

TOWN OF EAST LYME
ZONING COMMISSION
NOVEMBER 21, 2019
REGULAR MEETING MINUTES

Members Present:

Matthew Walker, Chairman
Kim Kalajainen
Norm Peck
Terence Donovan
John Manning
George McPherson
Marc Salerno, Board of Selectman Ex-Officio

Also Present:

Bill Mulholland, Zoning Officer
William Dwyer, Alternate
Denise Markovitz, Alternate Elect

FILED IN EAST LYME
CONNECTICUT
Nov 27, 2019 AT 3:03 AM/PM
B. Salerno ATC
EAST LYME TOWN CLERK

Absent:

Anne Thurlow, Alternate
Jim Liska, Alternate

Chairman Walker called the Zoning Commission meeting to order at 7:40 p.m.

There was a full Board, so no alternates were seated.

Pledge of Allegiance

Mr. Walker led the Pledge of Allegiance.

Chairman Walker congratulated everyone who won at this year's election and noted that Ms. Thurlow was not able to attend tonight's meeting. Congratulations to Mr. Donovan and Mr. Dwyer, as well as Ms. Markovitz who is a newly elected Alternate. He thanked Mr. McPherson for time and dedication to the Commission over the years, and he also thanked Mr. Manning who has chosen to step down. Thank you to everyone for their service on this Commission and to the Town.

Public Delegations

There were none.

Public Hearings

There were none.

Regular Meeting

1. Regular Meeting Schedule of 2020

MOTION (1)

Mr. McPherson moved to approve the Zoning Commission Regular Meeting Schedule for 2020.
Mr. Donovan seconded the motion.
Motion passed 4-0-2

Mr. McPherson and Mr. Manning abstained from the vote as they will both be stepping down from the Commission and not in attendance at the meetings in 2020.

2. Approval of Minutes of October 17, 2019

MOTION (2)

Ms. Kalajainen moved to approve the meeting minutes of October 17, 2019, as presented.
Mr. McPherson seconded the motion.
Motion passed 6-0.

Old Business

1. Subcommittee – Site Plan Requirements/Architectural Regulations

Mr. Mulholland referenced the draft copy of Section 34 Architectural Design Review Requirements Niantic Village Design District, attached hereto as Exhibit 1; as well as State Statute Section 8-2j, attached hereto as Exhibit 2, which gives the Zoning Commission the authority to establish a Village District. Mr. Mulholland stated that he worked closely with the Town Planner, Gary Goeschel, on Section 34, and he stated that there may be additional minor changes before the final document is finalized. Mr. McPherson inquired if the mention of waivers has been removed, and Mr. Mulholland stated that there is no mention of waivers in the current document. Mr. Mulholland reported that Section 34 is ready to move forward to Public Hearing in January. He reviewed the document, which is attached hereto at Exhibit 1. Mr. Donovan stated that he would like more time to review the document thoroughly before moving forward. Mr. Walker stated that this has been in the pipeline for quite a while and that the subcommittee was formed about 18 months ago, and that Niantic Village is a unique area with unique character and the goal of this document is to preserve that. He thanked Mr. Mulholland and Mr. Goeschel, as well as everyone on the Commission and the subcommittee for working long and hard to create this document. And thank you to Norm Peck for being a visionary on this topic and for pushing for the Commission to develop these zoning regulations. Mr. Manning stated that his only concern is that this will put up roadblocks to rehabilitate existing building, and he would like the Commission to keep that in mind when dealing with rehabilitation. Mr. Mulholland stated that there will not be any roadblocks and this regulation will give the Commission the ability to protect the interests of the Village area and will give the Zoning Officer the ability to approve minor alterations. Ms. Kalajainen stated that section 34.4 is a clear narrative and sets the boundaries nicely. Mr. Mulholland will schedule the public hearing for January.

New Business

1. Any business on the floor, if any by the majority vote of the Commission.
There was none.

2. Zoning Official

Mr. Mulholland reported that Costco has opened and that everything has gone smoothly and that traffic has not been a problem even though the parking lot has been full most of the time. They installed a jersey barrier to prevent people from driving down any access roads leading to the construction area; the emergency access road is not blocked.

3. Comments from Ex-Officio

Mr. Salerno was in attendance and congratulated the members that won a seat on the commission at this election. He thanked Mr. McPherson for his time on the Commission and stated that he will be missed. He reported that at the last Board of Selectmen meeting there was a Town Meeting held where it was voted upon to remove the First Selectman from the Board of Police Commissioners. That commission will now have seven appointed members with the First Selectman as Ex-Officio. Mr. Salerno reported that the Public Safety Building Vision Committee is almost ready to present their budget to the Board of Selectmen, and then the project will be turned over to the Town Building Committee. He stated that the Town Building Committee is just about finished up with the schools renovation project. He reported that the Town created zoning regulations regarding the aquifers in the 70's and 80', about 10 years before the State regulations were in place. The State regulations were much more restrictive and made a lot of sense, so it was decided to use those regulations versus the ones that the Town put in place years earlier. The Aquifer Protection Agency was then formed, and it was eventually decided that there was no need for two separate commissions, so the Aquifer Protection and Zoning Commissions were merged. Based on an in-depth scientific study, the aquifer line was created. At that time, it was decided to waive the fees to get people to register, but that fee can be looked at and reinstated at any time in the future.

4. Comments from Zoning Board liaison to Planning Commission.

There were none. Ms. Kalajainen did report that she would be attending the December 3rd Planning Commission in Mr. Manning's place.

Mr. Donovan thanked Mr. McPherson and Mr. Manning for serving on this commission; and he welcomed Ms. Markovitz.

Mr. Manning thanked Mr. Dwyer for encouraging him to join the Commission and stated that it has been an educational experience and he has enjoyed serving and doing the right thing for the community.

Mr. Walker thanked both Mr. Manning and Mr. McPherson for their service on the Commission and stated that they will both be missed.

Mr. Mulholland passed out a letter regarding the JAG Capital Drive matter and asked the Commission member to review it in advance of the next meeting.

Adjournment

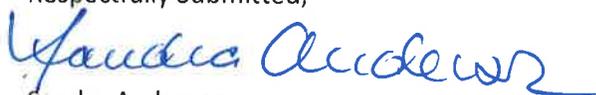
MOTION (3)

Mr. Manning moved to adjourn the Zoning Commission meeting at 8:16 p.m.

Mr. Donovan seconded the motion.

Motion passed 6-0.

Respectfully Submitted,



Sandra Anderson

Recording Secretary

SECTION 34
ARCHITECTURAL DESIGN REVIEW REQUIREMENTS
NIANTIC VILLAGE DESIGN DISTRICT

34.1 Authority

These regulations have been adopted pursuant to Connecticut General Statutes 8-2 and 8-2j; as amended.

34.2 Introduction

Niantic is a traditional New England Village within the Community of East Lyme with unique qualities and a strong sense of place. It has small and cohesive neighborhoods; a vibrant main street; extensive waterfront with marinas, beaches and a public walkway which promotes extensive pedestrian access along Niantic Bay. The village center has historically functioned as the social, civic and commercial center of the community.

These characteristics in themselves constitute a sense of place which contributes to the high quality of livability of the village. A physically and aesthetically enhanced village also typically results in increased property values. These values ultimately reflect on the degree of a place's desirability.

34.3 Purpose

The purpose of these Architectural Regulations are to protect the distinctive character, landscape and historic structures within the district and to provide a framework for design that draws inspiration from the traditions of Niantic and similarly situated New England Seacoast Communities. To promote safe, functional and attractive development of the Village District, enhance the public experience and establish design standards for new or renovated buildings that will preserve and enhance the New England character of Niantic Village.

34.4 Architectural Design

No site plan and/or special permit required under these regulations shall be approved nor shall any structure be constructed, reconstructed or exteriorly renovated or substantially improved in the design district or be permitted until the Zoning Commission determines that the overall architectural character of the proposed site and building design is in harmony with the neighborhood in which such activity is taking place, or accomplishes a transition in character between areas of unlike character; protects property values in the neighborhood and preserves and enhances the beauty of the community, its historical integrity and architecture. In making the determination

regarding historical integrity and overall architectural character, the Zoning Commission shall take into consideration the architectural character of Niantic's structures.

New buildings and renovations should be designed to fit the specific characteristics of their particular site. The architecture should be influenced by traditional New England building forms and town making patterns, the specific needs of the intended users, the nature of the intended use and other site specific factors. All buildings shall follow fundamental architectural principles of scale, massing and appropriate detail, and special attention will be paid to the essential elements of building design. These elements include, but are not limited to: foundations; windows, doors and shutters; porches, stoops, entries and railings; siding and trim; roofs and dormers; and appurtenances such as: chimneys, gutters and downspouts, columns, vents, exterior lighting and building identification.

The overall architectural character of any proposed building design should be in harmony with the neighborhood in which such activity is taking place, or accomplish as a transition in character between areas of unlike character, protects property values in the neighborhood and preserves and enhances the beauty of the community, its integrity and architecture.

Human Scale

Buildings and site elements should be designed to human scale. The forms, massing and openings of buildings should be proportional to the size of a human figure. Many architectural elements can add scale to a building – water tables, planters, recessed openings, divided pane windows, building mounted light fixtures, dormers, cupolas, projecting rooflines, covered walkways, colonnades, and similar features – provided they are designed as integral parts of the overall structure.

Freestanding Accessory Structures

Where freestanding non-habitable structures are allowed (e.g., ATMs, garages, service stations, canopies, storage units, recycling sheds, trash enclosures, cart corrals, utility buildings) they should meet the same design standards as the principal building through repetition of architectural forms, materials, colors and detailing.

34.5 Approving Authority

The approving authority shall be the East Lyme Zoning Commission except that, in the case of minor site plan review pursuant to this Section 34 and Section 24 of these regulations, the approving authority may be the Zoning Official or such other person or agency as may be specified in these Sections.

34.6 Definitions

These definitions are intended to apply only to Section 34. They are not intended to apply to, or as a means to interpret, the same or similar terms in other Sections of these or any other regulations of the East Lyme Zoning Commission.

34.6.1 District or Niantic Village Design District

The Niantic Village Design District (VDD) as delineated on the Zoning Map for the Town of East Lyme, shall be an overlay district encompassing the existing CB Commercial Area, the regulations of which shall be in addition to and not in lieu of, the regulations applicable to the underlying Zoning District.

34.6.2 Historic District

Any Historic District in the Town of East Lyme formally adopted in accordance with CGS Section 7-147a et seq.

34.6.3 Historic District Commission

East Lyme Historic District commission as may be established by the Town.

34.6.4 Minor Site Plan Review

The procedure set forth in Section 34.7 c of these regulations.

34.6.5 Plan of Conservation and Development

The Plan of Conservation and Development of the Town of East Lyme as may be amended.

34.7 Applicability

These regulations shall apply to all proposed renovations to existing buildings and structures, and all proposed new buildings and structures as described below:

a. New Construction

b. Major Alterations

New construction and substantial reconstruction or rehabilitation of properties within the District and in view from public roadways, navigable waters, including but not limited to:

1. The design and placement of buildings;
2. The maintenance of public views;
3. The design, paving materials and replacement of public roadways and passageways, including crosswalks;
4. Fencing and landscaping;

5. Replacement of exterior structural surfaces and components, including roofing materials, lighting and signage, with materially different surfaces, such as a change from clapboard siding to vinyl or aluminum siding or from stucco to wood siding or from slate tiles to asphalt shingles.

c. Minor Alterations approved by the Zoning Official

Activities that are not classified as New or Major Alterations pursuant to Subsection 34.7 (a) and (b) above, but that may still noticeably affect and change the character and appearance of properties within the district, including but not limited to:

1. Any change in the exterior color of the structure;
2. Replacement of hedges and replacement or installation of trees or shrubs in existing landscaped areas.
3. Any exterior change to a building or structure that requires a building permit but is not considered a major alteration;
4. Site modification including but not limited to changes in lighting fixtures, ground surface material or minor changes to parking;
5. Streetscape accessories on Town property or installed by the Town or a public or private entity on State property; including but not limited to street trees and landscaping;
6. All signage;
7. The zoning official may approve minor applications for design review. These applications shall be limited to replacement of windows, roofing, doors, steps, stairs, decks, patios, siding and other exterior features with the same or approximately similar styles that will have a minor impact on the property provided that all applications are in keeping with the intent of the Design Review Regulations. Otherwise the Zoning Official may refer applications to the Commission for further review if necessary in his opinion.

D. Submission Requirements

The applicant shall provide adequate information to enable the Commission to make a determination, including architectural plans of all buildings, other structures and signs. Such plans shall include preliminary floor plans and exterior elevations showing height and bulk, roof lines, door and window details, exterior building materials, color and all exterior lighting and be stamped and signed by a licensed architect in the State of Connecticut. Site plans shall show paving materials, landscaping, fencing, lighting design and other features of the site and buildings which are visible from the exterior of any building on the site or from adjacent properties or streets and which may impact on the character or quality of life on adjoining properties and throughout the Village District. Design review requirements shall apply to all structures, exterior renovations, and substantial improvements within the VDD zone. A site plan in accordance with Section 24 of the Zoning

Regulations shall be submitted for all new construction or major alterations. Minor alteration applications shall include at a minimum a plot plan.

In addition to all other requirements of the Zoning Regulations, the applicant for all buildings or structures and sites subject to a review by the Commission under this section shall submit scaled elevation drawings of the proposed structures for a design review. The scale of such drawings shall not be smaller than one-eighth inch equals one foot (1/8" = 1'0").

The drawings shall locate and identify exterior materials, fixtures, roof pitch and building or structure height and include dimensions and architectural characteristics. The applicant shall also provide the Commission with all required comparative information regarding lots within two hundred (200) foot of the lot on which the development is proposed.

In cases of new construction or major alteration, a scaled streetscape colored rendering showing the proposed structure(s) in relation to the context of the surrounding area, particularly in regard to the criteria set forth in Section 34.8, shall be provided unless waived by the Commission.

Said streetscape plan shall include the following:

1. Building elevations;
2. Streetscape materials and furniture;
3. Other appurtenances (i.e. light fixtures/poles, utilities, landscaping, street signs, etc).

All applications under this section shall demonstrate how the appearance of the proposed structure conforms to the criteria in Section 34.8, and, if applicable, the site plan criteria in Section 24 and the special permit criteria in Section 25.

34.8 Design Criteria

The following criteria shall be considered in all designs. Designs shall be in keeping with the architectural fabric of the design district.

Design, Massing, Scale & Proportions

Building design should incorporate features that add *visual interest* to the building while reducing the appearance of bulk or mass. Buildings should avoid long, monotonous, uninterrupted walls or roofs on their visible facades. They also should avoid long expanses of repetitive architectural elements. Whether symmetrical or asymmetrical, the buildings' facades should be *balanced in their composition*.

With the objective of maintaining a small-town character, buildings should appear to be *modest in scale*, relating to the scale of the immediate surroundings. The massing of larger commercial buildings should be deemphasized by the use of projecting and recessed sections, to reduce their apparent overall bulk.

The mass of buildings can be reduced by further introducing small-scale architectural features. The use of shutters, columns, and chimneys on building elevations and similar features help to establish a human scale at the street level.



A good example of an active commercial block- visually, interesting, balanced, modest in scale with many architectural elements.



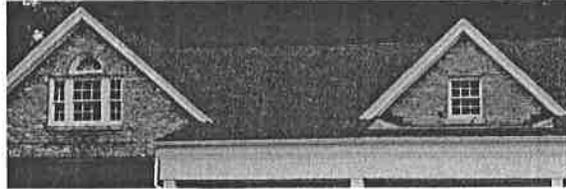
An example of a balanced and well-proportioned building.

Architectural Style and Detail

Buildings may be either traditional in their architectural character or a contemporary expression of traditional styles and forms

Buildings should articulate the line between the ground and upper levels with a cornice, canopy, balcony, arcade or other architectural features. The cornice and/or parapet is an area where architectural detail and materials are important, as they can add distinctiveness and visual emphasis to a building, but they should be consistent with the body of the design in scale and detail.

The use of special architectural elements, such as but not limited to towers & turrets, muntins & window shutters, chimneys and dormers etc., is encouraged at major street corners to accent structures and provide visual interest.



Visually interesting roof of a commercial building.



Cupola.



Visually appealing façade in the Greek revival architectural style.

Storefront

Well-designed storefronts add vitality to the streetscape, encouraging pedestrian as well as vehicular traffic. Retail storefronts should make generous use of glass, face the street or sidewalk and not be obstructed by piers or other features that block view of the display windows. Carefully designed awnings coupled with appropriately scaled signage and lighting will further enhance the storefront's appearance.



Roof Types

It is characteristic of traditional New England architecture that smaller-scaled structures have roofs that are *sloped* and *articulated* with dormers, chimneys, gables, cupolas, fascia etc.



Larger structures likewise can benefit from similar treatment that breaks up the massing into appropriately scaled elements. Avoid large flat-roofed areas, or conceal them behind parapets or sections of sloped roof.

Windows

Fenestration (arrangement of windows on the wall) should be architecturally related to the style, materials, colors, and details of the building. Windows and door openings should be proportioned so that verticals dominate horizontals. To the extent possible, upper-story windows shall be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows.



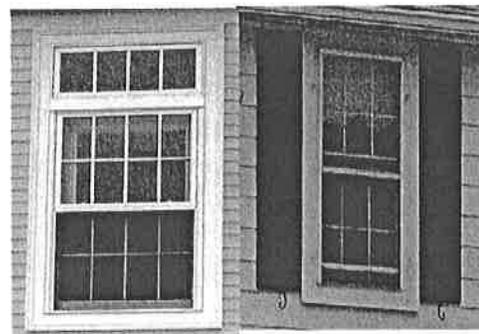
Upper stories should incorporate window patterns and designs that are compatible with and complimentary to existing upper-story window patterns on the block.



Vertically-aligned windows and entrances.

First-floor window and display design should create a feeling of *transparency* on the ground floor of the building. This contributes to a sense of safety and is welcoming to pedestrians. The viewing zone of the first floor façade should be made up of approximately 75% transparent non-reflective glass. Window displays are encouraged, but visibility into the building from the sidewalk should be maintained.

With the exception of retail storefronts, modestly scaled, vertically proportioned windows articulated with *muntins* (dividers of panes of glass) are most appropriate to the local building vernacular. *Shutters* are also an enhancement.



Window with muntins.

Window with shutters.

Entrances

Architectural detail should be incorporated into the ground-floor façade to create an easily identifiable and welcoming entrance. As one of the most important parts of the facade, the main entrance should be easily identifiable. Doors and entryways should follow a traditional storefront design (usually recessed) and should be compatible with the architectural style of the structure. The entrances should also address the primary street or pedestrian pathway.

When rear parking is provided, the provision of secondary *rear entrances* and pleasing rear facades is strongly encouraged. The design of the rear entrances and facades should be appropriately detailed to provide an attractive appearance, but should not be overly embellished to compete with the main storefront.

Where a new building is to be located on a *corner*, each side visible from a street should be considered a primary storefront façade and incorporate these fenestration patterns, unless doing so would unduly obtrude into a primarily residential street.



Greek revival entrance.



Victorian era entrance.



Corner building with attractive entrances and windows facing both major streets.

Materials and Colors

The Town strongly prefers authentic natural materials such as *wood, brick, and stone* for the exterior of structures and landscape features. Construct windows, storefronts and public doorways of wood where possible. Synthetic materials should be as close in appearance and detail to the natural material it simulates.



All sides of the building should use materials consistent with those on the front if visible from public streets or neighboring properties, and should be carefully designed with similar detailing, comparable quality, and compatible materials.



Awnings

Awnings that are functional for shade and shelter are encouraged. These awnings should be made of canvas or a canvas-like material should fit the shape and scale of the window or door they are sheltering, and should be designed to be compatible with and complimentary to building signage and design. Awnings should break at the vertical divisions of the structure (i.e., the break between the display windows and the entrance).



The color and pattern of awnings affect the entire building and therefore should be carefully chosen. A facade with minimal architectural detailing can be enhanced with bright colors and patterns, while a more decorated facade may be complemented with a plain, subtle shade. The shape of awnings should be designed to fit the building's architecture and relate to other awnings that exist along the street. Traditional retractable awning styles are encouraged.



Other Elements That Add to New England Heritage:

Shade Trees

Trees are an important element of landscape design. The inclusion of shade trees in site design is encouraged. Shade trees provide an aesthetic value as well as a functional purpose to Niantic Village. Shade trees are large deciduous trees with spreading canopies, with the most popular being oaks, maples, ashes, elms, and lindens. In addition to aesthetic qualities and commercial appeal of these trees, they also have more practical benefits such as reducing heating and cooling costs, reducing heat reflected from paved areas, converting carbon dioxide to oxygen, helping prevent soil erosion, increasing property value and much more. Therefore, preservation and protection of old shade trees as well as planting new ones is strongly encouraged.



Plantings/Landscaping

Thoughtfully designed landscaping appropriate to the context of a small New England town should include the careful use of stone walls, wood fencing, paving materials and plantings. These features can tie a structure to its landscape, define spaces and make for a pleasant pedestrian experience. Preserve mature plantings, stone walls and other historic features where possible and minimize modifications to the natural topography of the site.

Lighting

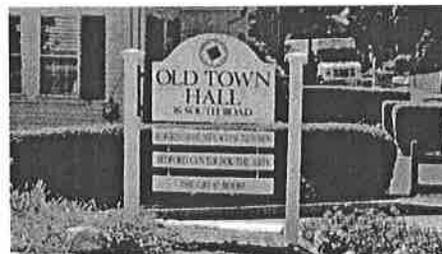
The exterior lighting scheme is important to the success of a storefront design. Lighting that highlights the sign and display area is often more effective than general lighting of the entire store. When a larger building has a number of storefronts, exterior lighting should be coordinated. Energy efficient lighting is also encouraged. East Lyme encourages energy conservation through the use of energy efficient bulbs and the elimination of extraneous light that can spill offsite or cause glare. Select pedestrian-scaled light fixtures appropriate to building type and location. Avoid the use of floodlighting, wall packs, and tall light posts intended for lighting large areas. Light fixtures should be of the full cut off variety to reduce sky glow.



Applications for new construction and major alterations shall contain a lumens plan prepared by a lighting/lumens engineer.

Signage

In buildings with multiple storefronts, a coordinated approach to signage throughout the building is particularly important. Use signs of similar size, proportion, and materials on each store. Varying the color of individual signs can add variety. Signage should be appropriately scaled to the building or surface onto which it is placed, should not obscure important architectural features. East Lyme has comprehensive signage regulations (see Section 18 of the Zoning Regulations), which provide further detailed requirements.



Discouraged Architectural Designs

Pictured below are examples of types of Architecture that are discouraged.



34.9 Modification

Substantial changes to the proposal after approval shall be reviewed by the commission, including applications for a special permit or formal site plan approved by the commission. Minor changes that would not materially affect the applicant's compliance with any of the criteria may be reviewed by the Zoning Official.

34.10 Special Criteria for Exterior Renovations, New Construction and Substantial Improvement of Existing Buildings:

In addition to the above criteria, exterior renovation or substantial improvement of a building or structure visible from a public street or from navigable waters should adhere to the following criteria.

The removal or alteration of any historic material or distinctive architectural features should be avoided unless the alteration is a positive improvement to the renovation. The distinguishing original qualities or character of a building or structure, its site, and its environment should not be destroyed.

All buildings, structures, and sites should be recognized as products of their own time. Renovations should generally be compatible with the existing structure or buildings on-site, but renovations that have no historical character and which seek to create an inappropriate appearance are discouraged.

Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, its site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

Distinctive stylistic features or examples of skilled craftsmanship which characterizes a building, structure, or site should be treated with sensitivity.

Deteriorated architectural features should be repaired or replaced to the extent possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, texture and other visual qualities when feasible. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

Renovations and additions which destroy significant historical, architectural, or cultural characteristics are discouraged.

Designs should generally be compatible with the size, scale, material, and character of the original structure.

Whenever possible, new additions or renovations to buildings and structures should be done in such a manner that if such additions or renovations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

Significant landscape features shall be designed by a licensed landscape architect.

34.11 Design Review Procedure

34.11.1 Application for a Certificate of Design Appropriateness

Each application for design review to be reviewed by the commission shall be submitted to the Zoning Official or other designated agent at least thirty (30) days prior to the next regular meeting of the Commission and accompanied by twelve (12) copies of the drawings regarding the proposal, which shall meet the requirements of these Regulations and shall be accompanied by a fee.

All applicants shall be subject to a pre-application development meeting with the Zoning Official to review the application and submission package.

34.11.2 Receipt and Review of Application

Upon receipt of said application it will be scheduled for a hearing before the Zoning Commission unless it is a minor application. The Commission shall complete its review within 65 days. Applications that are determined to be incomplete shall not be accepted.

Applications that are subject to special permits or site plan review shall be reviewed separately from Design Review.

Applications shall contain all of the criteria contained within Section 34.

Minor Alteration applications shall be accompanied by at a minimum a plot plan, unless it is determined that a full site plan is needed to fully evaluate an application.

All applications for new construction and substantial reconstruction with the district and in view from public roadways and navigable waters shall be subject to review and recommendation by an architect contracted by the commission and designated as the Village District Consultant for such application. The Village District Consultant shall review an application and report to the Commission within thirty-five days of receipt of the application. Such report and recommendation shall be entered into the hearing record and considered by the commission in making its decision. Failure of the Village District Consultant to report within the specific time shall not alter or delay any other time limit imposed by the regulations.

The commission may seek the recommendations of any town agency or regional council or outside specialist with which it consults. Any reports or recommendations from said agencies shall be entered into the record.

If the commission grants or denies an application, it shall state upon the record the reasons for its decision. If the commission denies an application, the reason for the denial shall cite the specific regulations under which the application was denied. Notice of the decision shall be published in a newspaper having a substantial circulation in the municipality. An approval shall become effective in accordance with subsection (b) of section 8-3c.

No approval of the commission under this section shall be effective until a copy thereof, certified by the commission, containing the name of the owner of record, a description of the premises to which it relates and specifying the reasons for its decision, is recorded in the land records of the town in which such premises are located.

At its first meeting upon receipt of an application for a certificate of design appropriateness the Commission shall first determine whether the application can be referred back to the Zoning Official for review and action under Section 34.7.c; or whether it requires Site Plan review per Section 24 or Special Exception review per Section 9.2 and 20.1.2.

The level of review deemed appropriate for an application received by the Commission is within the sole discretion of the Commission and shall be based on the potential impact on neighborhood architectural harmony and character, property values, historical integrity, and/or public health and safety.

After the Commission has determined both the level of review deemed appropriate for an application and the information it requires the applicant to present, at that same meeting the Commission shall then determine whether or not the application is complete. If it determines that the application is incomplete, the Commission will so advise the applicant who may withdraw the application or who may agree to continue consideration of the application until the next meeting and provide such information then. If the application is not withdrawn or continued, at that same meeting the Commission may deny the application without prejudice.

The Commission may also determine that the application is sufficiently complex that the Commission requires the assistance of an outside consultant who will make a report to the Commission to assist it in deliberations.

DRAFT

Vocabulary

- ◇ **Arcade:** A range of arches supported on piers or columns attached to or detached from the wall.
- ◇ **Awning:** A roof-like cover extending over or in front of a storefront (as over the deck or in front of a door and/or window) as a shelter.
- ◇ **Bay:** A main division of a structure. A regularly repeated unit on a building elevation defined by columns, pilasters, or other vertical elements, or defined by a given number of windows or openings.
- ◇ **Bay window:** A window or series of windows forming a bay in a room and projecting outward from the wall.
- ◇ **Blank Wall:** An exterior building wall with no openings and generally constructed of a single material, uniform texture, and on a single plane.
- ◇ **Brackets:** Ornamental pieces placed under eaves, cornices, window sills, etc., which appear to provide structural support.
- ◇ **Bulkhead:** A vertical partition separating compartments.
- ◇ **Canopy:** An ornamental projection, over a door, window, niche, etc.
- ◇ **Clerestory:** An outside wall of a room or building that rises above an adjoining roof and contains windows.
- ◇ **Column:** A supporting post--often round in shape--found on storefronts, porches, and balconies; may be fluted or smooth.
- ◇ **Corner block:** A square, relatively flat block of wood, often decoratively carved, placed at the upper corners on each side of the wood framing around a door.
- ◇ **Cornice:** The projecting uppermost portion of a wall, sometimes treated in a decorative manner with brackets.
- ◇ **Cupola:** A small roof tower, usually rising from the roof ridge.
- ◇ **Dormer:** A window set vertically in a structure projecting from a sloping roof.
- ◇ **Eave:** The part of the roof which extends beyond the side wall.
- ◇ **Façade:** The face of a building, especially the principal face.
- ◇ **Fascia:** Any relatively broad, flat, horizontal surface, as the outer edge of a cornice, a stringcourse, etc.
- ◇ **Fenestration:** The arrangement of windows and other openings in a wall.
- ◇ **Frieze:** The portion of the facade found just below the point where the wall surface meets the building's cornice or roof overhang.
- ◇ **Front Lot-Line:** On a regular lot, the front lot line is the shared line between the lot and a sidewalk/public right-of-way.

- ◊ **Gambrel:** A roof having two slopes on each side of the peak, the lower slope usually steeper than the upper one.
- ◊ **Gable:** The vertical triangular wall between the sloping ends of gable roof.
- ◊ **Gable Roof:** A roof that consists of two sloping planes that meet at the ridge or peak. The planes are supported at their ends by triangular, upward extensions of walls known as gables.
- ◊ **Hipped Roof:** A roof with four sloped sides.
- ◊ **Mansard Roof:** A roof that has two slopes on all four sides.
- ◊ **Massing of the Building(s):** The combined effect of the arrangement, volume and shape of a building or group of buildings. Also called bulk.
- ◊ **Muntin (or Window Bar) –** A short bar used to separate glass in a sash into multiple lights. Also called a windowpane divider or a grille.
- ◊ **Parapet:** The portion of an exterior wall that rises entirely above the roof, usually in the form of a low retaining wall; the parapet may be shaped or stepped.
- ◊ **Pediment:** A low triangular gable above a cornice, topped by raking cornices and ornamented.
- ◊ **Pilaster:** A column partially embedded in a wall, usually non-structural and often decorated to resemble a classical column.
- ◊ **Public Right-of-Way:** Includes the street, curb and sidewalk area in front of private property at the front lot line.
- ◊ **Quoin:** Corner treatment for exterior walls, either in masonry or frame buildings.
- ◊ **Roof:** Flat or Pitched. Pitched roofs can be: Hip, Mansard, Gambrel, Gable, and more.
- ◊ **Sash:** (Window Sash) Framework of stiles and rails in which the lights of a window are set.
- ◊ **Scale:** A relative level or degree; to make in accordance with a particular proportion or scale with the surrounding architecture.
- ◊ **Setback:** An architectural expedient in which the upper stories of a tall building are stepped back from the lower stories; designed to permit more light to reach the street.
- ◊ **Shingles:** Thin pieces of wood or other material set in overlapping rows to form a roof or wall cladding.
- ◊ **Side light:** A framed area of fixed glass alongside a door or window opening.
- ◊ **Storefront:** The front side of a store or store building facing a street
- ◊ **Texture:** The visual or tactile surface characteristics and appearance of a building
- ◊ **Transom:** A small-hinged window above a door or another window.
- ◊ **Transparent Glass:** Degree of Tinting: Capable of transmitting light so that objects may be easily seen on the other side.

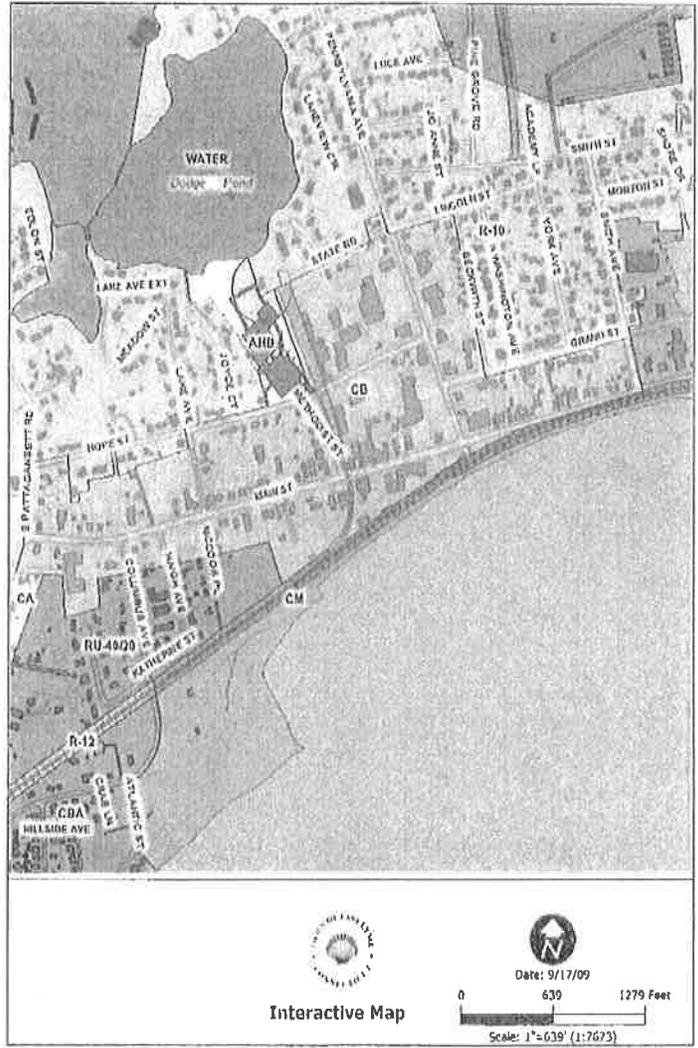
◊ **Turrets:** A small tower that projects from the wall of a building, such as a medieval castle or baronial house. A building may have both towers and turrets; turrets might be smaller or higher, but the difference is generally considered to be that a turret projects from the edge of the building, rather than continuing to the ground.

◊ **Type A buildings:** buildings originally built for commercial uses and constructed at the sidewalk edge which include commercial uses at the first-floor area.

◊ **Type B buildings:** buildings of residential character which are now at least partially used for commercial purposes. These buildings, which often occur at the edge of the commercial district, are typically set back from the street line and incorporate landscaped front yard.

◊ **Valance:** A short drapery, decorative board, or metal strip mounted across the bottom of an awning to con-

DRAFT



Sec. 8-2j. Village districts. Compatibility objectives with other uses in immediate neighborhood. Applications. Village district consultant

- (a) The zoning commission of each municipality may establish village districts as part of the zoning regulations adopted under section 8-2 or under any special act. Such districts shall be located in areas of distinctive character, landscape or historic value that are specifically identified in the plan of conservation and development of the municipality.
- (b) The regulations establishing village districts shall protect the distinctive character, landscape and historic structures within such districts and may regulate, on and after the effective date of such regulations, new construction, substantial reconstruction and rehabilitation of properties within such districts and in view from public roadways, including, but not limited to, (1) the design and placement of buildings, (2) the maintenance of public views, (3) the design, paving materials and placement of public roadways, and (4) other elements that the commission deems appropriate to maintain and protect the character of the village district. In adopting the regulations, the commission shall consider the design, relationship and compatibility of structures, plantings, signs, roadways, street hardware and other objects in public view. The regulations shall establish criteria from which a property owner and the commission may make a reasonable determination of what is permitted within such district. The regulations shall encourage the conversion, conservation and preservation of existing buildings and sites in a manner that maintains the historic or distinctive character of the district. The regulations concerning the exterior of structures or sites shall be consistent with: (A) The "Connecticut Historical Commission - The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings", revised through 1990, as amended; or (B) the distinctive characteristics of the district identified in the municipal plan of conservation and development. The regulations shall provide (i) that proposed buildings or modifications to existing buildings be harmoniously related to their surroundings, and the terrain in the district and to the use, scale and architecture of existing buildings in the district that have a functional or visual relationship to a proposed building or modification, (ii) that all spaces, structures and related site improvements visible from public roadways be designed to be compatible with the elements of the area of the village district in and around the proposed building or modification, (iii) that the color, size, height, location, proportion of openings, roof treatments, building materials and landscaping of commercial or residential property and any proposed signs and lighting be evaluated for compatibility with the local architectural motif and the maintenance of views, historic buildings, monuments and landscaping, and (iv) that the removal or disruption of historic traditional or significant structures or architectural elements shall be minimized.
- (c) All development in the village district shall be designed to achieve the following compatibility objectives: (1) The building and layout of buildings and included site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements shall assure there is no adverse impact on the district; (2) proposed streets shall be connected to the existing district road network, wherever possible; (3) open spaces within the proposed development shall reinforce open space patterns of the district, in form and siting; (4) locally significant features of the site such as distinctive

buildings or sight lines of vistas from within the district, shall be integrated into the site design; (5) the landscape design shall complement the district's landscape patterns; (6) the exterior signs, site lighting and accessory structures shall support a uniform architectural theme if such a theme exists and be compatible with their surroundings; and (7) the scale, proportions, massing and detailing of any proposed building shall be in proportion to the scale, proportion, massing and detailing in the district.

(d) All applications for new construction and substantial reconstruction within the district and in view from public roadways shall be subject to review and recommendation by an architect or architectural firm, landscape architect, or planner who is a member of the American Institute of Certified Planners selected and contracted by the commission and designated as the village district consultant for such application. Alternatively, the commission may designate as the village district consultant for such application an architectural review board whose members shall include at least one architect, landscape architect or planner who is a member of the American Institute of Certified Planners. The village district consultant shall review an application and report to the commission within thirty-five days of receipt of the application. Such report and recommendation shall be entered into the public hearing record and considered by the commission in making its decision. Failure of the village district consultant to report within the specified time shall not alter or delay any other time limit imposed by the regulations.

(e) The commission may seek the recommendations of any town agency or regional council or outside specialist with which it consults, including, but not limited to, the regional council of governments, the municipality's historical society, the Connecticut Trust for Historic Preservation and The University of Connecticut College of Agriculture and Natural Resources. Any reports or recommendations from such councils or organizations shall be entered into the public hearing record.

(f) If a commission grants or denies an application, it shall state upon the record the reasons for its decision. If a commission denies an application, the reason for the denial shall cite the specific regulations under which the application was denied. Notice of the decision shall be published in a newspaper having a substantial circulation in the municipality. An approval shall become effective in accordance with subsection (b) of section 8-3c.

(g) No approval of a commission under this section shall be effective until a copy thereof, certified by the commission, containing the name of the owner of record, a description of the premises to which it relates and specifying the reasons for its decision, is recorded in the land records of the town in which such premises are located. The town clerk shall index the same in the grantor's index under the name of the then record owner and the record owner shall pay for such recording.

(P.A. 98-116; P.A. 00-145, S. 1; P.A. 01-195, S. 110, 111, 181; P.A. 13-247, S. 275.)

History: P.A. 00-145 divided existing Subsec. (a) into Subsecs. (a) and (b) and existing Subsec. (c) into Subsecs. (d) and (e), amended Subsec. (a) to require districts to be located in areas identified on the plan of conservation and development, amended Subsec. (d) to include landscape architects and planners in review and authorize an architectural review board to act as the village district consultant, deleted former Subsec. (e) which had defined "neighborhood", inserted new provisions as Subsec. (f) re approval or disapproval, relettered former Subsec. (d) as (g) and made numerous technical changes throughout; P.A. 01-195 made technical changes in Subsecs. (d) and (f), effective July 11, 2001; P.A. 13-247 amended Subsec. (e) by substituting "town agency" for "town", "council" for "agency", "council of governments" for "planning agency" and "councils" for "agencies", effective January 1, 2015.