.1, 2.F.4.5.3 c and d, 2.F.4.7.4 and Section 9.C.

Following several discussions, the Commission has recommended that staff prepare an application to amend sections of the Hebron Zoning Regulations to allow more opportunities to develop affordable housing the PRD Zone and bring the definition of affordable housing in line with the State's. While most of the proposed amendments are limited to the PRD Zone and will not impact properties within 500' of an abutting municipality, the proposed revision of the definition of affordable housing will apply to the regulation of property townwide and referrals in accordance with State Statutes are required. The referral process may take up to 30 days. The Commission could consider the October 11, 2022 meeting to schedule a public hearing for this petition.

Additional New Business:

Request for Designation of Kinney Road as a Scenic Road pursuant to the authority of General Statutes Section 7-149a and Hebron Code of Ordinances Chapter 313 Streets and Sidewalks.

The Commission has received a request to designate Kinney Road a Scenic Road in accordance with the "Scenic Road Ordinance" Chapter 313 of the Hebron Code of Ordinances. This is just the second request to designate a local scenic road in Hebron since Burrows Hill Road was designated in 2001. A memo containing additional information is attached.

Endorsement of CT DEEP Open Space and Watershed Land Acquisition Grant Application for O'Connor Property

The Hebron Open Space Land Acquisition Committee is requesting the Planning and Zoning Commission's support for a State DEEP Open Space and Watershed Land Acquisition Grant application. The project proposes to acquire three (3) parcels of undeveloped land totaling approximately 115 acres west of Jones Street, between Hoadly Road and Chittenden Road. A memo containing additional information is attached.

Workshop Discussion – Plan of Conservation and Development update

Michael K. O'Leary will join the Commission to spend some time preparing for the Public Information Meeting on September 27, 2022. Mr. O'Leary has also prepared the first few Business Section of the POCD Draft. This material will help facilitate a constructive dialogue between the Planning and Zoning Commission and the Economic Development Commission at a joint workshop tentatively scheduled for the PZC's October 25, 2022 regular meeting.

MRB

H:\Matt\PZC\09-13\Planner's Report.docx

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PLANNING AND ZONING COMMISSION
AGENDA
PUBLIC HEARING - VIRTUAL
August 23, 2022, 7:00 P.M.

RECEIVED

2022 AUG 31 P 3:47
Carla J. Pomponi
HEBRON TOWN CLERK

Members Present: N. Wood, D. Sousa, F. Zitkus
Members Absent: D. Garner
Staff: M. Bordeaux-Town Planner
Public Guests: Lili Rhodes, Angela Lattanzi, Kevin Tulimieri, Dan Larson

PUBLIC HEARING

N. Wood called roll call and opened the public hearing at 7:04p.m. and read Petition 2022-4 into the record.

- I. **Petition 2022-4 - Petition of the Hebron Planning and Zoning Commission to amend the Hebron Zoning Regulations pertaining to Accessory Apartments, permit detached accessory apartments in compliance with new state requirements, and update associated use tables and definitions. Application filed under Section 2.G.7, Section 2.D.4, and Section 9.C of the Hebron Zoning Regulations. (Continued from June 14, 2022)**

LEGAL NOTICE

PLANNING AND ZONING COMMISSION
HEBRON, CONNECTICUT

The Hebron Planning and Zoning Commission will hold a Public Hearing at a Regular Meeting scheduled for Tuesday, August 23, 2022, at 7:00 P.M., to be held virtually through the GoToMeeting Platform, on the following:

Petition 2022-4 - Petition of the Hebron Planning and Zoning Commission to amend the Hebron Zoning Regulations pertaining to Accessory Apartments, permit detached accessory apartments in compliance with new state requirements, and update associated use tables and definitions. Application filed under Section 2.G.7, Section 2.D.4, and Section 9.C of the Hebron Zoning Regulations. (Public Hearing Continued from June 14, 2022)

Dated at Hebron, Connecticut, this 9th day of August, 2022.

Natalie Wood, Chair

N. Wood noted that this is not an opening of a new application but a continuation from June 14th, 2022.

M. Bordeaux updated the commission on the new piece of testimony provided by the WPCA in a letter as follows:

Town of Hebron
Water Pollution Control Authority
15 Gilead Street
Hebron, CT 06248
860-228-5971 7/08/2022

RE: Accessory Apartment Proposal

To the Members of the Planning & Zoning Commission:

The Town of Hebron, Water Pollution Control Authority (WPCA), opposes the Accessory Apartments proposal currently under review by the Hebron Planning & Zoning Commission.

The WPCA is concerned about the additional flows into the sewer system incurred by the accessory apartments. This will result in added cost to the WPCA that is not currently charged by the EDU rate, or metered. Further, there is the concern of lost revenue from connection fees not being assessed as is the requirement with any new user connecting to the sewer system.

In addition, there may be a conflict with Section 7-245 of the CSG. Since residences will be provided in separate residential structures and served by a privately owned sewer line, this would create a community sewerage system. A community sewerage system is any sewage system serving two or more residences in separate structures which is not connected to a municipal sewerage system, or which is connected to a municipal sewerage system as a distinct and separately managed district or segment of such system. This arrangement would require the property to have a developer's agreement in place.

If the Town chooses not to opt-out of the Accessory Apartment statute, the WPCA will need to revisit the rate structure to cover any loss in revenue. After another recent EDU rate increase, we feel that this would not be in the best interest of the residents of the Town of Hebron. Please consider these concerns in assessing the proposal for the Accessory Apartments. Respectfully,

Clara O'Brien
Chairperson, Town of Hebron, WPCA

N. Wood opened up the floor to comments/questions from the commission.

F. Zitkus reviewed the letter more closely pointing out that their main concern was additional costs to the town and inquired if prior research of other towns picked up the prevalence of detached units on properties that are serviced by sewer lines.

M. Bordeaux replied that there are limitations that would not be as significant a factor when you're on a public sewer system versus when you're on a private system. So, they'll likely need additional soil testing to determine whether or not the existing physical conditions can accommodate an increase in ways that would ultimately need to be renovated on site. There is a cost for the unlikely situation that you have a private waste disposal system that has been oversized, which is rarely the case. So, otherwise you'd be increasing the system in its capacity, so both those improvements are going to likely be a reality for anybody that's interested in adding an accessory dwelling or accessory apartment. When you're on a public system, the Greenhill treatment plant has the capacity for an increase in sewage disposal from our sewage district as well as the other communities that are going to be contributing. The costs there at a minimum include the connection to either the existing lateral that exists on the site of a single family home or a new connection to the sewer main itself, in which case the town would do the construction from the curb to the main. The statute does speak to limiting how these are collected by the WPCA the idea was to expand the opportunity for single family home owners to provide new living accommodations on site, and in order to incentivise that the public act was drafted to limit what would be the equivalent of a new single family home.

F. Zitkus brought up the point that there is an option to opt out so the Town of Hebron could make their own regulations on Detached accessory apartments and they could make a regulation which made ownership required, and not be tied to the states statutes provision.

D. Sousa responded that he was not in agreement with this idea because there is already a regulation for accessory apartments in town which requires homeowners occupy the principal dwelling unit and if they opt out, the state doesn't mandate that the House Bill 2129 that towns require home ownership.

F. Zitkus inquired about the proposed regulations and the possibility adding the wording "in respect to the WPCA" in section 2.G.7.2-Standards, number four, which reads, "The principal dwelling and the accessory apartment shall be subject to the approval by the Health District for use of private water and septic systems, or from the Town of Hebron Water Pollution Control Authority for connection into the public sewer system."

N. Wood opened the floor to questions/comments from the public in respect to Petition 2022-4:

Lili Rhodes-106 Slocum Rd., Hebron- Thanked the Planning and Zoning Commission for their careful review of this subject and commented that considering the percentage of land area in town that is served by the current private sewer system, relative to the acreage that's eligible for residential development in the rest of town, she would hope that they put a heavier weight on creating housing choices including the option for accessory dwelling units. Consider the larger area of Hebron, and she's confident that other towns have had good experience with respecting the limitations of that sewer and water, and septic fields have needed to be addressed, which in

her opinion makes this a good regulation to have, so it's an option. But for those few people who can make the significant financial investment in constructing, renovating, all of the different considerations to meet all of the different requirements of our housing codes, waste disposal, and drinking water. She really hopes this gets put on the books as an option so Hebron will have more housing choices.

Dan Larson-147 Hopevalley Rd., Amston- Dan Questioned the lot size that will limit or not limit an accessory dwelling, the percentage of lot covering that's in operation, and if there was an abutting lot and a primary lot that was owned by the same person, can you have an accessory building on that abutting lot?

M. Bordeaux reviewed the regulations that address these areas. To construct a new structure on a separate parcel, that would be considered a new single family structure. If someone were to merge the two lots, then they would have a single lot with a principal and accessory structure. In terms of lot size and lot coverage, those would be dictated by the bulk standards of whatever zoning district is applicable.

F. Zltkus asked the commission if they were satisfied with the information they have as far as the prevalence of attached and detached units in other towns that have sewers; members agreed that they are satisfied with the research of other towns and the Town Planner's report as well as the draft.

N. Wood closed the Public Hearing of Petition 2022-4 at 8:05p.m.

Respectfully Submitted,
Catharine Brinkman
Board Clerk

PLANNING AND ZONING COMMISSION
MINUTES

REGULAR MEETING - VIRTUAL

August 23, 2022, 7:00 P.M.

RECEIVED

2022 AUG 31 P 3:40
Calvin Thompson
HEBRON TOWN CLERK

Members Present: N. Wood, F. Zitkus, D. Sousa
Members Absent: D. Garner
Guests: Lili Rhodes, Angela Lattanzi, Kevin Tulimieri

REGULAR MEETING

I. Call to Order / Roll Call: N. Wood called the Regular Meeting to Order at 8:06p.m.

II. Approval of Minutes July 26, 2022 Special Meeting/Workshop: Members of the commission reviewed the July 26, 2022 Regular Meeting/Workshop Minutes-

Corrections: Page 2, in the paragraph Business Sections, the sentence should read-"Since 2014 the Hebron Green District was expanded and the MUOD was added in."

The motion to approve the July 26, 2022 Regular Meeting/Workshop Minutes as amended, was made by F.Zitkus, seconded by D. Sousa; the motion was approved unanimously.

III. Recognition of Guests: N. Woods asked if there were any comments on off-agenda items.

K. Tulimieri 110 Kinney Rd.: Informed the Planning and Zoning Commission that Kinney Road would like to file a petition as a scenic road. The requirements set forth in the town ordinances have been fulfilled with the criteria to meet regarding a scenic road, as well as agreement of property owners, and the amount of majority road frontage signatories of that petition. There is a map drawn up as required by the ordinance and K. Tulmieri is inquiring about the procedure to submit said map.

N. Wood replied that it would be an application that would be brought to the Planning Zoning Commission. The commission will note that they have that as an application and they will take it as an action to review, and be added as an agenda item so it would be scheduled for a public hearing.

Andrea Lattanzi-151 Cannon Dr., Amston: Would like to inform the Commission that there had been a letter submitted at the end of July for the POCD Update regarding

stonewalls and laneways in the area of Kinney Rd. M. O'Leary received the letter and three maps that were included. She urges the commission in the POCD process to support adding stonewalls and laneways under the Natural resources and Historic Heritage section. They are in there as an Historical feature, but they would like them to be identified as a resource. She urges the commission to protect and preserve those particular features to the POCD.

N. Wood thanked her for the added information and the commission will take it into consideration.

IV. Action on Pending Applications:

A. Petition 2022-4 - Petition of the Hebron Planning and Zoning Commission to amend the Hebron Zoning Regulations pertaining to Accessory Apartments, permit detached accessory apartments in compliance with new state requirements, and update associated use tables and definitions. Application filed under Section 2.G.7, Section 2.D.4, and Section 9.C of the Hebron Zoning Regulations.

The motion to approve Petition 2022-4 of the Hebron Planning and Zoning Commission to amend the Hebron Zoning Regulations pertaining to Accessory Apartments, permit detached accessory apartments in compliance with new state requirements, and update associated use tables and definitions. Application filed under Section 2.G.7, Section 2.D.4, and Section 9.C of the Hebron Zoning Regulations was made by F. Zitkus, seconded by D. Sousa; the motion passed unanimously.

Effective Date: 9/8/22

Reasons for approval:

- This regulation would support the POCD's goal to "Provide diversity in the types of housing within the Town that will satisfy the needs of all socioeconomic and demographic levels."
- Attached and detached accessory apartments fill an unmet need for smaller housing units, which are naturally more affordable than single-family homes. Accessory apartments would provide great housing choices for elderly residents, young adults, and low income households.
- The current regulations will eliminate the reference to character in the existing regulations, which is something the state wanted done.
- It is being done to be in compliance with Public Act 2129
- Support the findings of the Affordable Housing Study that was done and adopted on May 28th.

V. New Business

A. New Application: None

B. Set Public Hearing Date: None

C. Additional New/Revisited Business:

- **PRD and Affordable Housing Regulation Amendment Application Draft:** M. Bordeaux addressed the PRD regulations and the definition of Affordable Housing. He would like to get the consent and opinions of the Commission on some proposed/alternative wording. Members reviewed and discussed. With the commission's guidance M. Bordeaux should be able to put together an application for their receipt and possibly schedule a public hearing.
- **Update re: Cannabis Moratorium and Next Steps:** M. Bordeaux has prepared a Memo with the Town Attorney for the Board of Selectmen, which is to essentially get the understanding from the public whether or not Cannabis Establishments generally ought to be prohibited in the Town of Hebron.
The P and Z commission is going to have to extend the Moratorium no matter what the vote is, so that no matter the outcome, the commission has time to react appropriately.

VI. Correspondence: Follow-up re: Public Comments Outside of Public Hearing:

M. Bordeaux is going to put something in writing that was suggested to him by Tom Henneck, the community research officer, that has helped many municipalities as far as public comment and virtual meeting formats. The written public comments in the chat function are not recorded by virtual platform, and there are also questions on what the nature of public comment should be, and when on the agenda it should be given.

VII. Adjournment:

The motion to adjourn the 8/23/22 Public Hearing/Regular Meeting was made by F. Zitkus, seconded by D. Sousa; the motion passed unanimously.

The meeting was adjourned at 9:52p.m.

Next Meetings: September 13, 2022 Public Hearing / Regular Meeting
September 27, 2022 Public Info Session – POCD Conservation Section

Respectfully Submitted,
Catharine Brinkman
Board Clerk

Town of Hebron, Connecticut Petition 2022-8



Town Office Building
15 Gilead Street; Hebron, Connecticut 06248
Phone: (860) 228-5971 Fax: (860) 228-5980



ZONING / SUBDIVISION REGULATION AMENDMENT APPLICATION

Regulation to be Amended:

☐ Subdivision ☒ Zoning

Section: 2.F.4.3.2, 2.F.4.4, 2.F.4.5.1.e, 2.F.4.5.3.a, 2.F.4.5.3.c+d, 2.F.4.7.4 and 9.C

Applicant Information:

Name: Hebron Planning and Zoning Commission

Address: 15 Gilead St, Hebron, CT 06248

Phone: 860 228 5971

Fax: _____

Email: mborderux@hebron.ct.gov

Proposed Amendment:

See Attached

* If necessary, attach a copy of the proposed changes. Please clearly indicate new wording, and text to be deleted.

Purpose of Amending Regulation:

See Attached

How is the Proposed Amendment Compatible to the Plan of Conservation and Development?

See Attached

Additional Information:

Does the proposed amendment affect any uses permitted in any zoning district within 500 feet of the Town Boundary? ☒ yes ☐ no

Fees:

\$150 (Town Fee) + \$10 Processing Fee + \$60 (State Fee) = \$ 220

Signatures:

Signature of Applicant(s)

[Signature]

Date:

8/29/2022

Zoning Regulation Amendment Application

Proposed Amendment:

The proposed amendment of Section 9.C will make Hebron's definition of Affordable Housing consistent with Connecticut General Statutes Section 8-30g. Affordable Housing would be defined as housing affordable to households making less than or equal to 80% of the area median income for a period of at least 40 years. The proposed amendments of Section 2.F.4 will allow just 50% of areas with steep slopes to be included in the calculations of net land area when affordable housing is proposed in the PRD Zone. Amendments of Section 2.F.4 would also provide possible relief from the requirement to construct garages for affordable housing and includes provisions for multi-unit buildings containing up to eight units. In addition, the proposed amendments update the housing affordability plan requirements for affordable housing proposed in the PRD Zone to be consistent with CGS Section 8-30g. Proposed regulation amendment language is attached.

Propose of Amending Regulation:

The purpose of the proposed amendments is two-fold. First, it provides new opportunities to create affordable housing in the PRD Zone. Second, it makes the Town's definition of affordable housing consistent with the provisions of CGS Section 8-30g so that future efforts to address affordable housing through regulation will ensure that housing units can be counted towards the State Department of Housing Affordable Housing Appeals List.

How is the Proposed Amendment Compatible to the Plan of Conservation and Development:

The proposed regulation amendment would support the following goals and objectives from the POCD:

- Establish regulations and policies that encourage a sufficient supply of safe and affordable housing for all income groups (page 139).
- Provide diversity in the types of housing within the Town that will satisfy the needs of all socio-economic and demographic levels (page 149).

PLANNED RESIDENTIAL DEVELOPMENT

1.A.1.1 PURPOSE

This Section of the Regulations is intended to provide, through a Special Permit approval process, for housing opportunities in the R-1 District in Hebron in order to:

- meet the housing needs of residents;
- preserve the residential character of the Town of Hebron; and
- consider soil types, terrain, and infrastructure capacity.

A Planned Residential Development (PRD) would generally consist of housing units (detached units and/or multifamily buildings) on common land configured to:

- preserve areas of special environmental concern;
- preserve open space;
- enhance the appearance and beauty of the neighborhood and the Town;
- preserve farmland in active use or prime farmland as identified by the U.S. Department of Agriculture, and the U.S. Soil Conservation Service in Tolland County; and/or
- create affordable housing.

LOCATIONAL REQUIREMENTS

1. Any PRD development shall be served by the Town's sewer service district provided the Hebron Water Pollution Control Authority has determined that adequate sewage capacity is available to serve the proposed project.
2. A PRD development may be located within the R-1 zone where it may serve as transitional land use between business areas and surrounding residential areas.
3. The location of a PRD development shall be consistent with the Hebron Plan of Conservation and Development.

PERMITTED USES

1. Attached or detached dwelling units on a single parcel or on land owned in common under the Common Interest Ownership Act of the Connecticut General Statutes.
2. Accessory uses and structures which are:
 - a. customary, subordinate, and incidental to the principal residential use; and
 - b. approved by the Commission if representing a substantial change to the approved plans.

PARCEL-RELATED STANDARDS

1. Minimum Parcel Requirements:

| | |
|--------------------------------|--|
| Minimum Parcel Size | 8.0 Acres |
| Minimum Parcel Frontage | 50 feet of frontage on an arterial street, residential collector street, or residential sub-collector street as defined by the Hebron Subdivision Regulations. |

2. Maximum Density Limitations: In the following table, “net land area” shall consist of parcel area minus:

- watercourses, waterbodies, ponds, streams;
- 100-year floodplains;
- wetlands; and
- areas with pre-development grades in excess of twenty percent (20%)*.

* with twenty percent (20%) or more of units deed restricted as affordable housing as defined by these regulations, fifty percent (50%) of areas with pre-development grades in excess of twenty percent (20%) may be included in net land area.

| | Not Age-Restricted | Age Restricted |
|--|--|--|
| Base Density | 2.5 dwelling units per acre of net land area | 3.0 dwelling units per acre of net land area |
| With 20% or more of units deed restricted as affordable housing as defined in these Regulations | 3.5 dwelling units per acre of net land area | 4.0 dwelling units per acre of net land area |
| With 40% or more of the parcel dedicated as open space | 4.5 dwelling units per acre of net land area | 5.0 dwelling units per acre of net land area |
| With 20% or more of units deed restricted as affordable housing as defined in these Regulations and 40% or more of the parcel dedicated as open space | 5.5 dwelling units per acre of net land area | 6.0 dwelling units per acre of net land area |

3. Open Space Set Aside

- At least 30% of the total area of land within the PRD shall be set aside and be dedicated as Open Space in order to accomplish the purposes as set forth in the Hebron Subdivision Regulations.
- All documents dedicating the land must be approved by the Town Attorney as to form and effect.

4. Minimum Setback Requirements:

| | To A Business Zone | To A Residential Zone |
|----------------------------------|--------------------|-----------------------|
| Minimum Front Yard Setback | 50 feet | 100 feet |
| Minimum Side / Rear Yard Setback | 25 feet | 50 feet |

BUILDING-RELATED STANDARDS

| | |
|---|--|
| Maximum Building Height <ul style="list-style-type: none"> • Residential Building • Accessory Building | <p>Two and one-half (2 1/2) stories or thirty-five (35) feet</p> <p>One and one-half (1 1/2) stories or twenty-five (25) feet.</p> |
| Minimum Building Separation | Buildings shall be separated by a distance at least equal to the height of the taller building. |
| | Buildings and garages shall be set back at least 30 feet from the edge of the pavement of internal roadways to allow for sidewalks and the parking of cars in locations that do not interfere with the continuity or function of the sidewalk system. |
| Dwelling units per building | No building shall contain more than four (4) dwelling units, and not more than fifty percent (50%) of the total units shall be in four (4) unit buildings; <u>unless it can be demonstrated that reasonable accommodation of outdoor living space (private entry, porch, deck, patio, etc.) has been provided to each unit. In no event shall any building contain greater than eight (8) dwelling units.</u> |
| Minimum Floor Area: | Each dwelling unit shall contain a minimum of 750 square feet of floor space for living quarters. |
| Building Coverage | The aggregate land area covered by all buildings and other structures shall not exceed 20% of the total net land area of the parcel. |
| | No dwelling unit shall contain more than three (3) bedrooms and no more than fifty (50%) percent of the total number of dwelling units on the tract shall contain three (3) bedrooms. |

OTHER STANDARDS AND REQUIREMENTS

1. **Architectural Design** - Architectural design shall provide for:
 - a. all buildings shall be subject to Section 5.A Design Review;
 - b. shielding of mechanical and utility devices;
 - c. utilization of building materials, which are typical of residential construction;
 - d. in buildings containing two or more units, the facades of such units shall be staggered or offset a minimum of five (5) feet unless an alternative arrangement is approved by the Commission;
 - e. a separate means of access to entrance directly from the outside for each dwelling unit; and
 - f. design, which minimizes windows which directly face other windows.
2. **Landscaping:** Landscaping and Buffers shall be provided in accordance with Section 5.D Landscape and Buffer Regulations, in addition to the requirements below:
 - a. all disturbed areas not mulched or planted with trees, shrubs, or flowers shall be planted with grass;
 - b. trees and shrubs shall be planted around foundations and between structures in a manner approved by the Commission;
 - c. street tree plantings shall be provided along streets and common drives where existing trees are sparse or nonexistent at a rate of two (2) trees for every 50 linear feet of road or drive;
 - d. Each such tree shall have a minimum caliper of three (3) inches and shall survive two (2) growing seasons or be replaced; and
 - e. there shall be a landscaped or natural buffer area of a minimum of fifteen (15) feet between the development and any adjoining premises.
3. **Parking and Driveways**
 - a. There shall be a minimum of one (1) parking space for each studio or one-bedroom dwelling unit and two (2) parking spaces for each per dwelling unit with two or more bedrooms with an additional one-half space per dwelling for visitor parking.
 - b. At least one (1) required resident space must be located in an enclosed garage.
 - ~~c.~~ Parking spaces located in front of garages shall not be permitted to fulfill the total parking requirement; or
 - ~~e-d.~~ In cases with twenty percent (20%) or more units deed restricted as Affordable Housing as defined by these regulations, enclosed garages spaces will not be required if it is demonstrated to the satisfaction of the Commission that adequate enclosed storage space is provided in buildings for all units.
 - ~~d-e.~~ All garages shall have automatic door openers.
 - ~~e-f.~~ Visitor parking spaces shall be located within 200 feet from the farthest dwelling unit to be served if the average topographical grade between the spaces and dwelling units is less than 5% and, if such grade is 5% or greater, then such parking shall be located within 75 feet of the farthest dwelling unit to be served.
 - ~~f-g.~~ One (1) parking space must be provided for each 200 square feet of recreational building floor area and located within 200 feet of the building.
 - ~~g-h.~~ No parking shall necessitate the backing out onto a through street as its only means of egress although such parking off of cul-de-sacs may be permitted at the discretion of the Commission in instances where it would not present a safety hazard.
 - ~~h-i.~~ In connection with parking, adequate, unobstructed space shall be provided for snow storage and clearance.
 - ~~i-j.~~ All parking and driveway surfaces shall be bituminous concrete.

4. Internal Roadways

- a. Streets and roadways within a PRD shall be privately owned by the association and designed to discourage through traffic.
- b. All roadways within a PRD shall be constructed to Town road standards as set forth in the Hebron Subdivision Regulations, except as may be permitted under these PRD Regulations.
- c. In the case of cul-de-sac roads, the Commission may permit narrower pavement widths where the Commission finds that density, length of road, projected traffic volumes, available parking and other relevant factors justify such reduction.

5. Pedestrian Walkways

- a. Pedestrian walkways, a minimum of four (4) feet in width, shall be provided along one side of all streets, between buildings, and between buildings and roadways in a system so as to discourage the use of driveways and roadways by pedestrians unless the Commission determines that such sidewalks do not enhance the safety of the residents, do not facilitate pedestrian accessibility, or where physical conditions make such sidewalk construction unfeasible or undesirable.

6. Storm Drainage

- a. All storm drainage facilities must conform to Section 5.E of these Regulations and, if applicable, to the Hebron Public Improvement Specifications.
- b. Drainage calculations shall be submitted as part of the application.

7. Outdoor Lighting

- a. All outdoor lighting shall be designed to prevent light from intruding directly into residential units and no exterior light shall be placed so as to shine directly outside of the PRD area.
- b. Street lighting shall be designed to complement the overall design concept and shall be limited in intensity to that required for safety of vehicular and/or pedestrian circulation.
- c. A street light shall be placed at all road intersections.

8. Signs

- a. No permanent or temporary identification signs may be placed within the right-of-way of project roadways.
- b. One (1) small sign per entrance (maximum 20 sq. ft.) announcing the project may be placed outside the public or private right-of-way at no more than two (2) entrances to the development. This requirement shall supersede provisions of Section 5.B of the Zoning Regulations.
- c. All signs shall be designed as an integral part of the PRD design concept. All buildings or groups of buildings shall have a comprehensive identification scheme through alpha-numerical designations or thematic naming program. Such an identification system shall be approved by the Fire Marshal and Tax Assessor.
- d. All individual dwellings or groups of dwellings shall display a clearly visible unit number and shall be four (4) to six (6) inches in height.

9. Utilities

- a. With regard to utilities, the technical standards of the Hebron Subdivision Regulations shall be complied with.
- b. All utility transmission and service lines shall be underground, except when determined to be unfeasible by the Commission due to site conditions such as severe soil limitations.

MANAGEMENT AND MAINTENANCE REQUIREMENTS

1. When the PRD will be under single ownership with dwelling units to be rented, the owner will be responsible for maintenance of site improvements and for maintaining the provisions of the approved Special Permit and Site Plan within the PRD.
2. When the dwelling units in the PRD will be sold:
 - a. the responsibility for maintenance of public improvements and for maintaining the provisions of the approved Special Permit and Site Plan within the PRD shall be vested in the Homeowners Association pursuant to the Connecticut Common Interest Ownership Act;
 - b. documentation as to the organization and incorporation of applicable ownership associations shall be submitted to the Commission to confirm that appropriate legal structures are in place for ownership and management of common properties and facilities, open space and utility systems, including provision for financing and maintenance;
 - c. the Commission may require the recording of a Caveat on the Land Records providing for enforcement by the Town of Hebron; and
 - d. the owner will be responsible for maintenance of site improvements and for maintaining the provisions of the approved Special Permit and Site Plan within the PRD.
3. As a condition of approval for all PRDs, the developer shall provide:
 - a. the Town with an Emergency Response Plan for the entire development and such a plan shall include, but not be limited to basic information regarding the location of master controls for all water, sewerage, electric, and security systems; and
 - b. the Town's Fire Marshal with all necessary keys to respond to emergencies.

AFFORDABLE HOUSING REQUIREMENTS

Where a PRD contains Affordable Housing as defined in these Regulations, the following provisions shall apply:

1. all such affordable housing units shall be evenly distributed throughout the development;
2. the mixture of dwelling unit types shall be limited so that the overall development results in an average of two (2) bedrooms per unit unless modified by the Commission. For the purpose of these Regulations, any rooms other than kitchens, dining rooms, bathrooms, utility rooms, living rooms, and family rooms shall be considered bedrooms;
3. proper documentation shall be provided to affirm the availability of Affordable Housing dwelling units for sale to or lease agreement by families that qualify under the U.S. Department of Housing and Urban Development income limits by family size for the Hartford Primary Metropolitan Statistical Area (PMSA), as updated annually. Such documentation is subject to the approval of the Commission and, in the case of rental units, may consist of contracts between the applicant and the Housing Authority of the Town of Hebron or other appropriate governmental agency;
4. ~~any development containing Affordable Housing shall submit an "affordability plan" complying with the Affordable Housing policy as adopted by the Hebron Board of Selectmen, as may be amended and any other applicable provisions of the Connecticut General Statutes or the Regulations of Connecticut State Agencies. Any development containing Affordable Housing shall submit an "Affordability Plan" explaining how household income and rental price limits will be calculated and administered, and how the development will comply with Section 8-30g or the Connecticut General Statutes, or any amendment thereto. The Affordability Plan shall be administered by a qualified third-party administrator acceptable to the Town of Hebron.~~

DEFINITIONS

Abut / Adjoin

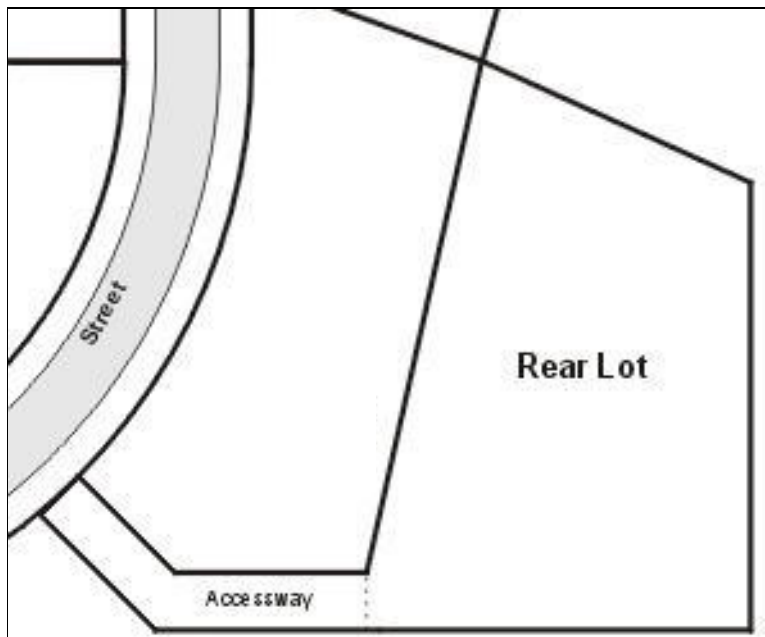
Abut – Directly next to and shares a property line or other physical feature.

Adjoin - Property that abuts and property across a street.

Accessory - See “Principal vs Accessory”.

Accessory Apartment - See “Dwelling-Related Terms”.

Accessway - A strip of land between a road and the main part of a rear lot sufficient to allow the construction of a driveway to the existing or proposed principal structure on the said lot.



Acre - For the purpose of these Zoning Regulations; one acre shall be forty three thousand, five hundred and sixty (43,560) square feet.

Adjoin - See “Abut / Adjoin”.

Affordable Housing – ~~For the purposes of these Regulations, housing for persons and families whose income is less than or equal to 100 percent of the area median income for at least thirty (30) years after the initial occupation of the dwelling unit. Housing affordable to persons and families whose income is less than or equal to eighty (80) percent of the area median income for a period of at least forty (40) years, in accordance with Section 8-30g of the Connecticut General Statutes, or any amendment thereto.~~

To: Planning and Zoning Commission
From: Residents, Kinney Road
RE: Scenic Road Designation

August 23, 2022

Dear Chairman Natalie Wood and members of the Planning and Zoning Commission,

Please find enclosed materials submitted as an application for the designation of Kinney Road as a Scenic Road under Town of Hebron, CT / The Code / Part II: General Legislation / Streets and Sidewalks, Article III Scenic Roads, Adopted 2-3-2000 by Ord. No. 2000-1 (Title IX, § F of the 1987 Code).

The materials are submitted according to the following:

§ 313-3 Authority.

Pursuant to the authority of General Statutes § 7-149a, the Planning and Zoning Commission is hereby authorized to designate any Town public highway or any portion of any Town public highway as a scenic road in accordance with the procedures in this article

§ 313-5 Criteria to be met.

According to the Ordinance: Prior to designating a road as a scenic road, the Planning and Zoning Commission shall first specifically find that at least three of the following criteria are met:

- A. The highway is unpaved.
- B. The highway is bordered by mature trees or stone walls.
- C. The traveled portion of the highway is no more than 20 feet in width.
- D. The highway offers scenic views.
- E. The highway blends naturally into the surrounding terrain.
- F. The highway parallels or crosses over brooks, streams, lakes or ponds.

Kinney Road fulfills the following four Criteria:

- B. The highway is bordered by mature trees or stonewalls.
- D. The highway offers scenic views.
- E. The highway blends naturally into the surrounding terrain.
- F. The highway parallels or crosses over brooks, streams, lakes or ponds.

§ 313-6 Agreement of property owners.

No road may be designated as a scenic road by the Planning and Zoning Commission unless the owners of the majority of the lot frontage abutting the portion of the road proposed for such designation agree to its designation as a scenic road by filing a written statement of approval with the Commission on a form prescribed by the Commission.

Please find attached signatures of a majority of property owners of the lot frontage abutting Kinney Road under the following statement, "The undersigned property owners approve of the designation of Kinney Road as a Scenic Road under § 313-3 to § 313-10.

ARTICLE III, Scenic Roads [Adopted 2-3-2000 by Ord. No. 2000-1 (Title IX, § F of the 1987 Code)]."

§ 313-7 Procedure; contents of application.

The Planning and Zoning Commission shall consider a road for designation as a scenic road upon receipt of a request for such designation or may itself initiate proceedings to designate a road as a scenic road. No road shall be designated as a scenic road upon an application therefore unless the application, on a form prescribed by the Commission, contains the following:

A. The name of the road proposed to be designated as a scenic road and a general description of the road or portion of it to be designated, which includes the total frontage of the road section proposed and the names and addresses of all abutters. The above information shall be shown on a plan at a minimum scale of one inch equals 200 feet, showing the limits of the proposed designated section of the road.

B. A written description identifying those characteristics of the road which qualify it for scenic road status under § 313-5 of this article.

C. A statement or statements of approval on a form prescribed by the Commission signed by the owners of a majority of the lot frontage abutting the proposed scenic road consenting to its designation as a scenic road. (Where the Planning and Zoning Commission itself initiates the designation of a road or a portion thereof as a scenic road, it may waive the requirement that the written statements of approval precede its consideration of the proposed designation; provided, however, that no designation of a scenic road shall be effective unless the written statements of approval executed by the requisite number of owners are filed with the Town Clerk and the Commission within such time period as the Commission shall specify.)

Please find attached the required materials for the Scenic Road application for Kinney Road, including; A. Name of road and general description with map, B. Written description identifying characteristics, and C. Statement of approval:

A. General Description: Kinney Road, Hebron, Connecticut. Residents would like Kinney Road in its entirety designated as a Scenic Road. Kinney Road is a historic road, private, quiet and quite narrow, measuring 21' across. It features scenic views including 300-year-old active hedgerow farmland, Open Space, stonewalls, 18th century homes, a well established and tight knit residential neighborhood and a wide variety of mature trees including hardwoods. The Kinney Road landscape captures a wide variety of scenes worthy of protection.

Total frontage: 9,426.324 feet

Names, addresses and road frontage in feet of all abutters on Kinney Road:

| Name | Address | Lot # | Feet |
|------------------------------------|---------------------------|---------|--------|
| Town of Hebron | Parcel 12-8.1 | 12-8.1 | 303.48 |
| Town of Hebron | Parcel 12-8 | 12-8 | 1211 |
| Greg and Ellen Shortell | 22 Kinney Road | 12-7 | 199 |
| Gary and Mary Hilbert | Parcel 12-9 Millstream Rd | 12-9 | 50.25 |
| Roarke McCormick | 78 Kinney Road | 12-8A | 300 |
| Town of Hebron | Parcel 12-8.1A | 12-8.1A | 500 |
| Kevin and Jean Tulumieri | 110 Kinney Road | 12-8B | 300 |
| Andrew Arnesen and Michelle Hannon | 116 Kinney Road | 12-8C.2 | 40.01 |

| | | | |
|-----------------------------------|---------------------|---------|--------|
| Roza Minas and Greg Luca | 118 Kinney Road | 12-8C.1 | 177.83 |
| Gloria Mecteau | 128 Kinney Road | 12-6 | 150 |
| Kenroy Nembhard | 136 Kinney Road | 12-8C.4 | 376.28 |
| Harry and Joan Hansen | 150 Kinney Road | 12-5.1 | 457.61 |
| Marc and Ann Baribault | 210 Kinney Road | 04-16 | 180.82 |
| Christopher Paragone | 176 Kinney Road | 04-16.5 | 200.52 |
| Robert Brady and Jennifer Carrier | 186 Kinney Road | 04-16.4 | 150.03 |
| Robert Brady and Jennifer Carrier | Parcel 04-16A | 04-16A | 88.37 |
| | | | |
| Town of Hebron | Parcel 12-59 | 12-59 | 2090.1 |
| Zoe Mott | 95 Kinney Road | 12-60 | 526 |
| Jason and Stacy Fortin | 111 Kinney Road | 04-1 | 153 |
| James Pinkerton and Amanda Ardel | 117 Kinney Road | 04-2 | 155 |
| Robert and Cynthia Flanagan | 121 Kinney Road | 04-3 | 155 |
| Bruce and Doris Taylor | 129 Kinney Road | 04-4 | 152 |
| Maria Rispoli | 135 Kinney Road | 04-5 | 157.58 |
| Joe Silkowski | 141 Kinney Road | 04-6 | 154 |
| Linda Hope | 147 Kinney Road | 04-7 | 150 |
| Antonio Orfitelli | 153 Kinney Road | 04-8 | 180 |
| Amy Morse | 104 Millstream Road | 04-9 | 182.4 |
| Brian Sanderson | 105 Millstream Road | 04-14.1 | 213.4 |
| John and Linda Lockward | 179 Kinney Road | 04-14.2 | 223.04 |
| John and Diane Lally | 185 Kinney Road | 04-14.3 | 152.09 |
| Marc and Ann Baribault | 215 Kinney Road | 04-14 | 97.514 |

B. Identifiable Characteristics supporting Scenic Road status:

Kinney Road is a historic two-lane road with the western end featured on the oldest map of Hebron, created in 1744 by Isaac Pinney. The road is flanked by gullies and stonewalls consistent with 18th century roadway design. Kinney Road gently curves through the farmland over streams and wetlands and past two 18th century historic homes. Both the north side and south side of Kinney Road feature active 300-year-old hedgerow farmland and function as the headwaters and watershed of the Raymond Brook. The western portion of the south side of the road includes Open Space farmland and a nature preserve called The Raymond Brook Preserve. The residents live primarily on the eastern end of the street in a well-established neighborhood. Kinney Road features a distinguished history and includes the site of the Ezra Backus tannery, the Frederick Bissell mill, and the George Tenent sawmill, all listed on Map No. 10 of the 2014 Plan of Conservation and Development. The eastern end of Kinney Road passes over Raymond Brook and includes the site of the 18th century Kinney family homestead. The entire length of Kinney Road features scenic views of historic stonewalls, mature hardwood trees, forests, farmlands, wetlands, waterways, and is teeming with abundant wildlife.

C.. Statement of Approval.

The Signatory residents of Kinney Road supporting designation as a Scenic Road all signed the application that reads, "The undersigned property owners approve of the designation of Kinney Road as a Scenic Road under § 313-3 to § 313-10, ARTICLE III, Scenic Roads, [Adopted 2-3-2000 by Ord. No. 2000-1 (Title IX, § F of the 1987 Code)]."

Names, addresses and total road frontage in feet of Signatories on Kinney Road:

| Name | Address | Lot # | Feet |
|------------------------------------|---------------------|---------|--------|
| Greg and Ellen Shortell | 22 Kinney Road | 12-7 | 199 |
| Roarke McCormick | 78 Kinney Road | 12-8A | 300 |
| Kevin and Jean Tulimieri | 110 Kinney Road | 12-8B | 300 |
| Andrew Arnesen and Michelle Hannon | 116 Kinney Road | 12-8C.2 | 40.01 |
| Roza Minas and Greg Luca | 118 Kinney Road | 12-8C.1 | 177.83 |
| Gloria Mecteau | 128 Kinney Road | 12-6 | 150 |
| Kenroy Nembhard | 136 Kinney Road | 12-8C.4 | 376.28 |
| Harry and Joan Hansen | 150 Kinney Road | 12-5.1 | 457.61 |
| Marc and Ann Baribault | 210 Kinney Road | 04-16 | 180.82 |
| Robert Brady and Jennifer Carrier | 186 Kinney Road | 04-16.4 | 150.03 |
| Robert Brady and Jennifer Carrier | Parcel 04-16A | 04-16A | 88.37 |
| | | | |
| Zoe Mott | 95 Kinney Road | 12-60 | 526 |
| Jason and Stacy Fortin | 111 Kinney Road | 04-1 | 153 |
| James Pinkerton and Amanda Ardel | 117 Kinney Road | 04-2 | 155 |
| Robert and Cynthia Flanagan | 121 Kinney Road | 04-3 | 155 |
| Maria Rispoli | 135 Kinney Road | 04-5 | 157.58 |
| Joe Silkowski | 141 Kinney Road | 04-6 | 154 |
| Linda Hope | 147 Kinney Road | 04-7 | 150 |
| Antonio Orfitelli | 153 Kinney Road | 04-8 | 180 |
| Amy Morse | 104 Millstream Road | 04-9 | 182.4 |
| Brian Sanderson | 105 Millstream Road | 04-14.1 | 213.4 |
| John and Linda Lockward | 179 Kinney Road | 04-14.2 | 223.04 |
| John and Diane Lally | 185 Kinney Road | 04-14.3 | 152.09 |
| Marc and Ann Baribault | 215 Kinney Road | 04-14 | 97.514 |

Total frontage of Signatories - 4,918.974 feet

Thank you for your consideration and please let us know if you have any questions.

Sincerely,

The Signatory residents of Kinney Road.

Submitted by Kevin and Jean Tulimieri
110 Kinney Road
Amston, CT 06231
kjt.history@gmail.com
860-373-6303

117



16

The undersigned property owners approve of the designation of Kinney Road as a
Scenic Road under § 313-3 to § 313-10.

ARTICLE III

Scenic Roads

[Adopted 2-3-2000 by Ord. No. 2000-1 (Title IX, § F of the 1987 Code)]

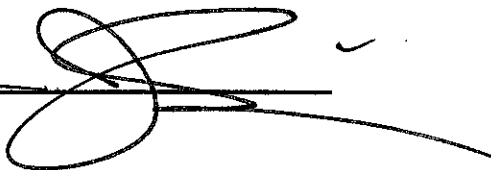


| Name | Address | Signature |
|---------------------------|----------------|------------------------------------|
| 1. Kevin & Jean Tulimieri | 110 Kinney Rd. | K.T. Tulimieri |
| 2. Greg & Ellen Shortell | 22 Kinney Rd. | Greg M. Shortell Ellen Shortell |
| 3. Greg Luca ROA MINAS | 118 Kinney Rd | Greg Luca ROA MINAS |
| 4. Zoe Mott | 95 Kinney Rd | Zoe Mott |
| 5. Gloria Mectean | 128 Kinney Rd. | Gloria Mectean SF-ROA |
| 6. Kenroy Nemhard | 136 Kinney Rd | Kenroy Nemhard |
| 7. Jason M Fortin | 111 Kinney Rd | Jason M Fortin |
| 8. Stacy L Fortin | 111 Kinney Rd. | Stacy L Fortin |
| 9. Maria Rispoli | 135 Kinney Rd | Maria Rispoli |

The undersigned property owners approve of the designation of Kinney Road as a
Scenic Road under § 313-3 to § 313-10.

ARTICLE III

Scenic Roads

[Adopted 2-3-2000 by Ord. No. 2000-1 (Title IX, § F of the 1987 Code)]

| | Name | Address | Signature |
|-----|-------------------|------------------------------------|---|
| 10. | Joe Sikowski | 141 Kinney |  |
| 11. | Linda Hope | 147 Kinney Rd | Linda Hope |
| 12. | Harry Hansen | 150 Kinney Rd |  |
| 13. | Jan Hansen | 150 Kinney Rd | Jan Hansen |
| 14. | Brian Sanderson | 105 Millstream |  |
| 15. | Linda C. Lockward | 179 Kinney Rd. | Linda C. Lockward |
| 16. | John H. Lockward | 175 Kinney Rd | John H. Lockward |
| 17. | Diane Lally | 185 Kinney Rd Amston, | |
| 18. | John F Lally | John F. Lally 185 Kinney Rd Amston | |

The undersigned property owners approve of the designation of Kinney Road as a
Scenic Road under § 313-3 to § 313-10.

ARTICLE III

Scenic Roads

[Adopted 2-3-2000 by Ord. No. 2000-1 (Title IX, § F of the 1987 Code)]

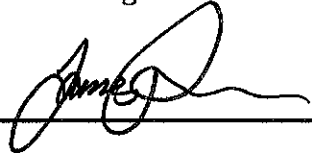

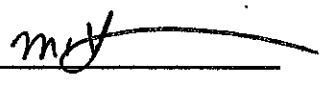
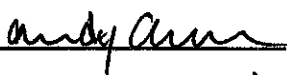
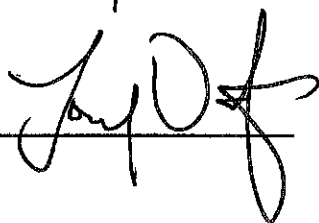
| | Name | Address | Signature |
|-----|--------------------|-------------------|--------------------|
| 19. | Ann Baribault | 215 Kinney Rd. | Ann M Baribault |
| 20. | Marc S Baribault | 215 Kinney Rd | Marc S Baribault |
| 21. | Jennifer Carrion | 186 Kinney Rd | Jennifer Carrion |
| 22. | Bob Brady | 186 Kinney Rd | Bob Brady |
| 23. | ROBERT FLANAGAN | 121 KINNEY RD. | Robert Flanagan |
| 24. | CYNTHIA FLANAGAN | 121 KINNEY RD | Cynthia Flanagan |
| 25. | Roarke M McCormack | 78 Kinney Rd | Roarke M McCormack |
| 26. | Amy Morse | 164 Millstream Rd | Amy Morse |
| 27. | Kevin Lonagan | 117 Kinney Rd | Kevin Lonagan |

The undersigned property owners approve of the designation of Kinney Road as a
Scenic Road under § 313-3 to § 313-10.

ARTICLE III

Scenic Roads

[Adopted 2-3-2000 by Ord. No. 2000-1 (Title IX, § F of the 1987 Code)]

| | Name | Address | Signature |
|-----|-----------------|----------------|---|
| 28. | James Pinkerton | 117 Kinney Rd. |  |
| 29. | Amanda Ardel | 117 Kinney Rd |  |
| 30. | Michelle Hannon | 116 Kinney Rd. |  |
| 31. | Andrew Arnesen | 116 Kinney Rd |  |
| 32. | Tony Orabelli | 153 KINNEY RD |  |
| 33. | | | |
| 34. | | | |
| 35. | | | |
| 36. | | | |

**TOWN OF HEBRON
PLANNING AND DEVELOPMENT DEPARTMENT**

TO: Planning and Zoning Commission

FROM: Matthew R. Bordeaux, Town Planner

DATE: September 7, 2022

RE: Consideration of Scenic Road Designation – Kinney Road

Introduction

A request has been submitted to the Planning and Zoning Commission to designate Kinney Road a Scenic Road pursuant to Chapter 313 of the Hebron Code of Ordinances. The Planning and Zoning Commission is authorized by the “Scenic Road Ordinance” to designate any Town public highway or any portion thereof as a scenic road.

The Commission has only once before considered a request under the Scenic Road Ordinance. In 2001, the Commission received and approved a request to designate Burrows Hill Road a Scenic Road in its entirety. Although the Scenic Road Ordinance does not enunciate a public hearing process is required, the Commission used such a process to allow the petitioner the opportunity to state the reasons for the Burrows Hill scenic road designation and allowed those of opposing views the same opportunity.

Scenic Road Ordinance

Town staff has initiated a preliminary review of the materials submitted in support of the request. A summary of findings, while incomplete, is provided below.

Chapter 313-4 & 313-5

Chapter 313-4 and 313-5 of the Hebron Code of Ordinances outline Conditions and Criteria to be met. Chapter 313-4 states that “no road or portion of road shall be designated as a scenic road unless it is free of intensive commercial development and intensive vehicular traffic.” Chapter 313-5 states that “prior to designating a road as a scenic road, the Planning and Zoning Commission shall first specifically find that at least three of the following criteria are met:

- A. The highway is unpaved.
- B. The highway is bordered by mature trees or stone walls.
- C. The traveled portion of the highway is no more than 20 feet in width.
- D. The highway offers scenic views.

- E. The highway blends naturally into the surrounding terrain.
- F. The highway parallels or crosses over brooks, streams, lakes or ponds.

In the application to the Commission dated August 23, 2022, the applicant addresses the criteria of Chapter 313-5 with the following statement:

“Kinney Road fulfills the following four Criteria:

- B. The highway is bordered by mature trees or stone walls.
- D. The highway offers scenic views.
- E. The highway blends naturally into the surrounding terrain.
- F. The highway parallels or crosses over brooks, streams, lakes or ponds.”

Chapter 313-6

Chapter 313-6 states that “no road may be designated as a scenic road by the Planning and Zoning Commission unless the owners of the majority of the lot frontage abutting the portion of the road proposed for such designation agree to its designation as a scenic road by filing a written statement of approval with the Commission on a form prescribed by the Commission.

To satisfy the requirement of Chapter 313-6, the applicant has prepared a table of property owners, their address, Lot # and the road frontage owned by each measured in linear feet. The applicant follows this by identifying the Kinney Road property owners that have signed a Statement of Approval supporting the designation as a scenic road. The applicant states that the total frontage on Kinney Road equals 9,426.324 feet and that the total frontage of signatories in support of the designation equals 4,918.974 feet. According to the information provided by the applicant, the total percentage of frontage owned by those in support of the designation is 52%, satisfying the requirement of Chapter 313-6 of the Scenic Road Ordinance.

Chapter 313-7

Chapter 313-7 of the Ordinance outlines the procedure the Commission shall consider upon receipt of such a request and what contents required of an application. Item A calls for the name of the road proposed to be designated, total frontages and names and addresses of all abutters. As stated above, the applicant has satisfied this requirement. Item A also calls for a plan, at a minimum scale of one inch equals 200 feet, to show the limits of the proposed designated section of the road. The applicant has prepared a plan that appears to satisfy this requirement. Town staff will review the information provided to verify its accuracy and report to the Commission accordingly.

Item B calls for a written description identifying those characteristics of the road which qualify it for scenic road status under Chapter 313-5. The applicant provides a written description on the second page of the application. The description provided is as follows:

“General Description: Kinney Road, Hebron, Connecticut. Residents would like Kinney Road in its entirety designated as a Scenic Road. Kinney Road is a historic road, private, quiet and quite narrow, measuring 21’ across. It features scenic views including 300-year-old active hedgerow farmland, Open Space, stonewalls, 18th century homes, a well-established and tight knit residential neighborhood and a wide variety of mature trees including hardwoods. The Kinney Road landscape captures a wide variety of scenes worthy of protection.”

Finally, Item C calls for the Statement of Approval to be signed by the owners of a majority of the lot frontage abutting the proposed scenic road consenting to its designation as a scenic road. A petition to this affect was provided and is included as an attachment. Again, Town staff will review the accuracy of this information and report to the Commission.

Chapters 313-8, 9 & 10

The remaining Chapters address post-approval administrative processes. There includes a process for the Planning and Zoning Commission to rescind the designation. Recommendations regarding maintenance of the scenic road, as well as guidelines for “alterations, improvements or reconstruction” are provided as well. These items can be addressed further in subsequent meetings.

Staff Recommendation

As stated above, the Planning and Zoning Commission has considered just one request for Scenic Road Designation in the past. At that time, a public hearing was held. I recommend the Commission consider the same approach for this request. Further, Town staff should verify the accuracy of the information provided by the applicant, specifically the calculations of road frontage and ownership, before making a recommendation to the Commission regarding the accuracy of such information.

The Commission may wish to acknowledge that the request as submitted satisfies the requirements of the Scenic Road Ordinance in a form that will allow the Commission to consider the request following a public hearing. If the Commission agrees with this approach, I recommend the Commission consider its regularly scheduled meeting on October 11, 2022 for a public hearing.

**TOWN OF HEBRON, CT
PLANNING DEPARTMENT**

TO: Planning and Zoning Commission

FROM: Matthew R. Bordeaux, Town Planner

DATE: September 1, 2022

RE: Support for Open Space Grant Application – O'Connor Property

The Hebron Open Space and Land Acquisition Committee seeks the support of the Planning and Zoning Commission to pursue an Open Space and Watershed Land Acquisition Grant Program application with the State of Connecticut Department of Energy and Environmental Protection for possible purchase of the O'Connor properties (Lots #49-2, 49-3 and 50-5) of approximately 115.36 acres located at 102 Chittenden Road and along Chittenden and Hoadly Roads.

The following Attributes and Considerations were provided by the Hebron Open Space Land Acquisition Committee:

O'Connor Property Attributes

- 3 parcels totaling 115.36 acres
- Parcel 49-2 is 98.47 acres; parcel 49-3 is 11.29 acres; and parcel 50-5 is 5.60 acres
- Irregular in shape, with approximately 1,130' of frontage on both sides of the unimproved portion of Chittenden Road, approximately 200' along the improved section of Chittenden to the south, 500' of frontage along Hoadley Road for parcel 49-2 and 350' of frontage on Hoadley Road for parcel 50-5
- Areas of conservation easements exist on abutting parcels to the east extending to Jones Street
- A large area of Natural Diversity Data Base endangered / special concern species lies just to the east of the O'Connor properties
- Unimproved roadway provides a scenic passageway between the two improved portions of Chittenden Road with specimen trees noted.

Open Space Acquisition Considerations

- The properties are highlighted by a unique series of interconnected ponds, providing for an unusual scenic view of varied terrain and glacial features
- Watercourses flowing from the ponds merge to form a tributary of Blackledge River, itself a Class A watercourse and tributary of Salmon River, a river of Statewide interest
- Home to a diverse forest of native deciduous trees, beneficial shrubs and large stands of evergreens, especially along the banks of the ponds
- Provides an extensive area of upland and water body habitat for wildlife especially water fowl and other water dependent species

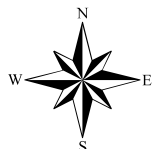
- Contains several upland wetland corridors feeding the properties' ponds and off-site pond
- Includes a large upland vernal pool essential to dependent wildlife survival
- Two stratified drift deposit aquifers lie within the site, providing for areas of potential future drinking water supply
- Located nearby to known areas of Natural Diversity Data Base endangered / special concern species, and thus NDDB species may exist on site
- Abuts or is in close proximity to several large vacant forested properties, together which could form a significant wildlife / greenway corridor
- Contains observed historical features including a pond-side well, impressive dam, stonewalls and foundations
- Prime farmland along Chittenden Road could be used for agricultural use;
- Contains an unimproved portion of Chittenden Road providing for scenic, forested neighborhood unmotorized use
- Provides an opportunity for bird watching, wildlife observation, fishing, hiking, boating, possible camping and geologic, historical and wildlife study
- Intact preservation would retain the climate mitigation benefits provided by the properties' forest and shallow water bodies which sequester and store a significant quantity of carbon
- Acquisition would avoid any costly town responsibility to improve the unimproved portion of Chittenden Road

Other:

- Note: In February 2011, the Hebron PZC recommended the unimproved portion of Chittenden Road be discontinued due to its poor condition including significant slopes, ledge outcroppings and wetland crossings. Abutters of the unimproved section have frontage along the improved portion of Chittenden Road. In June 2011, at Special Town Meeting, a vote to discontinue the roadway failed.
- The Hebron Open Space Land Acquisition Committee unanimously approved a recommendation to amend the "Future Open Space Map" to include greenway extensions to encompass parcels adjacent to and including the O'Connor properties that include upland, wetland and waterbodies located in the Blackledge River subregional basin.
- The Board of Selectmen unanimously agreed to authorize the Town Manager to sign the application for the Open Space and Watershed Land Acquisition Grant at their regular meeting on August 18, 2022.

Draft Motion to Support the Open Space and Watershed Land Acquisition Grant Application for the O'Connor Properties:

Move to endorse the Town of Hebron Open Space Land Acquisition Committee's pursuit of a State Department of Energy and Environmental Protection Open Space and Watershed Land Acquisition Grant Program application relative to the possible purchase of the O'Connor properties (Lots #49-2, 49-3 and 50-5) of approximately 115 acres located at 102 Chittenden Road and along Chittenden and Hoadly Roads.



1 inch = 1126 Feet

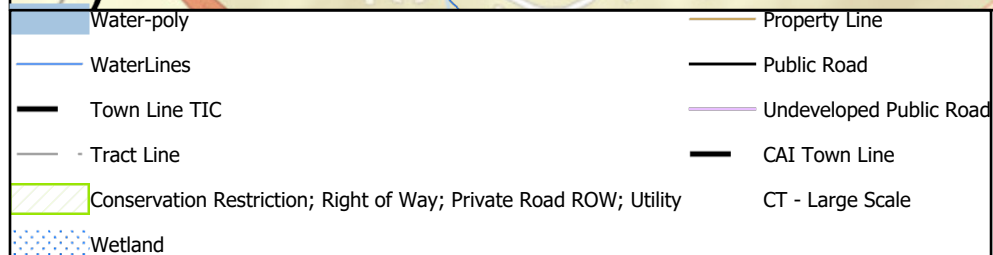


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August 18, 2022

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| 0 | 1126 | 2253 | 3380 |
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Hebron, CT

1 inch = 563 Feet



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September 8, 2022



| | | | |
|--|---|--|-------------------------|
| | Water-poly | | Property Line |
| | WaterLines | | Public Road |
| | Tract Line | | Undeveloped Public Road |
| | Conservation Restriction; Right of Way; Private Road ROW; Utility | | CAI Town Line |
| | Wetland | | CT - Large Scale |

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September 8, 2022



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Planning Department Town of Hebron, CT

Memo

To: Planning and Zoning Commission
From: Michael K. O'Leary
Planning Consultant
Date: 9/8/2022
Re: September 13, 2022 POCD Workshop

I have been asked to prepare some workshop items for the 9/13/22 POCD meeting. I am suggesting the following:

1. Final Review of PowerPoint for 9/27/22 Public Information Meeting (PIM)

This would involve a quick run-through of the PowerPoint. I believe I have imported the pdf maps that I have to date with a higher quality image.

Question: Do we need to include the Mills & Manufacturing map? We have not heard back from the HPC. And it may be best to simply refer to the Mills study as that is the definitive source, rather than trying to replicate something in a 10-year plan that appears to be evolving.

Also, I should be getting a few more maps from Jacobson soon.

2. We need to assign sections to PZC members / staff who will present for the PIM. Perhaps before the meeting, members can see what sections they would like to take.
3. Decide on Frank's suggestions for a few changes in the text that he distributed at the last workshop.
4. Review first few Business Sections. I have drafted the first two business sections for your review: "Section 3.A: Introduction"; and, "Section 3.B: Business Districts: I. Town Center – Overall Boundary and Concept". (Attached).
5. Finally, we could review draft format suggestions from Kaitlin Hershey as to how to display Policies and Action Items (or Tasks) in the Plan. She provided an example from the Town of Stonington's Plan which I can share at the meeting.

A. Introduction

This Section of the Plan focuses on the two areas that make up the development areas of Hebron and will include the plan and policies that will guide future development. This will include the **Business** sections of Hebron as well as the **Residential** sections of the community.

Business

The Town's businesses are contained in six different zoning districts: the Main Street District; the Hebron Green District; the Village Square District, the Neighborhood Convenience District; the Amston Village District; and the Commercial / Technology District.

| Business and Commercial Districts | |
|-----------------------------------|------------------|
| Main Street | 104 acres |
| Hebron Green | 36 acres |
| Village Square | 136 acres |
| Neighborhood Convenience | 19 acres |
| Commercial / Technology | 83 acres |
| Amston Village | 49 acres |
| Total: | 427 acres |

The largest concentration of businesses is within Hebron Center which contains the Main District, the Hebron Green District, and the Village Square District. Together these districts comprise 276 acres, or 65%, of the 427 acres in Hebron zoned for Business. This area in the center of Town has historically been the hub of the business area. The section of the Plan that follows will show significant efforts continue to be taken, consistent with past planning efforts that go back decades, which seek to reinforce that concept. These efforts have included the

continued expansion of major public utilities and other significant public improvements along Main Street – sidewalks, curb cut improvements, entry signage, landscaping, and grant-funded façade improvements.

Periodically, the Town commissioned studies to focus efforts to strengthen and expand Hebron Center's Business Districts. In 2013 the Town, funded a Hebron Center Market Study. In 2021 a Branding & Marketing study was conducted by a firm hired by the Economic development Commission. Both studies included an extensive outreach element to gather input from Town residents and local businesses and provided a direction on where the



Town should concentrate future marketing and expansion efforts. This was an opportunity to take stock of Hebron's existing conditions, comparing Hebron to similar, benchmark communities, evaluating the Town's strengths and weaknesses in attracting new businesses, and finally determining what market sectors would be the best candidates on which to concentrate future marketing efforts for the purpose of attracting them to come to Hebron. Some basic findings of the 2021 Study are as follows:

A Branding & Marketing Study of Hebron, CT

Summary of Demographic Findings:

- **Hebron's 2020 population was 9,098**
- **Hebron's total population decreased by 6.1% since 2010**
- **The number of children decreased by 32% since 2010**
- **Hebron's median age increased from 41 to 45 since 2010**
- **Hebron is highly educated with 51% of adults holding a Bachelor of Arts degree**
- **Hebron has an affluent population with a median household income of \$118,000**

Survey of the top reasons why people choose to live in Hebron

- Rural characteristics
- Public school system
- Open Space and natural resources
- Location
- Near family and friends

Key Takeaways

- Educated, affluent population with disposable income
- Likely to spend money on:
 - Upscale dining
 - Entertainment
 - Outdoor recreation
 - Health and Fitness
- Daytime population of workers with relatively lower incomes
- Population is declining and becoming older

Summary of Business / Economic Findings

- 281 total businesses in Hebron with 2,101 employees
- 1,194 employees commute into Hebron to work
- 4,278 employees live in Hebron but work elsewhere
- Top industries in Hebron:
 - Local Government
 - Retail
 - Health Care
 - Accommodations & Food Services
 - Administrative Support

Where Should Marketing Efforts be Focused:

- Attracting new residents
 - A growing population will naturally create demand for businesses
 - Target audiences:
 - people who work in Hartford
 - people with school age children
 - first time homebuyers
 - people who live in more expensive towns
 - people interested in outdoor recreation
- Promoting existing businesses and community assets
 - raise awareness of existing assets
 - target audiences
 - Hebron residents
 - Residents of surrounding communities

- **People within 60-minute drive interested in outdoor recreation**
 - **People interested in rural/small town events**
- **Attracting new businesses**
 - **Marketing supplements other economic development efforts**
 - **Target audiences:**
 - **Identified target industries**
 - **Locals who are interested in starting a businesses**

The Town will move forward to complete the Branding & Marketing Study and work to implement its findings and follow-through on its recommendations. The Town has had a long-standing objective to enhance the Town's attractiveness to business, both existing and new. In the last 4 years, the percentage of the Town's real property portion of the grand list that comes from the Town's business community has ranged from 5.33% (2018 data) to 4.23% (2021 data – a revaluation year). This percent has shown a gradual increase as the average percentage over the past 20 years is 3.55%. A policy of the Town, and one of the missions of the Economic Development Commission, has been to increase this percentage over time. This will help balance the tax burden between residential and commercial properties as well as provide needed commercial services to Town residents.

The Town has embarked on a number of efforts to encourage the growth of the Town's business sector. The Board of Selectmen have approved the sale of tax liens, to forgive some back taxes, in exchange for agreements to clean up contaminated commercial sites. The Town has also approved a policy and system of permitting tax abatements for new commercial and industrial development. In addition, the establishments of the Town's public sewer system, and growing public water system, have been major enhancements to the Town's business climate. Finally, the establishment of the Village Square District, the adoption of the Mixed Use Overlay Districts, CIP and grant funded physical improvements throughout the Main Street and Hebron Green districts, have been undertaken to make Hebron's business districts more attractive for new development.

Residential

The second section of the Development portion of this Plan analyzes the Town's residential development and what is anticipated for Hebron residential districts in the future. This is a significant part of the Town's Development Plans & Policies because Hebron is primarily a residential community, and the way that Hebron manages its residential development will go a long way to determining the overall character of the community.

As seen above in the Branding & Marketing Study there is a recommendation to attracting new residents and residential development to spur additional business growth. The Town also adopted the "2022-27 Plan for Housing Choices". This sets specific strategies and objectives to encourage housing for all income groups.

In this section, the Plan takes an extensive look at the available residential land remaining for development. The Plan provides calculations for how much developable vs. non-developable land remains in Town and what this can mean for the amount of future residential growth that is possible in terms of future housing and population growth.

Based on this analysis, the plan will include residential development goals and objectives that should guide future land-use regulations that govern this development.

Finally, this section will look at the efforts that the Town is taking to permit additional housing options in the future. The establishment of public sewers and public water in the Town Center, and other locations, has opened the possibilities of permitting a wider range of housing types for



present and future population. A number of steps have been taken already to provide housing options including the Town-owned housing development for the elderly, two approved and built 55-and-older higher density housing developments, two non-age restricted subdivisions and cluster residential developments, and a new 114 unit assisted living development were approved; and, a revision to the Accessory Apartment Regulations was adopted to allow detached accessory units consistent with recent changes in State Statutes. In

addition, the Town adopted a number of locations of the new Mixed Use Overland District which provides opportunities for higher density housing in mixed-use development in and around the Town's business districts. Not only would this allow housing for additional segments of the population but would bring customers, at a higher density, close to the Town's business districts.

B. Business Districts

I. Town Center – Overall Boundary and Concept

The Hebron Town Center is defined in this Plan as an area encompassing approximately 725 acres including the entire area south of Wall Street, west of Loveland Road, north of Kinney Road, east of Marjorie Circle and Gristmill Road and includes the buildings on the West Side of Church Street as shown on the “Hebron Town Center” map.

This area includes a number of different zoning districts including the Hebron Green District, the Main Street District, the Village Square District, the Planned Residential District, and areas of Residential One District. The entire area is within the Town’s sewer service district, and the core of Hebron Center is served by public water. The Plan will address each of these areas individually in the remaining portions of this section.

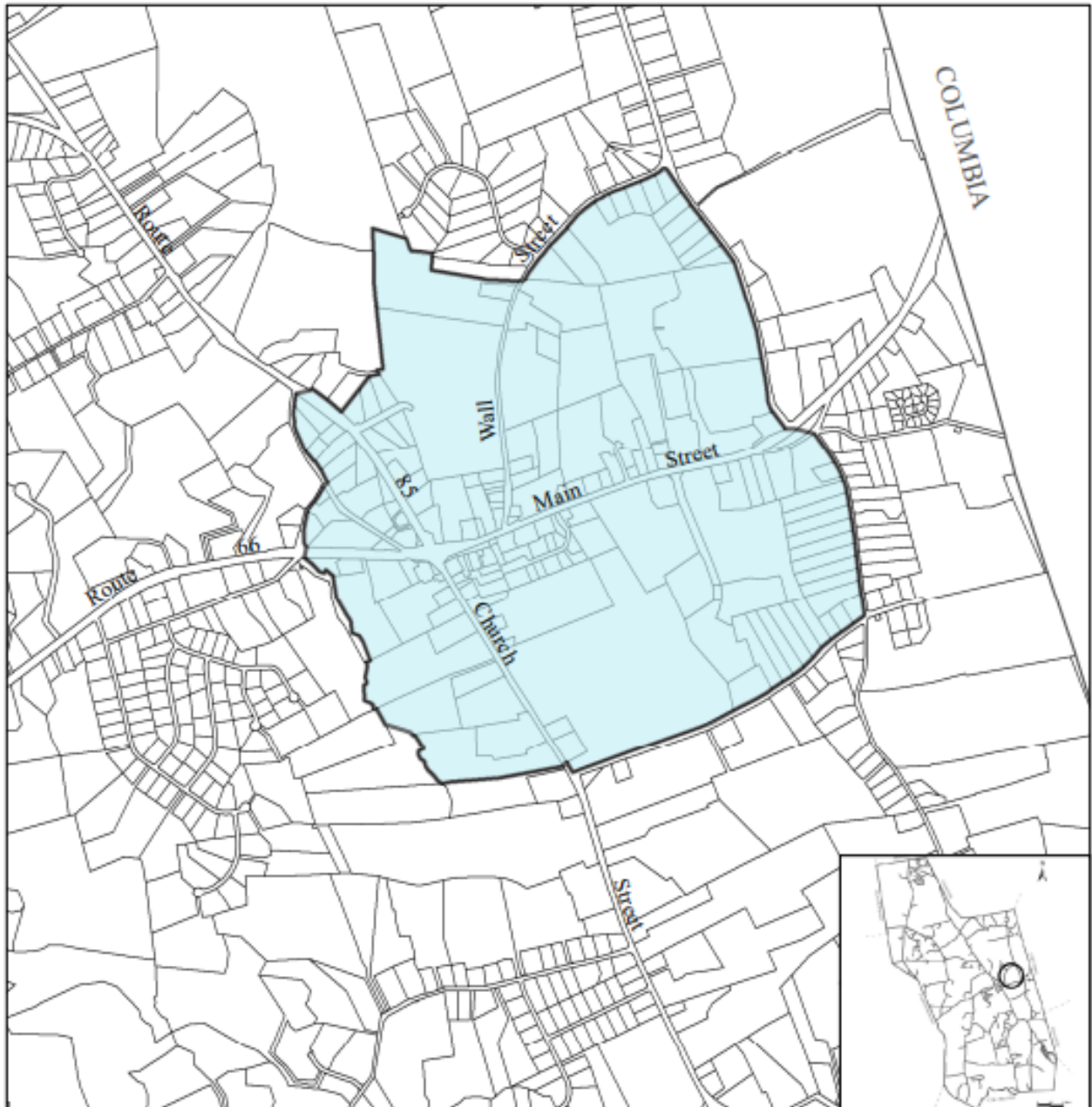
It has been Town policy to encourage the development of the Town Center in a manner different from the remaining portions of Town. The Hebron Town Center serves as the main shopping area of the community. It is the area of Town that contains a range of community services, and it also serves as the central-gathering place for important public events. Therefore, the



Map No. 17

HEBRON TOWN CENTER

2024 Hebron Plan of Conservation and Development
Hebron, Connecticut



Source: Digitized Hebron Assessors Map, 2020; Town of Hebron Zoning Map, 2012

Town Zoning Regulations and Sewer Service District policies make this area the most appropriate location for higher density uses, and mixed-use development which, when concentrated in a single area, help to reinforce the idea of a Town Center.

It is important to recall that this area contains the historic center of Hebron. While development will continue to occur here, and change is inevitable, new development will be encouraged to occur in such a way that respects the Center's historic roots and its present day character.

Accomplishments:

Since the adoption of the 2014 Plan of Conservation and Development, several significant changes, and accomplishments, funded through both State grants and local Capital Improvement Program (CIP) funds have affected this area of Town:

- Grant funded improvements have continued in Hebron Center with sidewalk, lighting, benches, landscaping, and parking lots improvements being accomplished.
- Update to the Zoning Regulations continued to implement the findings of the Main Street Charrette which was sponsored by the University of Connecticut: mixed use areas; build-to lines; etc.
- In 2015 the Planning and Zoning Commission adopted the Mixed Use Overlay District (MUOD) regulations to promote mixed use developments in and near Hebron's business districts.
 - In 2018 Zoning Regulation amendments were adopted to require parking in business districts to be located to the side and rear of buildings to avoid large parking areas between the buildings and the street,
 - 2018 Zoning Regulation amendments established for the first time "Build-to-lines" along Main Street to reinforce more of a town-center design of building closer to the sidewalks.
 - A LOTCIP application was approved in 2017 for the redesign of the Main Street / Wall Street intersection that will provide a better traffic flow and enhance pedestrian safety and crossings at the intersection.
 - A STEAP grant funded parking lot was approved behind the Douglas Library which ties into private parking lots.
- In 2018 Zoning Regulations amendments established a maximum number of impervious parking spaces.
- A LOTCIP application was approved in 2019 to construct Church Street sidewalks and this project was completed.
- The Marjorie Circle bridge was totally reconstructed with the use of STEAP grant funds.



- A Branding & Marketing Study commenced in 2021 to understand the economic potential of the area and to help focus marketing efforts.

Goal and Objectives

Goal: Develop a visually coherent and definable Town Center that is the civic, commercial, social, educational, recreational, and cultural focal point of the community. Encourage an economically sound commercial district as a base from which town services can be provided that does not adversely affect water supplies or the environment and allows for an appropriate mix of business and residential land uses commonly found in historic town centers.

Objectives:

Overall Design Concept:

1. Discourage strip commercial development and continue to work to encourage a compact Town Center.
2. Continue to implement the findings of the University of Connecticut's Main Street Charrette Program for future development in Hebron Center.



Appropriate Land Uses:

1. Continue to promote a wide range of uses in the Town Center, including commercial, residential, and recreational.
2. Retain current businesses and encourage new businesses to locate in Hebron, which are compatible to the Town's character.
3. Encourage the use of the newly adopted Mixed Use Overlay District (MUOD) to encourage higher quality, mixed use development, including greater density and infill opportunities, as well as providing for diverse housing types, all of which will support businesses in Hebron Center.



Quality Design Standards:

1. Carefully guide the development and placement of buildings, new signage, lighting, parking, etc., to assure that all are compatible with the historic character of the town.
2. Apply the adopted design guidelines for architectural quality in new development to ensure appropriate and coherent architectural treatment in the Town Center.

Safe Street Systems

1. Encourage safe and efficient traffic patterns and walking systems that will interconnect all business zones while being compatible with Hebron's small-town character.
2. Reduce curb cuts while still providing good traffic circulation.
3. Work with the CT Department of Transportation to design and implement well-planned traffic calming improvements within the CT RT 66 right-of-way so that traffic speeds are more compatible with the Town's Main Street.

Parking Lots

1. Encourage interconnections between parking lots to reduce traffic impacts on Main Street.
2. Continue to encourage public-private efforts to promote additional and safe common parking in Hebron Center.

Pedestrian Ways

1. Provide safe pedestrian access within sites and between sites to help reduce the impact of the automobile
2. Continue to encourage the establishment of sidewalks in the public right-of-way throughout the town center.



3. Work with the CT Department of Transportation to continue to install crosswalks and pedestrian cross buttons to encourage pedestrian activity in the Town Center.

4. Connect Hebron Center with sidewalks / bikeway to the Air Line Trail.

5. Connect Hebron Center trails with

a new trail through the RHAM complex, the Salmon River State Forest and to Burnt Hill Park.

Landscaping

1. Require landscaping in areas along the Town roadways.

2. Require significant landscaping of commercial sites, encourage attractive landscaping in public and private places, and include the use of perennials, shrubs, and other native plant materials.

Public Infrastructure Improvements:

1. Continue the use of local revenues and State grants to fund needed public infrastructure improvements within the Town's Business Districts.