

Madeline B. Fish, Chairman  
3/15/04

Approved by ZC  
3/15/04  
Effective Date: April 30, 2004

The Planned Residential Development (PRD) District is a class of zone in addition to and overlapping such portion or portions of the following Districts as may be established and approved under Section 55.3 of 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 (Effective 4/13/95); 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 I-1 and A Districts, Southwesterly by existing MC District and North Cove (Effective 8/23/99); and

c) That portion of the 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, October 15, 1982, as referred to in Section 5.1.2 of the Old Saybrook Zoning Regulations. (Effective 3/10/00).

(d) The Residence C Conservation District.

## 55.2 Definitions.

**PLANNED RESIDENTIAL DEVELOPMENT .** a) One (1) or more dwelling, each containing not more than eight (8) dwelling units, or b) One or more clusters of single detached dwellings for one family, c) areas reserved for such other uses as may be allowed in the Planned Residential Development in accordance with Section 55.6.9 under these Regulations, and otherwise as defined and permitted pursuant to the Common Interest Ownership Act, Chapter 828, of the General Statutes of the State of Connecticut, as the same may be amended from time to time, and fulfilling all requirements and provisions thereof, together with the parking, recreation and accessory uses customary with and incidental thereto 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 shall 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 55 years of age or older, and there is no occupant of any dwelling unit under the age of 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 (50) square feet, 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 (50) square feet,; which is not intended to be, nor may it be, occupied as sleeping quarters.

### **55.3 Application**

Application for a Planned Residential Development (PRD) will be submitted in writing to the Zoning 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 Planned Residential Development Application will also be accompanied by the following:

**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 (2) feet 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, in accordance with the provisions of Sections 8, 51 and 52. (Adopted effective: 4/13/95.)

**55.3.3 Architectural Plans.** Six (6) copies of architectural plans and narrative describing and illustrating the architectural elements, character and design standards to be applicable to such dwellings for buildings, including single family dwellings; landscaping plans; site improvement plans. All of the preceding plans, narrative, and other documentation shall, as a minimum, shall be in accordance with the provisions of Section 51 of these regulations.

55.3.4 Soil Erosion and Sediment Control Plan. Six (6) copies of a Soil Erosion & Sediment Control Plan, in accordance with the provisions of Section 67. (Adopted effective 7/1/85)

55.3.5 Water and Sewage: Disposal Plans. A Water and 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 comply with all applicable sanitary codes, rules and regulations.

Where connection to an on-site or off-site central sanitary sewer system is proposed, such system and the connection thereto shall meet all the technical and administrative requirements of the Old Saybrook Water Pollution Control Authority, the Director of Health of the Town of Old Saybrook and the State of Connecticut. In addition, the applicant shall provide evidence from the Old Saybrook Water Pollution Control Authority 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 Connecticut General Statutes §7-245, a report from the said Water Pollution Control Authority indicating that all requirements of Connecticut General Statutes §7-246f have been satisfied shall be provided. In the event any portion of the community sewerage system, or its facilities, are located off-site of the proposed PRD lot, such off site area shall be in the same Zoning District as the PRD, and the use of such system or any of its facilities shall be limited to such land, lots and buildings as shall be specifically approved by the Old Saybrook Zoning Commission. When individual sewage disposal systems are proposed, written evidence shall be submitted that the subsurface sewage disposal system proposal is approved by the Old Saybrook Director of Health or his authorized agent.

The applicant shall 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 shall 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 shall submit written evidence of agreement by the Water Company to provide a safe and adequate public water supply. Such water supply system and connection shall meet all the technical and administrative requirements of the Director of Health of the Town of Old Saybrook and the State of Connecticut.

In accordance with 58-25a of the Connecticut General Statutes; as amended by Public Act 84-330, any development providing water by means of a "water company", as that term is defined in Connecticut General Statutes §16-262m (a) shall 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 such a water company shall be deemed completed without said Certificate, unless the applicant shall provide a resolution of the Old Saybrook Board of Selectmen waiving said 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 Connecticut General Statutes 58-2 as amended by Public Act 85-279, every application for PRD shall include an evaluation of the impact of the proposed development upon existing and potential public surface and ground drinking water supplies. Such evaluation shall 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, such materials shall 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 such waters, their classification, as designated by the Connecticut Department of Environmental Protection's Groundwater Classification System, and the depth to any groundwater, the nature of the soils surrounding such 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/Board in determining that such waters will be protected from potential adverse impacts created or increased by the proposed development: Any such evaluation shall be prepared by a qualified geohydrologist or, other professional who provides evidence satisfactory to the Commission that he/she is qualified to prepare such evaluations. The Commission may refer such 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 PFD will be established by means of a legal entity organized and existing under applicable sections of the Connecticut General 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 Later 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 Section 55.3.3 through 55.3.6 and to meet the standards and criteria for approval set forth in Sections 8, 51, and 52 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 Zoning Enforcement Officer will transmit the Application and accompanying plans and documents to the Zoning Commission; he will also transmit a copy thereof to the Planning Commission. Within 45 days after receipt of copy of the Application, plans, and documents, the Planning Commission will report its recommendations to the Zoning Commission, stating the reasons therefor. The Zoning Commission may request the Applicant to submit:

- a) Additional copies of maps, plans and documents for review by other agencies; and
- b) Such additional information that it deems necessary to decide on the Application.

The Zoning Commission will hold a public hearing on the Application, will decide thereon and 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 shall be filed with the Planning Commission until the PRD is approved by the Zoning Commission.

## **55.5 Approval**

After the public hearing, the Zoning Commission may approve the Planned Residential Development (PRD) if it will find that the development will conform to the standards hereinafter 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 Planned Residential Development (PRD) for approval by the Zoning 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 Planned Residential Development (PRD), in accordance with plans as approved, within a period of five (5) years after the effective date of the Approval of the Planned Residential Development as specified by the Commission, provided that:

- a) Extensions of the period may be granted by the Zoning Commission for good cause,
- b) The Zoning Commission may require certain infrastructure improvements to be completed prior to the occupancy of dwelling units served by such 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 Planned Residential Developments (PRD) 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 Zoning, Commission will require the posting of a bond with sufficient surety in favor of the Town to Inspire completion of any site work, including landscaping, approved under the Planned Residential Development (PRD).

## **55.6 Standards**

The proposed Planned Residential Development (PRD) will conform to all of the requirements of these Regulations and will conform to the General Standards Section 8, 51 and 52 of these Regulations and to the following Special Standards

55.6.1 Lot Area. The Planned Residential Development (PRD) will be located on a lot having a minimum square footage of 69,700 square feet if located in that portion of the SP-3 and Residence A Districts (excluding that area known as the "Cornfield Point Association" specified in Section 55.1c), and a minimum area of five (5) acres (if within the Residence A District) or seven (7) acres (if within the designated portion of the Residence AA-2 District), or 15 acres in the Residence C Conservation District, exclusive of any tidal and inland wetlands and water courses. For the purposes of this PRD regulation, a lot 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 dwellings 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 SP-3 and Residence A Districts as designated in Paragraph 55.1 c) will not exceed forty-eight (48) bedrooms per each 69,700 square feet 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 and inland wetlands and water courses.

In the Residence C Conservation District, The dwellings will be located on suitable building land on the lot. The total number of bedrooms in dwelling units on the lot will not exceed 8 per acre, or fraction thereof, of the lot area exclusive of tidal and inland wetlands and water courses.

**In an *Age Restricted Development*, the Commission, in addition to the 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 and inland wetlands and watercourses. In an Age Restricted Development, the following**

additional standards shall apply:

**55.6.2.1 No dwelling unit shall contain more than two (2) *bedrooms* and one (1) Den.**

**55.6.2.2 At least one of the bedrooms shall be located on the first floor .**

**55.6.2.3 In calculating the number of dwelling units which may be permitted in the Age Restricted Development, the rooms permitted to be used as Dens, shall not be considered to increase the number of dwelling units permitted per acre.**

55.6.3 Dwelling Unit Specifications. In dwellings with more than one dwelling unit, each one-bedroom dwelling unit will contain not less than 800 square feet of enclosed floor space, and each dwelling unit having two (2) or more bedrooms will contain not less than 1,200 square feet of enclosed floor space. Each single detached dwelling for one (1) family will contain not less than 900 square feet of the enclosed floor space on the ground floor. No separate dwelling unit will be located above any other dwelling unit.

55.6.4 Setbacks. In any Planned Residential Development (PRD), no building or structure, will extend within less than seventy-five (75) feet of any existing street line or property line of property not owned by the applicant, **except that 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 (25) feet of an existing street line and not less than fifteen (15) feet of any property line of property not owned by the applicant.** Residential buildings shall 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 (25) feet of any existing street line or within less than fifteen (15) feet of any property line of property not owned by the applicant. No dwelling containing more than one dwelling unit will extend within five hundred (500) feet 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 of Section 51 and the General Standards of Section 52.

**55.6.5 Coverage, Buildings and Structures: In the Gateway Conservation Zone**

**If any portion of the property is in the Gateway Conservation Zone, that portion shall be governed by the Land Coverage Standard for Residential Districts, established by the Connecticut River Gateway Commission, in accordance with the provisions of Section 25-102D of**

**the Connecticut General Statutes, or 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 Sections 55.3.5 and 55.3.6 of these Regulations.

55.6.(6)7 Paving and Sidewalks. All paved areas, curbing, and sidewalks will be installed in conformity with the standards of the Subdivision Regulations of the Town of Old Saybrook. 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. Access driveways serving more than two dwellings will be at least twenty (20) in width at the driveway intersection with a public or private street. and will remain as private driveways. The Commission may require sidewalks along public or private streets in accordance with the standards of the Subdivision Regulations. In areas where the proposed streets 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 approved pursuant to section 55.6.9, the Commission may require the dedication and construction of separate pedestrian walkways or bikeways on public easements no less than fifteen (15') feet 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.(7)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 shall be dedicated in the manner and under the procedures provided for in Section 5.8 and 6.13 of the Old Saybrook Subdivision Regulations.

55.6.(8)9 Open Space.

55.6.9.1 In the Residence C Conservation District, not less than 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 said preservation open space land, areas of a PRD. Lot dedicated to or available for non-municipal active recreational uses shall be excluded: Such non-municipal active recreational uses include, but are not limited to; golf courses, 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 shall not be excluded from the said calculation. When the PRD lot is proposed as a lot within an Open Space subdivision pursuant to Section 56 of these Regulations, such preservation open space contained within the PRD shall be included in



the open space calculations applicable to said subdivision.

**55.6.9.2 In Residence A, Residence AA-2 and SP 3 Zones, the Commission may determine an appropriate set aside for open space, not to exceed 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. Said fee to be calculated and administered in accordance with Section 8-25 of the Connecticut General Statutes.**

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 the following:

a. Churches and 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 shall not exceed 1500 square feet, and the aggregate gross floor area of all such uses in any PRD development shall not exceed 4500 square feet

c. Buildings or facilities of the Town of Old Saybrook, which may include an accessory apartment of not less than 750 square feet nor more than 900 square feet of gross floor area. At least one occupant shall be a person who is employed by or performs services on behalf of the Town of Old Saybrook.

**ADDITIONAL CHANGES RESULTING FROM ADOPTION OF THE FOREGOING:**

**7.5.2 Coverage in Conservation Zone:** ground coverage of all buildings and other structures on any lot in the Conservation Zone shall not exceed the percentage of lot area as specified for that portion of the district in such zone **or as otherwise provided in these regulations..**

