



---

## SECTION 55

# Planned Residential Development Zone

### 55.0 [RESERVED]

### 55.1 GENERAL

The *Planned Residential Development* (PRD) Zone is a class of *zone* in addition to and overlapping a portion or portions of the following *districts* as may be established and approved under these regulations.

- A. The Residence A District delineated on the Zoning Map, except for that area known as the “Cornfield Point Association” as follows: Northerly by Maple Avenue and Summerfield Road; Northwesterly by Lot No. 57; Westerly by Lot Nos. 58, 59, 60, and a portion of Indianola Drive; Lot Nos. 13, 11-1, 11-2, and a portion of Sea Breeze Road, and Lot No. 8; Northwesterly by Lot Nos. 8 and 1, and a portion of the Town Beach road; Westerly again by a portion of Town Beach Road and a portion of Lot No. 150; Northerly again by Lot No. 150; Westerly again by Long Island Sound; Southwesterly by Long Island Sound; Southeasterly by Long Island Sound; and Southerly by Long Island Sound; and
- B. That portion of the Residence AA-2 District delineated on the Zoning Map as follows: Easterly by the Connecticut River, Northwesterly and Northerly by the Penn Central Railroad, Westerly by existing Industrial I and Residence A Districts, Southwesterly by existing Marine Industrial MI District and North Cove; and
- C. That portion of the Saybrook Point SP-3 and Residence A Districts delineated on Lot 55 on the Zoning Map of the Town of Old Saybrook, Connecticut, Supplementary Map No. 2, (Saybrook Point) Old Saybrook Zoning Commission.
- D. The Residence C Conservation District.

### 55.2 DEFINITIONS

#### **Planned Residential Development.**

- A. One (1) or more *dwelling units*, each containing not more than eight (8) *dwelling units*, or
- B. One or more clusters of single detached *dwelling units* for one *family*,
- C. Areas reserved for other *uses*, as may be allowed in the PRD together with the parking, recreation and *accessory uses* customary with and incidental to, which are limited to the *use* of the residents of the *dwelling units*.

A PRD may be located on a *lot* in an *Open Space* Subdivision, and will be so designated on the subdivision maps and plans. *Open space* areas in the PRD *lot*, however, may be available for *use* by other than residents of the *dwelling units* in the PRD, if approved or required by the Commission.

**Age Restricted Development.** A type of Planned Residential Development, where at least one occupant of each *dwelling unit* is fifty-five (55) years of age or older, and there is no occupant of any *dwelling unit* under the age of twenty-one (21) years, residing there permanently.

**Bedroom.** Any room designed, intended, furnished or occupied for sleeping quarters, and any room other than a living room, dining room, kitchen, bathroom or a utility or storage room having an area of less than fifty square feet (50 s.f.), will be considered a bedroom.

**Den.** A room, contained in a *dwelling unit* which is part of an *age restricted development*, which is not a living room, dining room, kitchen, bathroom or a utility storage room having an area of less than fifty square feet (50 s.f.), which is not intended to be, nor may it be, occupied as sleeping quarters.

### 55.3 APPLICATION

Application for a PRD will be submitted in writing to the Enforcement Officer, and, if made in connection with an *Open Space* subdivision, a copy of the application and accompanying documentation will also be submitted to the Planning Commission with the subdivision application. The following will accompany an application for a PRD:

55.3.1 **Survey Map.** Six (6) copies of a Class A-2 survey map of the *lot* covered by the application, prepared by a land surveyor licensed to practice in the State of Connecticut, showing the boundaries of the *lot*, existing contours at an interval of not exceeding two feet (2') based on Mean Sea Level (National Geodetic Vertical Datum of 1929), the boundary of any *tidal wetlands* and *inland wetlands* and any *watercourses*.

55.3.2 **Site Plan.** Six (6) copies of a site plan.

55.3.3 **Architectural Plans.** Six (6) copies of architectural plans and narrative describing and illustrating the architectural elements, character and design standards applicable to the *dwellings* for *buildings*, including single *family dwellings*, landscaping plans and site improvement plans. All of the preceding plans, narrative and other documentation will, as a minimum, will be in accordance with the Special Exception *use* provisions of these regulations.

55.3.4 **Soil Erosion & Sediment Control Plan.** Six (6) copies of a *Soil Erosion & Sediment Control Plan*.

55.3.5 **Water and Sewage Disposal Plans.** A water & sewage disposal plan, prepared and sealed by a professional engineer licensed in the State of Connecticut, describing the proposed water supply and method of sewage disposal for the PRD. The engineer shall certify that the proposed water supply and method of sewage disposal complies with all applicable sanitary codes, rules and regulations.

Where connection to an on-site or off-site central sanitary sewer system is proposed, the system and the connection will meet all the technical and administrative requirements of the Water Pollution Control Authority (WPCA), the Connecticut River Area Health District, and the State of Connecticut. In addition, the applicant will provide evidence



from the Water Pollution Control Authority (WPCA) that it is capable of providing sanitary sewer service to the subject site.

When the applicant proposes to utilize a community sewerage system, as defined in C.G.S. §7-245, a report from the Water Pollution Control Authority (WPCA) indicating that all requirements of C.G.S. §7-246f have been satisfied will be provided. In the event any portion of the community sewer system, or its facilities, are located off-site of the proposed PRD *lot*, the off-site area will be in the same zoning district as the PRD, and the *use* of the system or any of its facilities will be limited to the land, *lots* and *buildings* as will be specifically approved by the Commission. When individual sewage disposal systems are proposed, written evidence will be submitted that the subsurface sewage disposal system proposal is approved by the Connecticut River Area Health District.

The applicant will submit a written report, prepared and sealed by a professional engineer licensed in the State of Connecticut, describing the proposed water supply system for the PRD. The engineer will certify that the proposed water supply complies with all applicable sanitary codes, rules and regulations. If a public water supply is to be used for the PRD, the applicant will submit written evidence of agreement by the Water Company to provide a safe and adequate public water supply. Such water supply system and connection will meet all the technical and administrative requirements of the Connecticut River Area Health District and the State of Connecticut.

In accordance with C.G.S. §8-25a., any development providing water by means of a “water company”, as that term is defined in C.G.S. §16-262m (a) will provide to the Commission a certified copy of a Certificate of Public Convenience and Necessity issued for the development by the Connecticut Department of Public Utility Control. No application for a PRD involving a water company will be deemed completed without the certificate, unless the applicant will provide a resolution of the Board of Selectmen waiving the certificate and agreeing to be responsible for the operation of the subject water company in the event that the company is at any time unable or unwilling to provide adequate service to its consumers.

55.3.6 **Protection of Surface and Ground Water Supply.** Pursuant to C.G.S. §8-2, every application for PRD will include an evaluation of the impact of the proposed development upon existing and potential public surface and ground drinking water supplies. Such evaluation will contain, at a minimum:

- A. A statement describing the nature of the *use* of any *buildings* or areas of the site and their method of sewage and waste disposal.
- B. The nature of any discharges anticipated.
- C. The nature of any materials to be stored, processed or otherwise present on the site, and the period of time for which and conditions under which the materials will be present on the site.

- D. The nature of the ground or surface waters on and around the site, including any public or private domestic users of the waters, their classification as designated by the Connecticut Department of Environmental Protection Groundwater Classification System, the depth to any groundwater, the nature of the soils surrounding the groundwater and the like.
- E. Measures to be taken by the applicant to control any potential adverse impact on surface and ground drinking water supplies.
- F. Other information which might assist the Commission in determining that the waters will be protected from potential adverse impacts created or increased by the proposed development. Any evaluation will be prepared by a qualified hydrogeologist or other professional who provides qualifications satisfactory to the Commission. The Commission may refer the evaluations to any governmental agency for review and comment.

The information described in subsections D, E and F need only be provided when the information set forth in paragraphs A, B and C indicates the presence of materials or processes which have the potential to adversely impact groundwater.

55.3.7 **Management.** Each PRD will be established by means of a legal entity organized and existing under applicable sections of the State statutes that provide for ownership and management of common properties and facilities, for *open space*, and for utility, sewage, and water systems, unless provided by a public entity, (e.g., Connecticut Water Company) and will include provisions for financing and maintenance of the property, facilities, and systems, so as to ensure continuing compliance with the standards and criteria of these regulations. All legal documentation for the entity will be subject to review and approval by the Commission before the approval of any PRD.

#### 55.4 PROCEDURE

Upon receipt, the Enforcement Officer will transmit the application and accompanying plans and documents to the Commission, as well as transmit a copy to the Planning Commission. Within forty-five (45) days after receipt of copy of the application form, plans, and documents, the Planning Commission will report its recommendations to the Commission, stating the reasons. The Commission may request the Applicant to submit:

- A. Sufficient additional copies of maps, plans and documents for review by other agencies; and
- B. Additional information that it deems necessary to decide on the application. The Commission will hold a public hearing on the application will decide and will give notice of its decision, as required by law. The Applicant may consent in writing to one or more extensions of the time for public hearing and action on the application as provided by law.

No subdivision application for land within a proposed PRD will be filed with the Planning Commission until the PRD is approved by the Commission.



## 55.5 APPROVAL

After the public hearing, the Commission may approve the PRD if it will find that the development will conform to the standards specified. The approval is subject to conditions as follows:

- 55.5.1 **Details and Specifications.** Approval may be conditioned upon submission of detailed plans and specification for particular elements of the PRD for approval by the Commission. Approval will become effective when the detailed plans and specifications have been approved.
- 55.5.2 **Timing and Staging.** Approval may be conditioned upon completion of the PRD, in accordance with plans as approved, within a period of five (5) years after the effective date of the approval of the PRD as specified by the Commission, provided that:
- A. Extensions of the period may be granted by the Commission for good cause.
  - B. The Commission may require certain infrastructure improvements to be completed prior to the occupancy of *dwelling units* served by the infrastructure improvements. The Commission may also require that the PRD be developed in phases which are limited in terms of time frame (minimum or maximum periods of completion), number of *dwelling units*, or completion of specified infrastructure improvements prior to occupancy of a phase.
  - C. Documents for organization, ownership, and management will be approved, as provided in 55.3.7.
- 55.5.3 **Safeguards.** All PRDs may be approved subject to appropriate conditions and safeguards necessary to conserve the public health, safety, convenience, welfare and property values in the neighborhood.
- 55.5.4 **Bond.** The Commission will require the posting of a bond with sufficient surety in favor of the Town to ensure completion of any site work, including landscaping, approved under the PRD.

## 55.6 STANDARDS

The proposed PRD will conform to all of the requirements of these regulations and will conform to the General Standards of these regulations and to the following Special standards:

- 55.6.1 **Lot Area.** The PRD will be located on a *lot* having a minimum square footage, exclusive of tidal or *inland wetlands* and *watercourses* or land delineated as *Special Flood Hazard Area*, of:
- A. Sixty-nine thousand seven hundred square feet (69,700 s.f.) if located in that portion of the Saybrook Point SP-3 and Residence A Districts (excluding that area known as the “Cornfield Point Association”); or
  - B. Two and one-half (2½) acres within the Residence A District if all the *dwelling*s are within five hundred feet (500’) of the Central Business B-1 District, except for *dwelling*s located on a *lot* northwesterly of the Boston Post Road or on a *lot*

within the proposed historic district, shown on the Zoning Map of the Town of Old Saybrook, adopted June 1970, revised to August 2002; or

- C. Five (5) acres within any other portion of the Residence A District; or
- D. Seven (7) acres within the designated portion of the Residence AA-2 District; or
- E. Fifteen (15) acres in the Residence Conservation C District.

For the purposes of this PRD regulation, the required minimum *lot* area may be separated by *open space*, or by a public or private *street*, as part of an integrated Open Space Subdivision plan or other PRD development submitted under this section.

55.6.2 **Dwelling Units.** The *dwelling*s will be located on suitable *building* land on the *lot*. The total number of *bedrooms* in *dwelling units* on the *lot* in that portion of the Saybrook Point SP-3 and Residence A Districts as designated in Paragraph 55.1 c) will not exceed forty-eight (48) *bedrooms* per each sixty-nine thousand seven hundred square feet (69,700 s.f.) of land area, and in the areas designated in sub-paragraphs a), exclusive of the area known as the “Cornfield Point Association”, and b) of Paragraph 55.1 will not exceed eight (8) per acre or fraction thereof, exclusive of *tidal* or *inland wetlands* and *watercourses* or land delineated as a *Special Flood Hazard Area*.

In the Residence C Conservation District, *dwelling*s will be located on suitable *building* land on the *lot*. The total number of *bedrooms* in *dwelling units* on the *lot* will not exceed eight (8) per acre or fraction thereof, of the *lot* area exclusive of *tidal* or *inland wetlands* and *watercourses* or land delineated as a *Special Flood Hazard Area*.

In an *age restricted development*, the Commission, in addition to the eight (8) *bedrooms* per acre permitted in a PRD may permit up to four (4) dens per acre or fraction thereof, of the *lot* area exclusive of *tidal* or *inland wetlands* and *watercourses* or land delineated as a *Special Flood Hazard Area*. In an *age restricted development*, the following additional standards will apply:

- A. No *dwelling unit* will contain more than two (2) *bedrooms* and one (1) den.
- B. At least one of the *bedrooms* will be located on the first floor.
- C. In calculating the number of *dwelling units* that may be permitted in an *age restricted development*, the rooms permitted to be used as dens will not be considered to increase the number of *dwelling units* permitted per acre.

55.6.3 **Dwelling Unit Specifications.** In *dwelling*s with more than one *dwelling unit*, each one-bedroom *dwelling unit* will contain not less than eight hundred square feet (800 s.f.) of enclosed floor space, and each *dwelling unit* having two (2) or more *bedrooms* will contain not less than twelve hundred square feet (1,200 s.f.) of enclosed floor space. Each single detached *dwelling* for one (1) *family* will contain not less than nine hundred square feet (900 s.f.) of the enclosed floor space on the ground floor. No separate *dwelling unit* will be located above any other *dwelling unit*, except in a *building* on the *lot* on the effective date of this amendment where the Commission finds that the retention or conversion of the *building* into residential *dwelling units*, particularly a *building* of historic character, is consistent with the size, character and configuration of the *building*.



- 55.6.4 **Setbacks.** In any PRD, no *building* or structure will extend within less than seventy-five feet (75') of any existing *street line* or *property line* of property not owned by the applicant, except that:
- A. For an *age restricted development* within the Residence A District, a *dwelling* containing not more than two (2) *dwelling units*, may extend within not less than twenty five feet (25') of an existing *street line* and not less than fifteen feet (15') of any *property line* of property not owned by the applicant; and
  - B. Where all the *dwellings* in the PRD are located within five hundred feet of the Central Business B-1 District, a *dwelling* containing not more than four (4) *dwelling units*, may extend within not less than twenty-five feet (25') of an existing *street line* and not less than fifteen feet (15') of any *property line* of property not owned by the applicant.
  - C. Residential *buildings* will be clustered to create a sense of neighborhood, while-maintaining adequate separating distance to provide privacy. The size of clusters and the *setback* between *buildings* will be evaluated based on the size, height, and number of *dwelling units* in the *building*. No parking spaces or access aisles in connection therewith will extend within less than twenty-five feet (25') of any existing *street line* or within less than fifteen feet (15') of any *property line* of property not owned by the applicant. No *dwelling* containing more than one (1) *dwelling unit* will extend within five hundred feet (500') of any other Town. *Setbacks* from other *streets* and *property lines*, and separation distances between *dwellings* and clusters of *dwellings* may be required by the Commission to meet the Site Plan Objectives and the General Standards of these regulations.
- 55.6.5 **Coverage, Building or Structure – Gateway Conservation Zone.** If any portion of the property is in the *Gateway Conservation Zone*, that portion will be governed by the land coverage standard for residential districts, established by the Connecticut River Gateway Commission, in accordance with the provisions of C.G.S. §25-102D, or twenty percent (20%), whichever is less.
- 55.6.6 **Utilities.** All electric and telephone utility lines will be located underground. Each *dwelling unit* will be served by public water supply and by a sewage disposal system approved in accordance with these regulations.
- 55.6.7 **Paving and Sidewalks.** All *paved areas*, curbing and sidewalks will be installed in conformity with the standards of the Subdivision Regulations. The placement size, arrangement and *use* of access *driveways* to public or private *streets* will be adequate to serve residents of the *dwellings* and will not hinder safety on existing or proposed *streets*. An access *driveway* serving more than two (2)+ *dwellings* will be at least twenty feet (20') in width at the intersection with a public or private *street* and will remain as a private *driveway*. The Commission may require sidewalks along public or private *streets* in accordance with the standards of the Subdivision Regulations. In areas where the proposed *street* system does not conform to the anticipated pattern of pedestrian circulation, particularly in the area of existing or proposed parks, playgrounds, *open spaces* or non-residential facilities, the Commission may require

the dedication or construction of separate pedestrian walkways or bikeways on public easements no less than fifteen feet (15') in width. Such walkways or bikeways may be in lieu of, or in addition to, sidewalks along *streets*. Bonding will be as specified in Paragraph 55.5.4.

55.6.8 **Method of Ownership.** *Dwelling units* may be for sale or rental in individual, public, cooperative or condominium ownership. Documentation as to management, organization, and incorporation of applicable ownership associations will be submitted to the Commission at the time of filing of the application. All *open space* and supporting facilities and systems will be in compliance with applicable law and provide for maintenance, liability, financing and rights of access and *use* by residents of the PRD acceptable to the Commission. Required *open spaces* will be dedicated in the manner and under the procedures provided for in the Subdivision Regulations.

55.6.9 **Open Space.**

A. Not less than fifty percent (50%) of the PRD *lot* area will be set aside as *open space* permanently dedicated for preservation, the location and configuration of which will be subject to approval by the Commission. In calculating the area of the preservation *open space* land, areas of a PRD *lot* dedicated to or available for non-municipal active recreational *uses* will be excluded. Such non-municipal active recreational *uses* include, but are not limited to tennis clubs, pool clubs, equestrian facilities, and similar facilities, plus all parking, *driveways*, and *accessory* facilities and areas. Pedestrian trails may be included within the *open space*, and will not be excluded from the calculation. When the PRD *lot* is proposed as a *lot* within an Open Space subdivision pursuant these regulations, such preservation *open space* contained within the PRD will be included in the *open space* calculations applicable to the subdivision.

B. In Residence A, Residence AA-2 and Saybrook Point SP-3 Districts, the Commission may determine an appropriate set aside for *open space*, not to exceed fifty percent (50%) of the non-*wetlands* portion (*inland wetlands* or *tidal wetlands*) of the *parcel*. In lieu of *open space*, the Commission may accept a fee to be paid by the applicant calculated and administered in accordance with C.G.S. §8-25.

55.6.10 **Supporting Services.** Where there is common property, systems and facilities located in the PRD, such as roads, *driveways*, sewage disposal systems, recreational facilities and *open spaces*, provision will be made for ownership, operation, maintenance and financing by the ownership association on a private basis. Where the size and design of the PRD make it desirable, the Commission may also permit additional non-residential *uses* which provide for the convenient spiritual, retail, institutional, financial and municipal needs of the occupants, including:

A. Places of worship;

B. General retail *uses*, personal service *uses*, banks and other financial institutions, professional offices, provided the *gross floor area* of any single *use* in any PRD development will not exceed fifteen hundred square feet (1,500'), and the aggregate *gross floor area* of all *uses* in any PRD development will not exceed forty-five hundred square feet (4,500'); or



C. *Buildings* or facilities of the Town of Old Saybrook, which may include an *accessory* apartment of not less than seven hundred fifty (750 s.f.) nor more than nine hundred square feet (900 s.f.) of *gross floor area*. At least one occupant will be a person who is employed by or performs services on behalf of the Town of Old Saybrook.

55.6.11 **Bed and Breakfast Transient Lodging Use.** Where the size, location and design of the PRD make it desirable, the Commission may also permit a *bed and breakfast-transient lodging use* as part of a PRD, provided:

- A. The bed and breakfast transient lodging facility is located within five hundred feet (500') of the Central Business District, and;
- B. The bed and breakfast transient lodging facility meets the Special Standards of Section 53, except where the owner or operator of the bed and breakfast transient lodging will reside within the *bed and breakfast transient lodging facility*, and the bed and breakfast premises will be the principal place of residence of the owner or the operator.

A store where goods are sold or service is rendered primarily at retail may also be permitted as accessory to the bed and breakfast transient lodging facility provided that it is located within, attached to or within one hundred feet (100') of the bed and breakfast facility. The gross floor area of the store will not exceed six hundred square feet (600 s.f.) and will meet all parking and signage requirements applicable to retail stores.