

Town of Old Saybrook

Procedure for Seasonal Dwelling Status Revision Applications

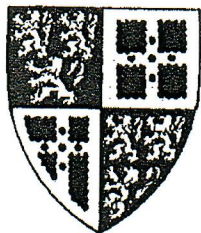
1. Owner of property obtains and signs petition application form from the Old Saybrook Director of Health at the Connecticut River Area Health District (CRAHD) (860-661-3300).
2. Once the Director of Health signs and approves the application, the owner will then submit the original application to the Building Department along with a copy of an A-2 survey and Flood Elevation Certificate.
3. The owner will make arrangements with the Building Official (860-395-3130) for the inspection of the criteria listed in Appendix A. Copies of Appendix A can be obtained from the Building Department on the second floor of Town Hall.
4. The Building Official, upon completion of a field inspection, will inform the owner, in writing, of any items on Appendix A found to be unsatisfactory. Once all items are satisfied, the Building Official will sign the application.
5. Once the application has been signed by both the Director of Health and the Building Official, the original application shall be forwarded with a cover letter to the Board of Selectmen for consideration and action.
6. Upon approval by the Board of Selectmen, the First Selectman's office will record the original application in the Land Records in the Town Clerk's office.

NOTE FOR PROPERTIES LOCATED WITHIN A FLOOD ZONE:

Regulations limit you to expending no more than 50% of the assessed value of the structure (not land) on improvements over a ten year period. If you will exceed the 50% threshold, you will be required to modify the structure so as to comply with the flood regulations. This may involve elevating the structure. Work on the septic system for the property is NOT included in the 50% limit.

The assessed value of your property can be obtained from the Tax Assessor's office in Town Hall (860-395-3137).

You can examine the flood zone maps that are posted outside the Land Use Office on the second floor of Town Hall to determine if your property is in a flood zone.



TOWN OF OLD SAYBROOK
Board of Selectmen

302 Main Street • Old Saybrook, Connecticut 06475-1741
Telephone (860) 395-3131 • FAX (860) 395-1216

**NOTICE REGARDING THE STATUS OF
A SEASONAL DWELLING IN OLD SAYBROOK**

WHEREAS, the property located at: _____
(also identified on Assessor's Map: _____ / Lot: _____) is listed as having a seasonal
dwelling under the Notice recorded in Volume 200, Page 1-32 on December 31, 1981;

WHEREAS, the owner of record, _____,
petitions the Board of Selectmen for removal of the subject property from seasonal classification
under the previous Notice recorded in Volume 200, Page 1-32 on December 31, 1981.

date & signature of Owner of Record

WHEREAS, the Old Saybrook Director of Health approves the dwelling as suitable for year-round
occupancy, as of this date: _____;

date & signature of Director of Public Health

WHEREAS, the Old Saybrook Building Official approves the dwelling as suitable for year-round
occupancy, as of this date: _____;

date & signature of Building Official

WHEREAS, the Board finds that the petition is substantially complete pursuant to Chapter 170
Conversion of a Seasonal Dwellings of the Old Saybrook Town Code;

NOW THEREFORE, the Board removes the subject property from seasonal classification under
the previous Notice recorded in Volume 200, Page 1-32 on December 31, 1981.

ADOPTED, at a Regular Meeting of the Board on: _____
date

OLD SAYBROOK BOARD OF SELECTMEN

I, Sarah V. Becker, duly appointed Town Clerk of Old Saybrook, do hereby certify that the above
is a true and correct copy of a resolution passed and approved at a regular meeting of the Old
Saybrook Board of Selectmen held on: _____.

Date

Sarah V. Becker, Town Clerk

Process for Conversion of a Seasonal Dwelling

Background

On December 31, 1981, the Town of Old Saybrook recorded in the Land Records in Volume 200, Pages 1-32 a list of 561 residential properties that it considered to be seasonal dwellings. This list was compiled by a review of the Assessor's records by the Town Assessor. There have been many questions raised as to the status of these properties. At its meeting held on June 15, 2011, the Board of Selectmen reviewed the status of these properties and based upon the available Town records has re-classified a portion of those properties found to have documentation on file as year-round properties.

For those properties without documentation to support year-round status, at a Town Meeting on August 23, 2011, the Town updated the process for conversion of a seasonal dwelling for year-round use in Chapter 170 "Conversion of a Seasonal Dwelling" of the Town Code.

Process

Before petitioning to change the status of property classified as year-round:

- Read thoroughly Chapter 170 "Conversion of a Seasonal Dwelling" of the Town Code.
- Look at the **current Assessor's property card** to verify whether the property is restricted to "seasonal" use (original Notice recorded in Volume 200, Page 1-32 on December 31, 1981).

Old Saybrook Office of the First Selectman

Town Hall, 1st floor
302 Main Street
Old Saybrook, CT 06475
(860) 395-3124

Old Saybrook Assessor

Town Hall, 1st floor
302 Main Street
Old Saybrook, CT 06475
(860) 395-3137

To prepare your petition:

- Use the "Notice Regarding the Status of a Seasonal Dwelling in Old Saybrook" as your petition to the Board of Selectmen.
- Contact these officials regarding applicable permits/fees necessary to certify the dwelling as suitable for year-round use:

Connecticut River Area Health District

Saybrook Junction Marketplace
455 Boston Post Road, Suite 7
Old Saybrook, CT 06475

Old Saybrook Building Dept.

Town Hall, 2nd floor
302 Main Street
Old Saybrook, CT 06475

(860) 661-3300

(860) 395-3130

Please note: The "Notice" must include original signatures from the Director of Health and the Building Official no older than 180 days.

Submit the petition and other supporting materials as required by the Town Code:

- The Office of the First Selectman will schedule the petition for consideration by the Board of Selectmen and contact the property owner about that date.
- The Board meets regularly on the 2nd Tuesday (10 a.m.) and the 4th Tuesday (7 p.m.) of every month in the First Floor Conference Room, Town Hall, 302 Main Street, unless otherwise posted. You may view the minutes of the Board meeting on our Town website.

Finals steps:

- If the Board approves the petition, then the Office of the First Selectman will file the "Notice Regarding the Status of a Seasonal Dwelling in Old Saybrook" on the Land Records.
- The Office of the First Selectman will mail the "Notice" to property owner, as well as copy the "Notice" to the Assessor, the Building Official, CRAHD, and the Land Use Department for future reference.

Contact the Office of the First Selectmen for answers to any questions.

APPENDIX A

Specific Criteria for Acceptance

Structural:

- Foundation elements display no evidence of pending or actual failure.
- Visible exterior and interior framing elements appear in good condition and adequate for the intended loading.
- Exterior walls and roof (s) display no evidence of excessive settlement or structural distress.
- Building determined to be relatively weather-tight.
- At least one window suitable for egress exists in each bedroom area.
- Any flood regulation provisions checked for operability.
- Attached garage provided with 5/8" Type X gypsum board and solid door separation.
- All non-treated framing elements provided with 8" minimum freeboard above adjacent grade.
- House numbers meets Town Ordinance provisions.
- All entry areas deemed safe and clear; adequate railings provided; minimum of one 36" wide operable door.
- Light and ventilation minimum standards:
 - 8% of floor area (4% operable) in each room, except lavatories.
- Minimum 7' ceiling height (6'-8' under beams)
- Rooms to be a minimum of 70 square feet, except lavatories.

Electrical:

- Service entry cable, meter housing, ground rod(s), distribution panel-determined to be in safe & serviceable condition.
- Electrical service capacity appears adequate for existing loadings.
- Distribution panel and circuitry appear adequate for existing loadings.
- Distribution panel indexed for individual circuits.
- Smoke detectors and carbon monoxide (if appropriate) detectors in place and operable.
- Minimum of 2 receptacles available in each room (excluding bathrooms).
- Ground fault circuit protection installed as a minimum on kitchen, bath, and exterior receptacles.
- AC/DC or DC smoke detectors provided in each sleeping area and on each level; AC/DC or DC carbon monoxide detector provided outside sleeping areas (fossil fuel systems only).

Plumbing:

- Residence supplied with reliable and safe potable water. Provide recent well water potability test results, as appropriate.
- All plumbing (supply and drainage) liens protected against freezing and physical damage.
- Residence provided with reliable domestic hot water at all sinks utilized for cooking, cleaning or bathing.
- Minimum of 1 water closet, one lavatory, and one bath or shower provided.
- No apparent leaks in either supply or waste water systems.
- Sump pump discharge not directed to public way or creating a nuisance.

APPENDIX A cont'd,

Building Energy:

- Windows – Minimum of double pane glass or single pane with storm units installed.
- Exterior doors – solid wood or insulated installed.
- Heating system – appears adequate, operable, safe, and accessible.
- Insulation meets minimum R values:
 - Floors over unheated basements – R-19
 - Floors over unheated crawl spaces – R-30
 - Exterior Walls – R-11
 - Ceiling (Attic Floors) – R-30

Additional Considerations:

- No soil erosion concerns.
- No storm drainage onto public property concerns.
- No blight conditions evident on property.

Acceptance criteria not defined herein shall utilize the values/definitions per the current State Residential Building Code.

Chapter 170. SEASONAL DWELLINGS, CONVERSION OF

[HISTORY: Adopted by the Town Meeting of the Town of Old Saybrook 5-1-1986 by Ord. No. 62; amended in its entirety 8-23-2011. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

State Building Code - See Ch. 94, Art. I.

Rental housing - See Ch. 166.

Sewage disposal systems - See Ch. 173.

§ 170-1. Conversion of seasonal dwelling to year-round use.

No seasonal dwelling in the Town of Old Saybrook shall be converted to year-round use and occupancy unless approved by the Board of Selectmen, in accordance with these procedures, standards, and conditions:

- A. The property owner will prepare and file with the Board of Selectmen a petition for approval for conversion of a seasonal dwelling to year-round use and occupancy.
- B. The petition shall be accompanied by a plan, map, or drawing, which is prepared by and certified by a registered land surveyor to the A-2 standard of accuracy as defined in the Regulations of State Agencies adopted pursuant to C.G.S. § 20-00b, or as the same may be amended from time to time, depicting delineation of road rights-of-way, property boundaries, and location of any improvements such as the dwelling, its water supply, and its sewage disposal system. All information shown on the plan, map, or drawing will be based on accurate field survey data referenced to the North American Vertical Datum 1988 (NAVD 1988) and the Connecticut Coordinate Grid System (NAD 83); aerial survey data, based on accurate ground control surveys, may be utilized, provided they are supplemented by field surveys at locations where elevations and dimensions are critical. Additionally, the plan, map, or drawing will contain a statement as to whether or not there is a well or wells located on other properties within 100 feet of the boundaries of the lot and, if so, the name and address of the owner and general location of such wells.
- C. The petitioner must obtain confirmation from the public water service provider that any necessary improvements are made sufficient to supply year-round water if the seasonal dwelling is served, or is to be served, by public water.
- D. The petition will be accompanied by a flood elevation certificate, if the dwelling is within a special flood hazard area.

§ 170-2. Approval of Director of Health and Building Official required.

- A. The Board of Selectmen will find that the following approvals have been obtained:

(1) The sewage disposal system to serve the proposed year-round use and occupancy of the dwelling has the approval, in writing, of the Old Saybrook Director of Health that it is in compliance with the Connecticut Public Health Code and Chapter **173**, Sewage Disposal Systems, Article II, Decentralized Wastewater Management District, of the Town Code.

(2) The structure's insulation, electrical system, heating system, and other components have the approval, in writing, of the Old Saybrook Building Official that it is in compliance with the list of minimum standards, entitled "Appendix A," established for year-round dwelling purposes by the Old Saybrook Building Official and approved by the Board of Selectmen, as amended from time to time.

B. It is the responsibility of the applicant to provide all information and obtain permits as necessary for officials of the Town of Old Saybrook to make a determination that these requirements have been met.

§ 170-3. Filing of notice identifying property; required information.

A. It shall be the responsibility of the Board of Selectmen to file the approved notice to remove property from seasonal classification on the Land Records of Old Saybrook identifying any property converted from seasonal use to year-round use. The notice shall be the petition form identified under § **170-1** above and shall include the following information as a minimum:

(1) Property address (street name and number).

(2) Assessor's map and lot numbers.

(3) Owner of record.

(4) Approval by the Director of Health.

(5) Approval by the Building Official.

B. If a claim is made that a dwelling is already a year-round dwelling, it shall be the responsibility of the claimant to provide proof of year-round use and occupancy by means of water bills, heating bills, or other such written records, but the final determination of the dwelling's use will remain with officials of the Town of Old Saybrook.

C. Any such claim shall be reviewed by the Building Official and the Director of Health for their comments on the claim. The matter will then be referred to the Board of Selectmen for final determination as to the year-round status of the property. The Board of Selectmen will give notice to the claimant of the time and place of its consideration of the matter, and at its meeting will give the claimant and any other interested parties the right to present evidence regarding its claim. After reviewing the matter and hearing all evidence with respect to it, the Board of Selectmen will make its decision regarding the property owners' claim.

§ 170-4. Definitions.

For the purposes of this chapter, the following terms shall have the meanings indicated:

SEASONAL DWELLING

A dwelling unit designed, used or intended to be for seasonal use. "Seasonal use" is defined as the continuous, regular, periodic, or occasional use of a building or structure for dwelling purposes principally and primarily between April 1 and November 15 of each year.

YEAR-ROUND USE AND OCCUPANCY

The continuous, regular, or periodic use of a building or structure throughout any given calendar year and which is not a seasonal use.

§ 170-5. Occasional use.

A. Nothing in this chapter shall be construed as prohibiting the infrequent or occasional use of a seasonal dwelling outside of the April 1 to November 15 period, nor shall this infrequent or occasional use be evidence of the year-round use and occupancy of the dwelling. For the purposes of this chapter, "infrequent or occasional use" shall mean:

- (1) Occupancy or use of the residence for a period not to exceed 72 consecutive hours; or
- (2) Occupancy or use of the residence not to exceed two forty-eight-hour periods per calendar month.

B. Nothing in this chapter authorizes the occupancy or use of a residence, the use of which would violate or conflict with any rules or regulations established by the Old Saybrook Water Pollution Control Authority for those properties serviced by sewage systems authorized by that Authority.

§ 170-6. Penalties for offenses.

Any person or persons found to be in violation of any section or provision of this chapter shall be subject to enforcement or penalty actions as provided for by the General Statutes of the State of Connecticut and ordinances of the Town of Old Saybrook.