

## **2.8 Active Adult Community Zone**

### **2.8.1 Purpose and Intent**

- A. It is the purpose and intent of this regulation to utilize a floating zone vehicle to authorize and promote the construction of alternative housing options for persons 55 years of age and older who remain active and desire an independent living environment.
- B. Any Active Adult Community Zone (AACZ) constructed within the town shall be in full compliance with all of the requirements of this regulation, as well as all other applicable town ordinances and regulations except as provided for in these regulations.
- C. An Active Adult Community Zone (AACZ) shall be deemed to mean a housing development in which one hundred (100%) percent of the multi-family dwelling units will be held or conveyed by deeds containing covenants or restrictions which shall require that such multi-family dwelling units be owned and occupied by at least one person who is fifty-five (55) years of age or older, provided, however, that the surviving spouse of a person who is fifty-five (55) years of age or older may remain in occupancy of such dwelling unit.

### **2.8.2 Location of Zone**

An Active Adult Community Zone (AACZ) shall be located only in the Residence AA Zone and shall consist of at least six (6) contiguous acres. Such AACZ must be located within 500 feet, measured in a straight line ("as the crow flies"), from Old Mine Park and accessed exclusively from Teller Road. An AACZ shall not exceed fourteen (14) contiguous acres.

### **2.8.3 Permitted Uses**

Permitted uses are those provided for in Residence Zones as set forth in Section 1 of Article II of these Regulations, and age-restricted multi-family dwellings.

### **2.8.4 Density**

The maximum number of dwelling units shall be no greater than four (4) units per "buildable" acre. For purposes of this subsection, the term "buildable" is defined as the gross acreage of the subject parcel, minus seventy-five (75%) percent of all wetland areas as determined by a certified soil scientist and approved by the Inland Wetlands and Watercourses Commission.

### **2.8.5 Bulk (Building Standards)**

Minimum Frontage	150'
	Except that Minimum Road Frontage shall be 50 feet where the lot frontage of the subject lot is located solely on a cul-de-sac or dead-end street, or private street.
Maximum Building Height	40'
Front Setback	50'
Side	50'
Rear	50'
Maximum Lot Coverage	25%

Notwithstanding any other provision of these Regulations, parking and driveways in the AACZ shall be permitted within any minimum required yard.

### **2.8.6 Utility and Road Requirements**

1. There shall be a storm drainage system which shall collect, carry off, and dispose of surface water run-off and shall be constructed to conform to all applicable town ordinances and regulations, specifically including Article I, Section 5.3 of these Regulations.
2. All utility facilities shall be placed underground, unless otherwise required by utility provider.
3. All common areas and elements are to be maintained by an association of homeowners in accordance with the Connecticut Common Interest Ownership Act.
4. All internal roads shall be private roads and not dedicated to the Town.

### **2.8.7 Landscaping**

Land that is not covered with impervious surfaces, such as buildings, drives, parking areas, and walkways shall be suitably landscaped or retained in its natural state, with supplemental plantings as designated by the Commission. Landscaping shall be provided and approved by the Town Planner. Applicants shall provide a copy of the Landscaping Plan in sufficient time for the Town Planner to make comments and recommendations. The recommended plan shall be presented to the Planning and

Zoning Office prior to the scheduled Public Hearing. The purpose of said landscaping shall be to enhance the appearance and natural beauty of the town and to protect and increase property values through preservation of existing vegetation and establishment of new screening and landscaping material, to moderate heat, noise, glare, and accumulation of dust, to shade, to provide privacy from noise and visual intrusion, to prevent the erosion of soil, excess water run-off of drainage water, to guide the safe circulation of traffic. All plantings shall be installed according to accepted horticultural methods. Said plan may include height and spacing arrangement as shall best be in keeping with the intent of these regulations. A bond, which shall insure completion of landscaping requirements, shall be submitted in a form satisfactory to the Commission.

#### **2.8.8 Design Review**

The applicant shall submit design standards in conformance with Section 2.8.12 of this Article.

#### **2.8.9 Provisions for Vehicles**

A minimum of one and one half (1.5) spaces per dwelling unit shall be provided; at least one-half of the number of required spaces shall be garage spaces.

#### **2.8.10 Application for Zone Change Approval**

An application for a zone change to AACZ shall include:

- A. A completed zone change application as provided for by the Commission including, where necessary, an approval letter from the Inland Wetlands and Watercourses Commission determining the extent of the wetland areas (as required by Section 2.8.4 of this Article).
- B. A written statement describing how the proposal complied with the purposes set forth in this Article II, Section 2.8.1, of these regulations.
- C. A site plan prepared and certified by a registered landscape architect, a licensed architect, and a registered civil engineer, which shall:
  - (1) Define the location of the areas to be used for residential and conservation or recreational purposes.
  - (2) Set forth the proposed density of the dwelling units.

- (3) Show all roads and utilities.
- (4) Show present and proposed topography.
- (5) Show conceptual landscaping plan for the site.
- (6) Applicants shall provide a copy of the Landscaping Plan in sufficient time for the Town Planner to make comments and recommendations. The recommended plan shall be presented to the Planning and Zoning Office prior to the scheduled Public Hearing.

D. Preliminary building plans illustrating:

- (1) A typical floor plan.
- (2) Typical elevations.
- (3) Design Standards (as required in Section 2.8.12 of this Section 2.8).

#### **2.8.11 Standards for Zone Change Approval**

The Commission may approve a petition for a change of the existing zone to Active Adult Community Zone if it complies with the following:

The development project conforms to the purposes set forth in Section 2.8.1 of this Article and to all applicable provisions of these Regulations.

If the proposed development will be a common interest community, the applicant shall submit draft documents to provide assurance of adequate provision for maintenance of conservation or recreation areas or facilities, and private streets and utilities.

The zone change request shall be submitted simultaneously with a proposed site plan. In addition, construction must begin within one year from the date of final site plan approval or the zone change and site plan approval shall expire.

## **2.8.12 Standards for Design**

The Commission may approve a site plan in connection with a AACZ zone change if it complies with the requirements of these Regulations, and conforms to the following design standards:

- A. Site Development Standards
  - (1) Driveways: All drives shall be asphalt, pea stone, brick and/or stone.
  - (2) Walkways and Stoops: All walks and stoops shall be brick, flagstone, stone, wood, or concrete.
  - (3) Finish Grading: The house shall be backfilled to expose a minimum amount of foundation unless the foundation is faced with brick or stone above the grade. A minimum of 4" (four inches) of compacted loam shall be placed throughout the entire disturbed construction area, except those areas reserved for landscape trees, shrubs, or ground covers, which shall be seeded or sodded in conformance with the CT Guidelines for Soil Erosion and Sediment Control (1985) as amended.
  - (4) Pools and Tennis Courts: All pools and tennis courts shall be heavily screened with plantings, and shall not be located within 75' of the state highway. "Above ground" swimming pools are not permitted.
  - (5) Mailboxes, trash containment areas: Mailboxes, trash containment areas, and other indications of modern occupancy shall be effectively located and/or shielded to de-emphasize their presence.
  - (6) Signage: Permanent numerical identification signs not exceeding 4" (four inches) in height, and signs affixed to either mailboxes or lamp posts which identify the residents and which do not exceed, in the aggregate, more than two square feet per household, are permitted. Temporary real estate signs are also permitted. One sign identifying the proposed development shall be permitted at each entrance; said sign shall contain no more than twenty (20) square feet in area, and shall not exceed six feet in height. No other signage is permitted.
  - (7) Size: No buildings shall exceed forty (40') feet in height.

- B. Additional Restrictions
  - (1) No trucks or other commercial-type vehicles shall be stored or parked on any lots, or common ground, except while parked in a closed Private Garage or while performing services at a dwelling. In no case, however, shall any vehicles be parked on the roads, passageways, or on any other right-of-way or access way in the development.
  - (2) No Livestock, except usual household pets (quartered within the dwelling at night), shall be permitted.
  - (3) There shall be no burning of garbage, refuse, or debris.
  - (4) All construction and/or site improvements in and AACZ shall conform to the underlying Residence Zone regulations herein, except where specifically modified by this Article.
  - (5) All multi-family dwelling units shall be restricted to be used exclusively for a residential use as a single-family dwelling by at least one person who is fifty-five (55) years of age or older; provided, however, that the surviving spouse of a person who is fifty-five (55) years of age or older may remain in occupancy of a dwelling.

#### **2.8.13 Continuing Nature of Standards**

The regulations, prohibitions and standards of performance herein set forth are expressly declared to be of continuing application. Any permission to use land for residential purposes granted after the enactment of this revision shall be granted subject to compliance with the regulations, prohibitions, and standards herein set forth, and upon failure to comply with the same within fifteen (15) days after written notice of non-compliance from the Commission, the Commission may revoke any permission previously granted upon a hearing with notice to the owner(s).

No building permits shall be issued until a Mylar of the final approved plan is recorded in the office of the Town Clerk, and the required bonds have been received by the Planning and Zoning Administrator. \*Effective September 1, 2000